United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163 WASHINGTON, WEDNESDAY, JULY 12, 2017 No. 117

House of Representatives

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

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
July 12, 2017.

I hereby appoint the Honorable JIM BRIDENSTINE to act as Speaker pro tempore on this day.

PAUL D. RYAN,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2017, 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.

CONGRATULATING FULBRIGHT RECIPIENTS FROM PENNSYLVANIA'S FIFTH CONGRESSIONAL DISTRICT

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 16 individuals from Pennsylvania's Fifth Congressional District who have received prestigious Fulbright awards during the 2016–2017 school year.

Congress established the Fulbright Program in 1946. It promotes friendly and peaceful relations between Americans and people of other countries through international educational exchange. Each year, more than 3,000 U.S. students, scholars, artists, and professionals in more than 100 different fields of study are offered Fulbright Program grants to lecture, study, teach English, and conduct research in more than 140 countries.

Today, it is my privilege to recognize the following 16 individuals:

Dr. Farshid Ahrestani of State College, Pennsylvania, a scholar of biology, whose host country was India;

Dr. Luis Ayala Hernandez of State College, Pennsylvania, a scholar of engineering, whose host country was Colombia;

Ms. Maria Barboza of Clarion, Pennsylvania, a student with an English teaching apprenticeship, whose host country is Brazil;

Dr. Samuel Bufford of State College, Pennsylvania, a scholar of law, whose host country was Romania;

Ms. Alice Chen of Bradford, Pennsylvania, a student with an English teaching apprenticeship, whose host country was Taiwan;

Ms. Talia Cowen of State College, Pennsylvania, a student with an English teaching apprenticeship, whose host country is South Korea;

Dr. Zuleima Karpyn of State College, Pennsylvania, a scholar of engineering, whose host country was Colombia;

Ms. Lauren Knoth of State College, Pennsylvania, a student of sociology, whose host country was Finland;

Dr. Gerald LeTendre of Furnace, Pennsylvania, a scholar of education, whose host country was Japan;

Dr. Anthony Robinson of State College, Pennsylvania, a scholar of geology, whose host country was Austria;

Dr. Robert Roeser of State College, Pennsylvania, a scholar of psychology, whose host country is India;

Dr. Heather Snyder of Waterford, Pennsylvania, a scholar of psychology, whose host country was the United Kingdom;

Dr. Jacqueline Stefkovich of State College, Pennsylvania, a scholar of education, whose host country was Croatia;

Ms. Ann Tarantino of State College, Pennsylvania, a scholar of the arts, whose host country was Brazil;

Dr. Andrea Wyman of Edinboro, Pennsylvania, a scholar of library science, whose host country was Azerbaijan; and

Dr. Karl Zimmerer of State College, Pennsylvania, a scholar of geography, whose host country is Spain.

Congratulations to each and every one of you. You have earned this national recognition with your years of study, leadership, and service, and our community is proud of you.

Mr. Speaker, the Fulbright Program is one of the most sought-after exchange programs in the world. It encourages applications from individuals of academic and professional achievement who are current and future leaders in their respective fields. Selected through open, merit-based competition, Fulbrighters represent the excellence and diversity of their societies around the world and in the United States.

Since 1946, more than 370,000 individuals from the United States and 180 countries have participated in the program, including 37 heads of state, 57 Nobel Laureates, 82 Pulitzer Prize winners, and 70 MacArthur Foundation Fellows.

These relationships form a foundation of trust on which the United States may advance global peace and security. I know that the memorable learning experiences individuals encounter through the program will never be forgotten.

I thank all the Fulbrighters, especially the 16 from Pennsylvania's Fifth Congressional District. We are grateful

Printed on recycled paper.

for your contributions and most proud of your achievements.

Congratulations.

DEMOCRATIC VALUES

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

Mr. GUTIERREZ. Mr. Speaker, I want to bring to everyone's attention, especially my Democratic colleagues, a troubling incident that transpired over the recess.

It is important that people hear about how women and the LGBT community are treated at the highest levels of the current Puerto Rican government and the values and politics that run deeply throughout the politics of statehood for Puerto Rico.

It is fair to say that in the era of Trump, admitting a Spanish-speaking Caribbean country as the 51st State would depend on the strength of democratic votes, so it is important for my Democratic colleagues in particular to understand who the statehooders really are and what they really stand for, beyond their rhetoric in Washington, D.C.

The president of the senate in Puerto Rico, Thomas Rivera Schatz, is a key leader of the Statehood Party. In a recent interview on NotiUno radio, he was asked about the Financial Oversight and Management Board, known as la Junta de Supervision Fiscal. This is the controversial board created by Congress a year ago to take over financial and fiscal decisions in Puerto Rico and to prioritize the payment of Puerto Rico's debt to Wall Street.

I was one of the chief opponents of the PROMESA legislation that created the junta, and I have spoken out against it on numerous occasions. But it wasn't what the statehood senate president said about the junta that was so offensive; it is how he talked in public about one of its board members—in fact, the only woman on the board and an appointee nominated by NANCY PELOSI and the Democrats in the House.

Ana Matosantos has impeccable, bipartisan qualifications and also happens to be an openly gay woman. So during the interview, the senate president and statehood leader referred to Ms. Matosantos as Mr. Matosantos, using the masculine pronoun ''senor.'' He did it multiple times so that listeners would not miss his disdain for lesbians and for women. It was no accident or slip of the tongue. Given an opportunity to apologize or backtrack, Rivera Schatz has declined to back down.

This is not the first time he has displayed his contempt for women and for the gay and lesbian community. His agenda is clear, and he knows he has many like-minded allies in Puerto Rico's statehood movement.

Every time he has had an opportunity to block civil and human rights protections for LGBT individuals, he does so. He goes out of his way to belittle gay and lesbian citizens even when they are the victims of hate crimes.

To be clear, I don't see Rivera Schatz as one bad apple. He is a bad apple that exemplifies and is a voice for the other leaders in his party.

So as a Puerto Rican and as a supporter of equality, all of this is deeply disturbing to me. Gender and LGBTQ equality issues are deeply engrained values of the Democratic Party, and I think they are core issues that bind Democrats together: issues of justice, opportunity, and fair play.

So when the leaders of the statehood movement in Puerto Rico call upon Democrats in Congress to speak about equality and justice for Puerto Ricans, I want my colleagues to think about the agenda they are pursuing in Puerto Rico and the extent to which they have a very different approach to fairness and equality on the island.

In closing, I would like to offer a few words to the Puerto Rican people in their own language, Spanish, and I will provide a translation to the desk.

(English translation of the statement made in Spanish is as follows:)

Core values of equality and fair treatment values I know most Puerto Ricans hold deeply in our hearts.

So when the Statehood Party allows divisive and polarizing figures like Senator Rivera Schatz to be their face and their leading advocate in the Senate, it makes me and many others skeptical about the arguments we hear from people who support statehood say the words ''equality'' and ''justice'' in Washington, but fight against equality and justice in Puerto Rico.

How can they be taken seriously about equality when their agenda in the legislature is to take away those rights from women, the LGBT community, students, peaceful protesters and others?

That is the fundamental hypocrisy I have pointed out to my Democratic colleagues, right now and in private meetings and correspondences.

If the statehood movement is really committed to equality, they should act accordingly and not just use it as a slogan when it suits them.

Los valores de la igualdad y del trato justo y equitativo son valores fundamentales que la mayoría de los puertorriqueños atesoramos profundamente en nuestros corazones.

Así que cuando el Partido Estadista, el PNP, permite que figuras polarizantes y divisivas como el Senador Rivera Schatz sean su cara y su principal representante en el Senado, eso me hace a mí y a muchos otros sentirnos escépticos en cuanto a los argumentos de los estadistas que usan palabras como ''igualdad'' y ''justicia'' en Washington, pero luchan en contra de la igualdad y la justicia en Puerto Rico.

¿Cómo esperan que se les tome en serio al hablar de ''igualdad'' cuando su agenda en la Legislatura es el quitarles derechos a las mujeres, a la comunidad LGBT, a los estudiantes, y a los que se manifiestan y protestan pacíficamente?

Esta es la fundamental hipocresía que le he señalado a mis colegas Demócratas, aquí, ahora, y en reuniones privadas, y a través de correspondencia.

Si el movimiento estadista en realidad tuviese un compromiso con la igualdad, actuarían conforme a la igualdad y no meramente usando el término como un lema cuando les conviene.

The SPEAKER pro tempore. The gentleman from Illinois will provide a translation of his remarks to the Clerk.

CELEBRATING THE PHILHOWER FAMILY'S 100TH ANNUAL FAMILY REUNION

The SPEAKER pro tempore. The Chair recognizes the gentleman from New Jersey (Mr. LANCE) for 5 minutes.

Mr. LANCE. Mr. Speaker, on September 7, 2017, the Philhower family will have its 100th annual family reunion. I am proud to join my fellow family members in celebrating this very special occasion. My great-grandmother was Elizabeth Philhower Lance.

The Philhowers were some of the earliest settlers of Hunterdon County, New Jersey. The patriarch of the Philhower family was Philip Wulhauer, who emigrated from Germany on the ship the Patience, landing in the port of Philadelphia on September 16, 1738, at the age of 24. He met his wife, Anna Maria, on their voyage to the Colonies. Together they traveled to Hunterdon County, New Jersey, to start a new life.

Philip went on to lease 14 acres in what is now Tewksbury Township in 1758 and established the Philhower homestead, which was first a log cabin that included one room and a loft. Shortly after, he built the house that still stands on the property. It was constructed of mortar, lime, sand, and clay, and its walls are 18 inches thick.

The Philhower homestead had grown to 100 acres when the house was completed. The Philhowers have occupied the land since then and have spread their roots all over Hunterdon County, all over the State of New Jersey, and, indeed, all over the rest of the country.

Among the family names entwined in the Philhowers are Apgar, Sutton, Fleming, Hoffman, and Lance. Philhowers have represented Hunterdon County in many of the military conflicts that have faced our Nation. They have also been farmers, millers, physicians, ministers, merchants, bankers, and educators.

In 1917, the Philhowers held their first family reunion at their homestead, attended by nearly 400 descendants of Philip and Anna Maria. This fine tradition has continued over the last century, usually marked by a turkey dinner, finance meeting, and exchanging of family mementos at Cokesbury United Methodist Church in Hunterdon County. This year, however, family members will travel back to the

original Philhower homestead to be together.

Mr. Speaker, I am grateful to be a descendant of the Philhower family. This is but one example of the strong immigrant tradition in this country that continues to be one of our greatest strengths as a nation, as much a strength today as in the middle of the 18th century.

I am honored to share this milestone with colleagues in the United States House of Representatives and with the American people.

TWO-STATE SOLUTION

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

Mr. BLUMENAUER. Mr. Speaker, every time I visit Israel, I have such mixed feelings. It is a land of positive opportunities surrounded by intractable controversies.

The big question looming is how to achieve a two-state solution for the Israelis and the Palestinians with appropriate integrity so that they are actually separate countries. This has raised additional questions because of the ambiguity from the Trump administration about whether or not what, for years, has been American policy supporting a two-state solution is any longer a priority of theirs.

For several years, I have been deeply concerned about the looming environmental crisis in Gaza. This is a small strip of land about twice the size of Washington, D.C., but it is home to 1.9 million people, most of whom are leading a wretched existence, even more so since Hamas, the political faction, has seized control. That is Israel's implacable enemy which now controls Gaza.

They have little regard for their own people, using them as pawns, spending scarce resources, digging tunnels to try to kidnap Israeli children and soldiers, and launching rockets to terrorize Israeli communities in the surrounding areas.

□ 1015

Gaza has reached a crisis point in dealing with water and sanitation. The groundwater is so polluted that virtually all the water is unfit to drink—polluted by sewage, waste runoff, and seawater encroachment. They are pumping four times as much water out of the aquifer than can be replaced naturally, and seawater from the Mediterranean is encroaching.

We are told that, by the end of the year, there will probably be no sources of drinking water that are fit to drink. By 2020, the entire water system will be permanently damaged. Because of problems with drinking water that is not fit and raw sewage that is not treated, there is a real likelihood that we could have an outbreak of something like cholera, threatening not just the people in Gaza, but the Israelis as well.

Several times recently, sewage from Gaza has washed up on Israeli beaches and forced the shutdown of water treatment plants from desalinization. The Israeli military thinks this is a security threat.

In the course of this visit, I had an opportunity to put the question directly to Prime Minister Netanyahu; Jibril Rajoub, the number three person in the Palestinian Authority; and United States Ambassador Friedman about this pending crisis and the need for urgent action. Sadly, each of those conversations revealed I won't say indifference, but certainly a lack of urgency and no willingness for anybody to take the lead and break the impasse.

This is not a problem that is beyond our ability to solve. There are opportunities to increase electricity for pumping water and treating sewage. There is the capacity to build some smaller reservoirs to be able to mix saltwater with freshwater and extend the supplies.

For Israel, water is a mystery they have solved. They are the most water-rich country on the face of the planet, with very sophisticated technology. They could provide additional resources. Around the edges, the United States does some work with USAID, but it is not a priority for the United States at this point.

Mr. Speaker, I return perplexed. We will continue to push with the Israelis, the United States Government, the Palestinians, and with NGOs whenever we have the opportunity. But it seems to me, Mr. Speaker, if we cannot bring people together to solve a pending crisis with tools that are available to us now, at a relatively modest cost, what hope do we have of being able to work cooperatively to implement the two-state solution and be able to bring peace and security to Israel and the Palestinians?

I would hope my colleagues would lend their voices to this question.

SERBIAN GOVERNMENT MUST STEP UP AND DO THE RIGHT THING

The SPEAKER pro tempore. The Chair recognizes the gentleman from New York (Mr. ZELDIN) for 5 minutes.

Mr. ZELDIN. Mr. Speaker, I rise today to discuss my resolution, H. Con. Res 30.

In July of 1999, three brothers—Ylli, 25 years old; Agron, 23 years old; and Mehmet Bytyqi, 21 years old—who were born in the United States and resided in Hampton Bays, New York, went overseas towards the end of the Kosovo war to fight mass war crimes aimed to eradicate the civilian Albanian population from Kosovo.

These three men left the comfort and safety of their homes in the U.S. to embark on a civilian humanitarian mission. They were trying to stop abroad those horrific crimes against humanity. During that civilian humanitarian mission, they were arrested after accidentally crossing into Serbian-controlled territory.

Two weeks later, they were given a judicial order of release. Instead, the brutal execution of these men followed shortly after, and it was not until 2001, 2 years later, that their remains were found in a mass grave.

While Serbian authorities have investigated the deaths of the brothers, there have been no charges brought against those responsible for those murders. Moreover, the main suspect remains a prominent member of the governing political party.

Today we remember Ylli, Agron, and Mehmet, who were senselessly and brutally murdered 18 years ago.

Since taking office over 2 years ago, I have been committed to helping the Bytyqi family receive the justice they have long deserved. I have been in contact with the family as we work to resolve this.

In the last Congress, I introduced H. Con. Res. 51, calling for justice to be served in these horrible murders, and imploring the Serbian Government to make it a priority that this must be properly investigated and that those suspects be prosecuted to the fullest extent of the law. I am proud to have reintroduced this legislation in the 115th Congress as H. Con. Res. 20.

It is absolutely reprehensible that, despite many promises by Serbian officials to resolve this case, no individual has ever been found guilty of this horrible crime, nor of any crimes associated with the deaths of these innocent Americans.

It is the responsibility of the Serbian Government to resolve this case, and my resolution notes that progress into this investigation should remain a significant factor which determines the further development of U.S.-Serbian relations. Their inaction on finding and prosecuting those responsible is an insult not only to the memory of Ylli, Agron, Mehmet, and the Bytyqi family, but to every American.

The Bytyqi brothers gave their lives to fight injustice. It is now upon us to return this favor and deliver justice for their family. Those responsible for these unspeakable acts against our citizens must face the law. It is vital that the Serbian Government steps up and does what is right. Eighteen years later, it is time we put an end to this sad story.

CELEBRATING 150TH ANNIVERSARY OF NEW LIGHT BEULAH BAPTIST CHURCH

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. CLYBURN) for 5 minutes.

Mr. CLYBURN. Mr. Speaker, I rise today to honor New Light Beulah Baptist Church of Hopkins, South Carolina, on the occasion of its 150th anniversary. Many members of the congregation have traveled here to Washington, D.C., from South Carolina to

observe this tribute, and have joined us here in the gallery.

New Light Beulah Baptist Church grew out of Beulah Baptist Church, which was a place of worship for Whites and African Americans. In December of 1867, several years after the effective date of the Emancipation Proclamation, many newly freed slaves began exercising their new-found freedoms by taking control of their own affairs. Consequently, the 565 African-American members of the congregation began worshipping on alternating Sundays from the 11 White members of Beulah Baptist Church.

In 1870, after the dispersal of the White congregation, the African-American members of Beulah Baptist Church further asserted their independence by renaming the church New Light Beulah Baptist Church.

After a number of disputes over the church's land, the congregation decided to build a brush arbor on the land of Deacon Pharaoh Smith, a revered leader within the church. Over the following years, this humble brush arbor evolved into the thriving spiritual center that New Light Beulah Baptist Church has become today.

New Light Beulah Baptist Church embodies the resilience and service of the African-American community. Forged from adversity, this congregation has stood strong throughout tumultuous times, both externally and internally. Their strength comes not from the brick and mortar within which they worship, but from God's good graces and the steadfast individuals who have labored in this historic church.

The church has been a leader in Hopkins, South Carolina, a small rural community southeast of Columbia, the State's capital. Through various community-oriented initiatives, such as their child development program, Meals on Wheels, the Neighboring Christian Athletic Association, and the Educational Society, the congregation has positively impacted the entire community.

Next month, New Light Beulah Baptist Church will become the first African-American church in the Hopkins community to be registered as a historic place by the South Carolina Department of Archives and History. I congratulate them on this special recognition.

Mr. Speaker, it is my great honor to represent this fine congregation in this august body. I ask my colleagues in the United States House of Representatives to join me in congratulating New Light Beulah Baptist Church on their 150th anniversary and wishing them continued prosperity in the days ahead.

The SPEAKER pro tempore. The Chair would remind Members that it is not in order to refer to occupants of the gallery.

FIGHTING ONLINE SEX TRAFFICKING

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Missouri (Mrs. WAGNER) for 5 minutes.

Mrs. WAGNER. Mr. Speaker, I rise today to call on the U.S. House of Representatives to bring my bipartisan Allow States and Victims to Fight Online Sex Trafficking Act to the floor.

Yesterday, The Washington Post revealed that backpage.com hired a contractor to solicit and create illegal sex trafficking ads. This confirms yet again what we have long known about Backpage: it is an online slave market that actively sells America's innocent women and children for sex.

If a business in America held a slave auction, it is impossible for me to imagine that the auctioneer would be able to carry on with impunity. After all, we amended the U.S. Constitution to ban slavery of all forms in the United States many years ago. But this is exactly what is happening with backpage.com. Backpage is selling our children into sex slavery, and we must hold them accountable.

Backpage and other online slave markets can sell America's children over and over again because courts have misinterpreted section 230 of the Communications Decency Act to shield websites from criminal liability for the sex trafficking advertisements that they facilitate.

But the Communications Decency Act, passed over 20 years ago, was never intended to create a lawless internet where people can commit sex crimes online that they cannot commit offline. In fact, this misinterpretation of the CDA is the height of irony.

Speaking in favor of the CDA in 1995, then-Senator Exon said: ''The information superhighway should not become a red-light district. Once this bill passes, our children and families will be better protected from those who would electronically cruise the digital world to engage children in inappropriate communications and introductions.''

How sad his words ring today. The CDA, meant originally to protect children, has become now a safe harbor for America's pimps. The tech industry is rallying against any changes to the CDA, but freedom of speech online and the enforcement of the Nation's sex trafficking laws are in no way mutually exclusive. Sex trafficking is not a prerequisite of the free and open internet.

Last year, in Jane Doe v. Backpage, the U.S. Court of Appeals for the First Circuit made clear that legislation is the only remedy to any conflict between the CDA and America's sex trafficking laws.

□ 1030

In other words, Congress must clarify to the courts that the Communications Decency Act does not protect sex trafficking, and that is precisely what the Allow States and Victims to Fight Online Sex Trafficking Act will do.

We must bring this legislation to the floor and take a stand for victims across the country. We cannot claim to be antitrafficking advocates, then close our eyes and give a free pass to the websites that sell our children.

HONORING FIRST RESPONDERS OF ARIZONA'S SECOND CONGRESSIONAL DISTRICT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Arizona (Ms. MCSALLY) for 5 minutes.

Ms. MCSALLY. Mr. Speaker, I rise today to recognize the outstanding individuals in my congressional district who I was proud to award as First Responders of Distinction earlier this week.

We all benefit from the sacrificial work of our first responders, whether we have personally experienced it as they responded to our emergency or whether we indirectly benefit from it by enjoying the safety that they provide.

The everyday acts of heroism by first responders in our community often go uncelebrated. They keep our streets safe, put their lives on the line during emergencies, provide assistance whenever needed, and save lives.

Above and beyond even that standard of greatness, there are outstanding first responders in my district who serve southern Arizona in truly extraordinary ways. These individuals organize community races, develop emergency preparedness training, log hundreds of volunteer hours, launch public education campaigns, and provide meals for disabled seniors.

That is why I created the First Responders of Distinction Award to shine a spotlight on individuals who make extraordinary contributions in our community.

This year, we reached a significant number of nominations, and I was pleased to recognize each one for the role they play. Our winner in the individual category goes to Lieutenant Mertie Stompro, who has served in the Sierra Vista Police Department for 20 years. His many leadership roles include team leader for the Sierra Vista Police Department Tactical Unit and founding member of the Sierra Vista Police Department's Special Response Team.

Mertie distinguished himself as the sergeant overseeing firearms training for the department. He developed force-on-force training to simulate real-life scenarios that officers face in the community. His steadfast approach to challenging officers in the training environment has greatly improved the skill level and preparedness of all ranks in the Sierra Vista Police Department.

In his spare time, Lieutenant Stompro has coordinated an annual Foot Pursuit 5K. It is a race that has become the largest organized race in the Sierra Vista area and fosters positive interaction between law enforcement and the community.

Last year, it raised $6,000 for the annual Christmas with a Cop event sponsored by the Sierra Vista Police Officers' Association. In this photo, you can see Lieutenant Stompro engaging with a child at Christmas with a Cop, which gives 100 underprivileged children in Cochise County the opportunity to spend $100 on whatever they wish to purchase.

For the last 2 years, during the National Bike and Walk to School Week, he comes in to work before shift and transforms one of the armored vehicles into a Batmobile, driving Batman and Ghostbuster around each school in the Sierra Vista neighborhoods to interact with the kids.

Lieutenant Stompro has also worked tirelessly over the last several years to develop emergency preparedness training exercises in the local schools and developed a lasting partnership with the Sierra Vista Unified School District. He took the lead in developing exercises to coordinate efforts in the event of an active shooter situation.

Lieutenant Stompro embodies the Sierra Vista Police Department's mantra of ''Service with Honor,'' and we are fortunate to have him in our community.

Our team winner for 2017 is the Davis-Monthan Air Force Base 355th Civil Engineering Squadron Fire Emergency Services, pictured here receiving their award. Davis-Monthan's Fire Emergency Services team provides fire, rescue, emergency medical, and combat support in 25 operating bases year round.

In the past year, they hosted over 500 firefighters from 12 neighboring departments, three local fire academies and local law enforcement agencies, and joint SWAT/Rescue Task Force training.

In the last year, this team provided more than 150 hours of fire prevention education, supporting over 300 children at Borman Elementary and Sonoran Science Academy. Additionally, they volunteered 250 hours to Habitat for Humanity, Tanque Verde Little League, STARBASE, Pima Interagency Training Committee, Arizona Center for Fire Service Excellence, the Public Safety and Emergency Services Institute, and numerous other organizations.

Despite being 30 percent undermanned, they protect $50 billion in assets and 14,000 personnel. Even with the diverse demands, they were able to combine their experience, hard work, and talent to garner the prestigious milestone of Commission on Fire Accreditation International, an honor only 230 departments in the world have earned.

Mr. Speaker, these are just two examples of the heroic and extraordinary first responders we are blessed to have serving in my district. We will never fully be able to repay these individuals for the way they shaped and improved our lives, but we can applaud them and offer our sincerest gratitude.

Before I yield back, I want to point out I am standing here in my professional attire, which happens to be a sleeveless dress and open-toed shoes.

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 35 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

Archbishop Hovnan Derderian, Western Diocese, Armenian Church of North America, Burbank, California, offered the following prayer:

Almighty God, it is with a grateful and humble heart that I gaze upon You with supplications for lasting peace, prosperity, and commonweal for the great country of the United States, which so many people of diverse backgrounds proudly call home.

As the spiritual leader of the Armenians on the West Coast, I bring the intercession of my flock, and I ask You O Lord to grant wisdom, compassion, and righteousness to all Congressmen and Congresswomen so that they may lead this country through the paths of justice, liberty, and equality.

Compassionate God, forgive the sins of all Your servants and make them vessels of Your divine will so that in all their endeavors they may remember Your commandments and act according to the United States' national interests in defense of the country's sovereignty.

This I ask in Your holy Name.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina 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 ARCHBISHOP HOVNAN DERDERIAN

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

There was no objection.

Mr. SCHIFF. Mr. Speaker, I rise to recognize my friend, Archbishop Hovnan Derderian, Primate of the Western Diocese of the Armenian Church of North America, and to thank him for delivering the opening prayer on the House floor today.

Archbishop Derderian has had a tremendous impact on people of all faiths and has played a vital role in the religious and civic life of millions.

Since his election as primate in 2003, Archbishop Derderian has been a dedicated religious servant for the thousands of congregants who look to him for guidance, managing a diocese which covers the Western United States.

In the large Armenian-American diaspora community that I am proud to represent, Archbishop Derderian is an articulate and steadfast voice for the values of faith, family, and community service that are at the core of the Armenian people's perseverance and strength.

Archbishop Derderian and the Western Diocese have joined other religious and community leaders in rallying support and aid for Armenia, Artsakh, and for refugees fleeing the horrors of civil war in Syria and Iraq.

I thank the Archbishop for all that he does to make our community and our Nation stronger. I am proud that Congress today was able to hear the moral leadership he brings to his work in the Western Diocese.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

PANAMA CITY BEACH HUMAN CHAIN

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

Mr. DUNN. Mr. Speaker, I rise today to recognize the bravery and the ingenuity of more than 80 beachgoers in Panama City Beach last weekend. As many were enjoying the crystal blue waters of the Gulf, a family of six and four others became caught up in a riptide. Losing strength to fight their way back to shore, the swimmers screamed for help and faced a tragic fate.

Thankfully, ordinary citizens did something extraordinary. One of them was Jessica Simmons, who noticed the struggling swimmers from a nearby sandbar. She said to herself: ''Those people are not drowning today.'' Jessica helped coordinate dozens of others to form a human chain from the shore

all the way out to the distressed swimmers, ultimately bringing all of them to shore and saving their lives.

It is a testament to the generosity of the human spirit to see complete strangers quite literally join hands to help those in need.

On behalf of the Second District, I thank Jessica Simmons and all who fought the churning currents of Panama City Beach on Saturday. May we all learn from their example.

REMEMBERING THE VICTIMS OF THE NEWARK REBELLION AND OCCUPATION

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

Mr. PAYNE. Mr. Speaker, on July 12, 1967, a fire of rebellion sparked in my hometown and led to 5 days of conflict. Today we acknowledge the 50th anniversary of the Newark riots, or as the citizens called it, the Newark Rebellion and Occupation, and we memorialize the 26 people who lost their lives in those turbulent 5 days:

Rose Abraham,
Elizabeth Artis,
Mary Helen Campbell,
Eloise Spellman,
Eddie Moss,
Captain Michael Moran,
Isaac Harrison,
Frederick Toto,
Robert Martin,
Albert Mersier, Jr.,
Rufus Hawk,
William Furr,
Oscar Hill,
Tedock Bell,
Michael Pugh,
Jessie Mae Jones,
James Rutledge,
Leroy Boyd,
Rebecca Brown,
Hattie Gainer,
Raymond Gilmer,
Cornelius Murray,
Victor Louis Smith,
James Sanders,
Richard Taliaferro, and
Rufus Council.

Mr. Speaker, those were turbulent days in the city's history, but we have not forgotten and we have learned great lessons from that time. May we also never forget these lives that perished in those 5 days.

HOUSE COMBATS HUMAN TRAFFICKING

(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. Mr. Speaker, today the House of Representatives will consider three critical bills that will continue efforts to reduce and eliminate human trafficking and implement a stronger detection system for American families.

I appreciate the leadership of Congressman CHRIS SMITH, Congressman TIM WALBERG, and Congresswoman VICKY HARTZLER for their work to build a more effective system to apprehend traffickers.

As we take steps at the national level to prevent trafficking, equip local officials, and support vulnerable communities, I am grateful that the South Carolina Human Trafficking Task Force led by State Attorney General Alan Wilson has been a pioneer in statewide efforts to combat human trafficking. Under his leadership, South Carolina has one of the strongest human trafficking laws in the country and has successfully worked for prosecution, protection, prevention, and partnership.

I am encouraged by South Carolina's commitment to protecting the dignity, freedom, and human rights of all citizens, and I hope their success can build a model for other States.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

SENATE BILL HURTS AMERICANS

(Mrs. CAROLYN B. MALONEY of New York asked and was given permission to address the House for 1 minute.)

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, once again, tomorrow, Senate Republicans will take another shot at passing the most widely hated and totally disastrous bill in modern American history—their bill to repeal the Affordable Care Act.

Once again, 22 million Americans will stand to lose their health insurance. Once again, Republicans will propose to send premiums and out-of-pocket costs soaring. Once again, Republicans would allow insurance companies to discriminate against the sick. Once again, they will try to pass a law that hurts children, veterans, seniors, and Americans with disabilities.

They seem desperately determined to pass something instead of doing the right thing—which would be working on a bill that treats healthcare as a fundamental American right—and that is as wrong as wrong can be.

OFFICER DOWN: MIGUEL MORENO—TEXAS LAWMAN

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

Mr. POE of Texas. Mr. Speaker, Peace Officers Miguel Moreno and Julio Cavazos of the San Antonio Police Department were responding to a routine call when they were approached by two individuals. Suddenly, one dastardly criminal pulled out a firearm and began shooting at both officers.

As the shots rang out, both officers were hit. 32-year-old Officer Moreno took a bullet to the chest, collapsing to the ground. Officer Cavazos ran to his fellow officer, Moreno, pulling him out of the line of fire despite being shot himself. He fired back at the outlaw, hitting the mark; and, in my opinion, justice was then served.

Despite Cavazos' quick actions, 32-year-old Officer Moreno succumbed to his injuries. Another life needlessly stolen from the thin blue line.

Miguel Moreno was a 9-year veteran of the force. He woke up each morning ready to serve and protect his community. His life was stolen by an evil villain with no socially redeeming value.

Moreno stood for everything that is good in America. As we mourn his loss, we should thank the good Lord that such people as he ever lived. He was part of the rare breed, the American breed. Our peace officers are the best we have. America needs to stand with peace officers. We should stand with the thin blue line—the line that separates the lawful from the lawless.

God bless Officer Moreno and his family.

And that is just the way it is.

INFRASTRUCTURE INVESTMENTS IN BUFFALO, NEW YORK

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Mr. Speaker, The Buffalo News, in a feature story this week, highlighted the impressive development of the once dormant urban streets in Buffalo, New York; streets like Niagara Street, Main Street, and Ohio Street.

What these road projects have in common in their resurgence is a smart and targeted Federal commitment to infrastructure that has been successfully leveraged to yield significant private investment and achieve the maximum benefit for our community and for the Nation.

Buffalo—long ago humbled by economic devastation—is now a national model for communities nationwide in showing how infrastructure investments can create jobs and improve the life quality of communities.

Infrastructure investment creates jobs in the construction trades and supply and materials industry immediately and unleashes the investment of the private sector in a cause-and-effect economic response.

Buffalo has come a long way, and we still have a long way to go. The lessons of our success can and should be shared with the Nation through this institution.

CONGRATULATING CHIEF BILL OLNEY ON HIS RETIREMENT

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

Mr. HUIZENGA. Mr. Speaker, I rise today to congratulate my neighbor and friend, Chief Bill Olney, on his retirement from the Zeeland Police Department, and to thank him for his work and his service.

After attending both Grand Valley State University and Wayne State University, Bill received a degree in criminal justice from Madonna University. He began his career in law enforcement in 1976 as a Michigan State Police trooper, where he served for 25 years protecting our great State.

In 2001, just one day after he retired from the Michigan State Police, Bill Olney joined the Zeeland Police Department, where he served as our chief of police for 16 years.

Chief Olney has dedicated his career to providing the highest quality law enforcement service and professionalism to the residents of Zeeland. His relentless work for our committee and dedication is clearly reflected by the numerous awards and commendations he has received over his career.

Chief Olney has served on the West Michigan Criminal Justice Training Consortium, Ottawa Substance Abuse Prevention Coalition, and Stop Child Abuse and Neglect Council.

As a lifelong Detroit Lions and Michigan State Spartans fan, I know he will enjoy his retirement with his wife, Kathryn; and his children, Shannon and Matt.

I think some football is in his kids' future.

Mr. Speaker, I want to ask my colleagues to join me in saying ''thank you'' on behalf of the Second District of Michigan as we thank Chief Bill Olney for his 41 years of service to the State of Michigan and to our country.

□ 1215

PROTECT NET NEUTRALITY

(Ms. GABBARD asked and was given permission to address the House for 1 minute.)

Ms. GABBARD. Mr. Speaker, net neutrality is something that is fundamental to our country. It is rooted in our First Amendment rights. It allows for an open marketplace, exchange of ideas, center for innovation, hub for communication, and so much more.

In today's digital age, especially, ensuring an open, free, and equal internet for all—not just for those who can afford to pay to play—is crucial to level the playing field for everyone.

The FCC's current proposal rolls back these freedoms for the benefit and profit of big internet service providers on the backs of students, entrepreneurs and innovators, small businesses, and all of us. Millions across the country have already sent in comments to the FCC expressing their strong opposition.

On today's net neutrality day of action, I encourage everyone to make their voices heard. In just 5 days, the FCC public comment period closes. Now is the time for us to raise our voices to protect net neutrality, fairness, and equality for all.

MAJORITY OF VOTERS BACK PRESIDENT'S TRAVEL VETTING

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

Mr. SMITH of Texas. Mr. Speaker, a recent Politico/Morning Consult poll shows that 60 percent of registered voters support ''new guidelines which say visa applicants from six predominantly Muslim countries must prove a close family relationship with a U.S. resident in order to enter the country.'' Only 28 percent oppose. Also, respondents trust Republicans in Congress more than Democrats to handle the issue of immigration.

The new, nationwide poll demonstrates strong approval by the electorate for the President's effort to keep America safe, despite a question slanted to make respondents think his action is based on religion.

Had the question noted that the six nations that require additional visa scrutiny were also selected by the Obama administration as national security threats, the poll likely would have revealed even more support for the new guidelines.

When it comes to immigration policy, the American people support the President.

TRAINING SCHOOLS IN SEX TRAFFICKING AWARENESS

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, many people think of human trafficking as a problem that is happening abroad, but what they don't realize is that hundreds of thousands of victims are being trafficked within our own borders.

It is hard to imagine such an injustice occurring in your own neighborhood. When I learned that my city of San Diego is considered a high-intensity region for child trafficking, I knew I needed to take action.

In San Diego, we have an incredible community antitrafficking task force. They told me that a gap in the fight against trafficking is in our schools. This is why I wrote the Empowering Educators to Prevent Trafficking Act. I am proud to see it included in the Frederick Douglass Trafficking Victims Protection Act that is before us today.

My bill will fund programs to train teachers across the country to recognize and respond to signs of trafficking so that they can identify victims and get them the help they need. Teachers, in turn, can teach their students how to protect themselves from becoming victims.

With this training, our Nation's schools can be an important line of defense against this terrible injustice.

RECOGNIZING GASPERI FAMILY

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute.)

Mr. FITZPATRICK. Mr. Speaker, I rise today to recognize the Gasperi family, who will be moving to Kenya in August on a mission to bring clean, fresh water to the schools in the surrounding area.

The Gasperi family seeks to provide clean water to schools in the city of Nakuru. Clean water will help the Kenyans avoid waterborne parasites and illnesses that interfere with childhood education.

Ashley Gasperi grew up in Kenya, and, with her husband, Chris, started a nonprofit called Ekenywa, which means a new beginning. Their mission is to improve the quality of life for school-aged children in Kenya and to eradicate poverty.

Both Chris and Ashley hold their master's degrees in nursing. Chris serves as a nurse manager at St. Mary Medical Center's orthopedic center, and Ashley serves as a clinical instructor at Temple University.

Mr. Speaker, on behalf of the entire Eighth Congressional District of Pennsylvania, we are so proud of the Gasperi family. We wish them the best as they work to provide a brighter future and cleaner water for all the children of Kenya.

HONORING OUR COMMITMENT TO VETERANS

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, there are tens of thousands of veterans in this country who have served this country; put their lives on the line, literally; and saved the lives of countless other servicemembers who, because of their service, have mental healthcare-related conditions like post-traumatic stress disorder, or PTSD, which contributed to them having an other than honorable discharge.

Mr. Speaker, with an other than honorable discharge, those veterans are unable to go into a VA and see a mental healthcare provider, despite the fact that they are more than two times likely to take their own lives.

Now that we all know this, I hope that Members will join me in cosponsoring the Honor Our Commitment Act, which I introduced with MIKE BOST in the House and CHRIS MURPHY in the Senate. It is bipartisan and bicameral. It honors our commitment and obligation to those servicemembers who did right by this country, and it will save lives.

I look forward to the full support of this Chamber, passage of this bill, and having the President sign it into law.

RECOGNIZING ROBERT LEE BECERRA

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

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to recognize Robert Lee Becerra, a very special young man

from my district who is severely impacted by autism and has made a positive difference in thousands of lives in south Florida. How has he done this?

Mr. Speaker, for years, Robert has helped train 6,000 Miami police officers, firefighters, and EMTs to identify people with developmental issues and tailor their actions and responses accordingly. With Robert's help, officers and first responders in south Florida are trained to de-escalate volatile emergency situations involving individuals on the autism spectrum or with mental illness.

Robert's assistance in emergency response training has not only helped officers to connect with autism patients on an emotional level, but it has also made a positive impact and has saved many lives in our south Florida community.

I thank Robert for his tireless work and participation in police and first responder training for more than 10 years. His efforts have helped make south Florida an even better community for all of us.

Thank you, Robert.

NAS REPORT ON THE VALUE OF SBE SCIENCES

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

Mr. LIPINSKI. Mr. Speaker, I rise today to highlight the findings of a recent report by the National Academies of Sciences, Engineering, and Medicine entitled: ''The Value of Social, Behavioral, and Economic Sciences to National Priorities.'' This report was requested by the National Science Foundation to examine whether the Federal Government should continue funding research in these disciplines. The resounding answer is: yes.

The report found that SBE funding furthers the mission of NSF and helps other agencies achieve their missions, and this funding provides tools and methods that have helped business and industry grow the U.S. economy and create jobs.

The report also highlights that virtually every major challenge the country faces today requires understanding the causes and consequences of people's behavior. The way we do this is by funding research in the social, behavioral, and economic sciences.

Mr. Speaker, investments in SBE are critical for our Nation's future, and we must continue this robust investment.

RECOGNIZING LEDVANCE

(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. Mr. Speaker, for the past 100 years, people in St. Marys, Pennsylvania, have been producing light for the world.

Earlier this week, I had the opportunity to visit the LEDVANCE manufacturing facility and visit with employees. St. Marys is located at the eastern edge of the Allegheny National Forest in the Pennsylvania Fifth District. It is a town this has a rich and storied history of being a leader in manufacturing.

The LEDVANCE facility in St. Marys manufactures nearly 2 million incandescent and halogen light bulbs—and soon, LED light bulbs—each day, in 1,700 packages and varieties. Its employees are skilled, knowledgeable, an dedicated to their craft. They are producing state-of-the-art lighting solutions right in the heart of north central Pennsylvania.

LEDVANCE has locations throughout North America and is a global leader in advancing light with LED, traditional and smart lighting, and accessories. It was a privilege to tour the St. Marys facility and meet with the talented local employees who work diligently each day to produce a quality product.

Congratulations to our workforce in St. Marys on 100 years of knowledge and expertise to advance light around the world.

IMMIGRATION REFORM

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

Mr. POLIS. Mr. Speaker, I rise today to highlight the need for bipartisan immigration reform.

Until Congress addresses our broken immigration system; secures our border; provides a pathway for people who have been here a long time to be able to eventually earn full citizenship; and provides a way for people who are here illegally and required to register, get right with the law, and get in line behind those who have come legally, it will remain a problem in cities and communities across our entire country.

There has been a failure of leadership in this body, the United States Congress, to actually address our broken immigration system. There has been a failure from both sides to provide a pathway forward for a problem that only Congress can solve, and that will only get larger until we take it up here.

Last week, I visited the ICE detention facility in Aurora, Colorado. I witnessed and talked to family members and mothers who had been taken away from their American children over something as minor as a speeding ticket.

We can, and we must, do better as a nation. We need an immigration system that reflects that we are both a nation of laws and a nation of immigrants. I call upon my Republican and Democratic colleagues to work together to achieve this end.

PROVIDING FOR CONSIDERATION OF H.R. 2810, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018, AND PROVIDING FOR CONSIDERATION OF H.R. 23, GAINING RESPONSIBILITY ON WATER ACT OF 2017

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 431 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 431

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. 2810) to authorize appropriations for fiscal year 2018 for 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 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 115-23, 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 original bill for the purpose of further 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 printed in part B of the report of the Committee on Rules accompanying this resolution and amendments en bloc described in section 3 of this resolution.

(b) Each 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, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, 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 amendments printed in part B of the report of the Committee on Rules or amendments en bloc described in section 3 of this resolution are waived.

SEC. 3. It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part B of the report of the Committee on Rules accompanying this resolution not earlier disposed of. Amendments en 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 designees,

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 pursuant to this resolution, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

SEC. 5. 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. 23) to provide drought relief in the State of California, 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 shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115-24. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part C of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, 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. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. MACARTHUR). The gentleman from Alabama is recognized for 1 hour.

□ 1230

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 431 provides for full consideration, including making six amendments in order to H.R. 23, the Gaining Responsibility on Water Act, and allows us to begin consideration of H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018.

H.R. 23 is legislation necessary to deal with the severe water supply crisis facing California and other Western States. The region has experienced the worst drought in over 1,000 years, and many Western communities have been very negatively impacted.

This commonsense legislation fixes the broken regulatory system that is only exacerbating the impact of the drought conditions. The current regulatory system is overly complex and inconsistent. Making matters worse, various court decisions have only further complicated efforts to resolve these issues.

For example, this bill will help bring California's water infrastructure into the 21st century. The current water storage and delivery system is designed to serve approximately 22 million people, but the State currently has 37 million residents.

The bill is not only important to people in California. In fact, around half of our Nation's fruits and vegetables come from California. Every American could be hit in the pocketbook at the grocery store or checkout line if the California drought is allowed to continue.

Through this legislation, we can help expand water infrastructure and allow for greater water conveyance while ensuring environmental and water rights protections. Passing H.R. 23 will directly help address the drought crisis and benefit families, farms, the environment, and the American economy.

The rule also allows us to begin consideration of the National Defense Authorization Act. The bill provides for general debate and makes in order 88 amendments, including 41 minority amendments and 20 bipartisan amendments. Another rule is expected tomorrow to provide for consideration of additional amendments.

This open process actually started in the Armed Services Committee on which I serve. At the committee level, 275 amendments were offered, and 231 amendments were adopted during our committee markup last month.

I have said this many times on this floor, but it is worth saying again: there is no greater responsibility of the Federal Government than to provide for the safety and security of the American people. This year's NDAA does just that by reforming, repairing, and rebuilding the United States military.

The bill addresses the realities of the dangerous threat environment facing our Nation and ensures our troops and their families have the necessary resources and benefits.

Over the last decade, we have cut our military at an alarming rate. As the threats rack up, we have planes that can't fly, ships that can't sail, and soldiers who can't deploy. We must reverse this readiness crisis.

Thankfully, there is bipartisan support for boosting our Nation's military. In fact, this bill passed out of the Armed Services Committee by a vote of 60–1, continuing a strong bipartisan tradition of passing NDAAs.

I want to briefly highlight just a few of the positive provisions of this legislation.

The bill increases total military spending by 10 percent to rebuild the military from the current readiness crisis. This includes increasing the size of the Army, Navy, Air Force, Army Guard and Reserve, Naval and Air Reserve, and Air Guard.

Given the serious threat posed by North Korea, the bill boosts missile defense programs, including adding an additional $2.5 billion above the President's budget request.

The bill also authorizes the construction of 13 new Navy ships, including three more littoral combat ships, as we work to grow toward a 355-ship fleet. It funds a 2.4 percent pay raise for our troops and extends special pay and bonuses for servicemembers.

Importantly, the bill continues to advance Chairman THORNBERRY's priority of reforming and strengthening the military's acquisition process to make it more effective and efficient.

Given the evolving threats related to cyber, the bill improves the oversight of cyber operations.

The bill also helps set policy for the U.S. military relating to Afghanistan, Syria, Iraq, Ukraine, Russia, Africa, and the Asian Pacific region.

All told, this bill achieves important priorities of reforming, repairing, and rebuilding our military.

Each and every day, more than 2 million men and women put on the uniform of the United States and serve our country. As we have seen by two recent tragedies, the Marine plane crash in Mississippi and the USS Fitzgerald collision off the coast of Japan, these individuals put their lives on the line in order to protect the freedoms we all hold dear. They deserve the resources necessary to fulfill their mission and the benefits worthy of those who sacrifice so much.

So I am hopeful we can continue to move forward in a bipartisan manner to pass this NDAA, to support our troops, and to fulfill our constitutional obligation to provide for the common defense.

Mr. Speaker, I urge my colleagues to support House Resolution 431 and the underlying bills, and I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to the rule for providing debate on the National Defense Authorization Act, often called the NDAA, and also the

Gaining Responsibility on Water Act. First let me address that act.

They tried to create an acronym called the GROW Act, Gaining Responsibility on Water, trying to make it seem like it actually might help things grow, when it actually picks winners and losers in water—and the losers are the environment, the State of California, and many others.

There are also a lot of problems around the process for the GROW Act. It bypassed hearings and markups. In fact, up until this bill was published on the Rules Committee website, only lobbyists and a few Republicans even knew what many of the provisions in this bill were. This kind of backroom dealmaking is one of the reasons the general public holds Congress in such low esteem.

There is an immense amount of opposition to this legislation, including from conservation groups, fishing groups, Native American Tribes, and the State of California.

Mr. Speaker, I have several letters that I include in the RECORD in regard to opposition to H.R. 23. One of the letters is signed by groups ranging from the American Bird Conservancy to the Animal Welfare Institute, to the Humane Society and a number of others, discussing how this bill would dramatically weaken protections for salmon, birds, and other fish and wildlife.

Another letter that I include in the RECORD is from a former colleague of ours, now the attorney general of the State of California, Xavier Becerra, and, finally, a letter from the Governor of California as well.

PLEASE OPPOSE H.R. 23

JULY 11, 2017.

DEAR REPRESENTATIVE: On behalf of the undersigned organizations, we write to urge you to oppose H.R. 23 (Valadao, R–CA). This bill would dramatically weaken protections for salmon, migratory birds, and other fish and wildlife in California's Bay-Delta watershed and would threaten thousands of fishing jobs in California and Oregon that depend on the health of these species. In addition to gutting critical federal environmental protections in California, H.R. 23 also preempts a wide range of state environmental laws and would prevent the State of California from protecting and managing its own water and wildlife resources. In addition to these provisions focused on California, the bill also includes titles that would reduce public and environmental reviews of new dams and water infrastructure across the Western states. Both the Obama Administration and the State of California opposed similar legislation in recent years, including opposition to H.R. 3964 (Valadao, R–CA) and H.R. 5781 (Valadao, R–CA) in 2014, and H.R. 2898 (Valadao, R–CA) in 2015.

California has just emerged from a devastating drought, and the state is taking proactive steps to protect cities, farms, and the environment from future dry spells. However, several provisions in H.R. 23 would undermine California's efforts by permanently preempting critical state laws that protect salmon and other native fisheries and the jobs they support. In addition, this legislation would effectively repeal and preempt state and federal laws and a binding settlement agreement that require restoration of the San Joaquin River and its native salmon runs, instead permanently drying up 60 miles of California's second longest river. H.R. 23 not only preempts state law as applied to federal water projects in California, but it also preempts the application of state laws to the State Water Project and virtually all water rights holders in California's Bay-Delta watershed. This extensive preemption of state law in H.R. 23 is contrary to over a hundred years of Reclamation law and would set a dangerous precedent for other Western states.

H.R. 23 would also override the Endangered Species Act, increasing the risk that winter-run Chinook salmon and other native fish species are driven extinct. Further, H.R. 23 could devastate wildlife refuges that provide habitat for millions of birds that migrate along the Pacific Flyway by undermining the refuges' water rights and threatening critically important funding sources. H.R. 23 would also eviscerate the 1992 Central Valley Project Improvement Act, eliminating instream flows to benefit salmon and funding for habitat restoration projects, which help to mitigate the adverse effects of the Central Valley Project. The impacts from these provisions would reverberate along the entire West Coast, affecting fishing jobs and related industries in Oregon and Washington that depend on salmon from California's Central Valley and threatening populations of waterfowl and shorebirds that migrate to and from Alaska and Canada each year.

In addition to these provisions focused on gutting environmental protections in California, H.R. 23 also includes several titles that would weaken the public's right to know and environmental protection across the western United States. For instance, the bill's dam permitting provisions would give the U.S. Bureau of Reclamation unprecedented control over the environmental review process and could undermine the ability of the U.S. Fish and Wildlife Service and N.O.A.A. Fisheries to share expertise and inform the development of major infrastructure investments. These provisions would make it difficult, if not impossible, for responsible agencies to meaningfully analyze proposed projects and could limit the public's ability to weigh in on infrastructure that could affect communities for decades.

H.R. 23 has not been the subject of a single committee hearing to receive public input from the State of California, hunting organizations, sport and commercial fishermen, tribes, or conservation groups, even though the bill could greatly interfere with state water rights and cripple the ability of state and federal agencies to manage limited water resources for all beneficial uses. Last year Congress passed legislation addressing California's water operations in the Water Infrastructure Improvements for the Nation Act of 2016 (P.L. 114–322). H.R. 23 would undermine that legislation, which supporters claim requires that state and federal water projects are operated in compliance with state law and the Endangered Species Act.

H.R. 23 also threatens thousands of fishing jobs in California, Oregon, and beyond that depend on healthy salmon runs from the Bay-Delta. The closure of the salmon fishery in 2008 and 2009 resulted in thousands of lost jobs in these states. The livelihoods and recreational interests of salmon fishermen, Delta farmers, fishing guides, tackle shops, bird watchers, waterfowl hunters, and communities across California and along the West Coast depend on the environmental protections that H.R. 23 would eliminate.

For these reasons, we respectfully urge you to oppose H.R. 23. Thank you for your attention.

Sincerely,
American Bird Conservancy,
American Rivers,
Animal Welfare Institute,
Audubon California,
Center for Biological Diversity,
Center for Food Safety,
Defenders of Wildlife,
Earthjustice,
Endangered Species Coalition,
Environmental Protection Information Center,
Friends of the River,
Humane Society Legislative Fund,
International Marine Mammal Project of Earth Island Institute,
Klamath Forest Alliance,
League of Conservation Voters,
Natural Resources Defense Council,
San Juan Citizens Alliance,
Sierra Club,
The Bay Institute,
Turtle Island Restoration Network,
Western Nebraska Resources Council,
Western Watersheds Project,
WildEarth Guardians.

STATE OF CALIFORNIA,
OFFICE OF THE ATTORNEY GENERAL,
Sacramento, CA, July 11, 2017.

Re H.R. 23 (Valadao).

Hon. PAUL RYAN,
Speaker of the House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
House Minority Leader, House of Representatives, Washington, DC.

DEAR HOUSE SPEAKER RYAN AND HOUSE MINORITY LEADER PELOSI: I am writing to express my opposition to H.R. 23, the Gaining Responsibility on Water Act of 2017. This legislation would exempt California from the long-standing principle that Congress should defer to the individual states in the management of their water resources. While H.R. 23 purports to affirm state authority to regulate the waters within their borders as to other western states, the legislation singles out California by abrogating California water resource law and effectively federalizing the State's water resource management to the injury of the State's fish and wildlife resources.

Like its predecessors H.R. 1873 and H.R. 3964, H.R. 23 would transgress state sovereignty in at least three important respects. First, the legislation would mandate that the federal Central Valley Project (CVP) and the California State Water Project (SWP), the largest water projects in the State, operate to outdated water quality standards for the Sacramento-San Joaquin Delta developed over twenty-two years ago, and would preclude state authorities from altering such standards notwithstanding the cumulative scientific evidence that these standards are insufficient to protect the State's fisheries. Second, the legislation would prohibit the California State Water Resources Control Board (SWRCB) and the California Department of Fish and Wildlife (DFW) from exercising their state law duties to protect fishery resources and public trust values, not only as to CVP and SWP operations, but as to all water right holders in California. Third, the legislation would overturn settled principles of cooperative federalism by materially altering the San Joaquin River Restoration Settlement Act, an act that implements a settlement reached by the United States, several environmental organizations, and local water users resolving a dispute over application of state fishery law to federal facilities on the San Joaquin River. California supported the compromise settlement and the implementing legislation and is a partner in the San Joaquin River Restoration Program.

These proposed constraints on California's ability to manage its natural resources conflict with historic principles of western

water law. In California v. United States (1978) 438 U.S. 645, 654, the U.S. Supreme Court affirmed California's ability to impose state law terms and conditions on federal reclamation projects, and declared that, ''[t]he history of the relationship between the Federal government and the States in the reclamation of the arid lands of the Western States is both long and involved, but through it runs the consistent thread of purposeful and continued deference to state water law by Congress.''

California law grants the SWRCB the continuing authority to review and reconsider all water rights for the purpose of determining whether their exercise would violate the reasonable use requirement of the Article X, Section 2 of the California constitution and California's common law doctrine of the public trust. According to the California Supreme Court, ''[t]he state has an affirmative duty to take the public trust into account in the planning and allocation of water resources, and to protect public trust uses whenever feasible.'' (National Audubon Society v. Superior Court (1983) 33 Ca1.3d 319, 446.) The California Legislature has adopted these principles as ''the foundation of state water management policy.'' (Cal. Wat. Code, 85023.) H.R. 23 would abrogate California's ability to apply its water resource laws while purporting to maintain and protect the ability of other western states to manage their water resources. H.R. 23 provides no explanation as to why California should be subject to such disparate treatment as to its sovereign authority to manage its natural resources.

In addition, H.R. 23 takes these steps in violation of settled constitutional principles of state sovereignty. Relying upon separation of powers principles set forth in the Tenth Amendment and elsewhere in the U.S. Constitution, the U.S. Supreme Court in New York v. United States has held that ''even where Congress has the authority under the Constitution to pass laws requiring or prohibiting certain acts, it lacks the power directly to compel the States to require or prohibit those acts.'' (New York v. United States (1992) 505 U.S. 144, 166–167.) In Printz v. United States, the U.S. Supreme Court expanded its ruling in New York and held that ''[t]oday we hold that Congress cannot circumvent that prohibition by conscripting the States' officers directly.'' (Printz v. United States (1997) 521 U.S. 898, 935.)

By compelling the SWP, a state-funded and managed water project, to operate based upon congressionally-mandated Delta water quality standards, rather than allowing California to develop standards that reflect the most recent scientific information regarding the Delta, H.R. 23 is ''requiring'' a state agency to comply with a federal policy. By preventing the SWRCB, the DFW, and other state agencies from taking actions to protect fishery and other public trust values, H.R. 23 is ''prohibiting'' the State from enforcing state law. These provisions of H.R. 23 violate settled state sovereignty principles. Congressional passage of H.R. 23 would have, in effect, unconstitutionally ''dragooned'' state agencies and state officials ''into administering federal law.'' (Printz, supra, 521 U.S. at p. 928.)

I urge you to oppose H.R. 23. Congress cannot justify the legislation's disparate treatment of California's sovereign authority to manage its natural resources and cannot compel California to act as its regional agent to enforce congressional policy. I ask that you affirm the long-standing congressional tradition of cooperative federalism and dual sovereignty in water and reject H.R. 23's attempt to federalize water resource management in the California.

Sincerely,

XAVIER BECERRA,
Attorney General.

OFFICE OF THE GOVERNOR,
July 10, 2017.

Hon. PAUL RYAN,
Speaker, House of Representatives,
Washington, DC.

DEAR SPEAKER RYAN: I write to oppose H.R. 23, the ''Gaining Responsibility on Water Act of 2017.''

Water defines the west and for over a century Congress and the courts have consistently recognized that state law determines how water is developed and used. Western states have successfully resisted any attempted intrusion into this essential attribute of their sovereignty, including in the operation or construction of water projects involving the federal government. This bill overrides California water law, ignoring our state's prerogative to oversee our waters. Commandeering our laws for purposes defined in Washington is not right.

It is also not smart. California is the sixth-largest economy in the world, and its future depends on the wise and equitable use of its water. Making decisions requires listening to and balancing among the needs of California's nearly 40 million residents and taking into consideration economics, biodiversity and wildlife resources. All of this is best done at the state and local level—not in a polarized political climate 3,000 miles away.

Undermining state law is especially unwise today as California, with input from all stakeholders, is poised to make its boldest water infrastructure investments in decades: funding surface storage, updating an antiquated delta water conveyance, and adopting water-use efficiency targets.

I ask you to respect California's rights and shelve this bill.

Sincerely,

EDMUND G. BROWN, JR.

Mr. POLIS. Mr. Speaker, the only winners under this bill are actually a few large agricultural producers who will take all the water, leaving none for many others. This bill is a water grab, plain and simple. The so-called GROW Act provides no new water, but it takes the existing water and gives it to those with the best lobbyists here in Washington.

Instead of this highly partisan bill, we should be taking steps to actually grow the water supply for everybody, with water recycling, with water conservation, water efficiency, many other nonideological, nonpartisan fixes, water infrastructure that can actually help deliver water to small farmers, protect our environment, and, yes, our legitimate agricultural producers as well.

Unfortunately, instead, we are stuck with this so-called GROW Act, which jeopardizes fishing jobs, preempts State conservation laws, overrides the Endangered Species Act for salmon and wildlife, weakens critical safeguards under the NEPA process, and undermines water rights. In doing so, this bill would permanently destroy California's rivers, Bay-Delta Estuary, needed fisheries, and the thousands of jobs that depend on those natural resources.

This bill is not a balanced protection. It picks winners and losers and hands over water rights to those who are present for the backroom deals in Washington.

Let's go back to the drawing board. I come from the State of Colorado, and we know how important water is. Let's find a way to find a bipartisan path to grow the water supply across the Western United States.

□ 1245

Let me address the other bill that is contained in this rule, the NDAA, National Defense Authorization Act. For 56 straight years, the United States Congress has come together to craft policies and recommendations for the United States Armed Forces and to put those policies into law under the authorizing statute for our military. Without question, this bill is one of the most consequential and important items that Congress undertakes each year.

Personally, I have found objections to policies, and I have been a fan of other policies contained in these bills while I have been in Congress. And I want to commend the work of my colleagues, Democratic and Republican, who serve on the Armed Services Committee for their important work on this legislation so important for our national security.

Many of my colleagues on the Armed Services Committee have served or do serve in our military. Members of the committee are dedicated public servants, they are experts in their field, they travel and learn and hear from experts, and they set aside many of their political differences to do what it takes to keep America safe and secure, something that Republicans, Democrats, Independents are all committed to. We need to make sure that we give our military the tools they need to safely carry out the tasks that the Commander in Chief and elected officials ask them to undertake.

I commend the committee for putting forth a bill that takes constructive steps in filling military readiness gaps, requiring strategies from the administration and the Department of Defense with regard to contingencies in several countries, and acknowledging and planning for the real climate change threat that is posed to our national security.

Yet the work of the NDAA is not limited to members of the Armed Services Committee. The Members of this body as a whole, Democrats and Republicans who don't serve on that committee, have submitted over 400 amendments to do what each one of us believes would, in some way, improve this bill and strengthen our national security.

But the work of NDAA continues, and before this week is over, I expect to see the Rules Committee make in order an even greater number of these amendments. We took the first step in this rule by making a few dozen amendments in order, and we will continue that work in Rules Committee this afternoon as we thoughtfully go

through the 400 amendments so a representative number of those from my Democratic and Republican colleagues who don't have the opportunity to serve on the Armed Services Committee can present those ideas for consideration by the full House.

But for all the hard work that the Armed Services Committee has done, what we have before us this week is essentially an argument that needs to be solved by the Budget Committee and can't, frankly, be solved by the authorizing committee.

What we are doing is we are having a very strange debate in this body. We are having effectively a budget debate within the defense bill. We are discussing authorization levels, when we know that the real discussion and battle over tradeoffs will be around the funding levels, not so much the authorization levels.

One of the tricks that we worry about is by blatantly disregarding the proper use of the overseas contingency fund and by deliberately flouting limitations set by the Budget Control Act, this Armed Services authorization bill has been completely overtaken by the debate on the Federal budget.

So this week we see a debate about the inability to pass a budget, adhere to a budget, and balance our budget, and, rather, we are operating kind of in this lala world of, if we had all the money in the world, here is what we would do, but as my Democratic and Republican friends know, we live in a world of tradeoffs, and we as Democrats and Republicans will need to decide what those tradeoffs are. That is not being done in this bill, and, in fact, it is one week less that we have to have those important discussions about how to actually secure America and protect our country.

If the debate over armed services wasn't such a serious topic, I would, frankly, give the Republicans kudos for building such an elaborate and complex budget scheme. It is very clever, more so than the traditional overseas contingency gimmicks that have been presented within recent years. It took me a little while to even understand what this budget gimmick was, and I am going to now seek to explain it.

The Defense spending budget is capped at $549 billion by the Budget Control Act of 2011. $549 billion is the maximum that would be spent on defense. This bill authorizes $621 billion as its discretionary base budget authority. That means that the bill we are debating today goes $70 billion in spending above the spending caps that Congress agreed on. That is all deficit spending. That means Congress will increase the deficit by $70 billion under this bill, but it gets worse.

The United States has been embroiled in conflict abroad since 2001, and many administrations, Democratic and Republican, have requested another pot of money that we call the overseas contingency fund. These funds, as the name indicates, are supposed to be used for paying costs that are incurred due to U.S. engagement in contingency operations, not baseline operations. And they are exempt, rightfully so, from the budget caps, because we never wanted to constrain our ability to provide funding for an unforeseen contingency situation that becomes a necessity for our national security.

This year, however, the bill provides for $74 billion for this overseas contingency fund, a full $10 billion above what was even requested by the President.

Now, a reminder, the Republicans haven't actually produced a budget this year, so we can't exactly make a comparison between the President's budget and the Republican majority's budget. I think one of the reasons they might be afraid to is they will show substantially increased deficits with these tax-and-spend Republican policies that have come to typify the Republican approach to grow our government with every new spending bill.

What the NDAA does is it takes this overseas contingency account, which is often called the slush fund for the Pentagon, it adds $10 billion to that fund, but instead of paying for future contingencies, that will pay for baseline operations. Some of that $10 billion goes to the unfunded priorities of the Pentagon, things it couldn't quite fit in the $621 billion, which already increases Federal spending by $70 billion.

So it is just throwing money, Federal money, your taxpayer money, Mr. Speaker, hand-over-fist, without a plan, indebting future generations for spending money today. The Pentagon gets more big ticket items they want.

And, likewise, it is hard to argue with funds being allocated to operations and maintenance. We are all for maintenance, we are all for readiness, but we are all for understanding the tradeoffs that we have. We cannot simply continue to spend irresponsibly, indebting future generations.

At some level, Mr. Speaker, and I think this kind of throwing additional money well above and beyond the budget caps reaches that level, we make our Nation less secure rather than more secure by making us economically beholden to foreign nations and indebting future generations of Americans.

Congress has set limits on how much we can spend on defense versus nondefense. So when we run out of money under this NDAA plan, either we are going to be forced to spend more, which is what you and I can predict what will happen, of course that is what is going to happen, or they are somehow going to find the money elsewhere, which I can pretty much assure you, Mr. Speaker, is not going to happen. That is a prediction that I am giving you.

And not having seen a budget, by the way, this is, we think, why Republicans haven't come up with a budget, because they know they can't make enough devastating cuts to possibly pay for this military increase, and they certainly don't want to put their name to paper on those cuts. And we all know what is going to happen. They won't make those cuts, spending will go up, debt will go up. I mean, that is what we know will happen. We have been here before, seen that movie.

Now, again, theoretically, Draconian cuts can be made to schools and Head Start and NASA and medical research, money fighting the opioid epidemic, homeland security, police. Yeah, theoretically they can devastate everything inside of our country, leaving a hollowed-out core, a well protected hollowed-out core, but I know Republicans aren't cruel enough to do that. Instead, they are going to kick the can down the road and indebt future generations and make our country less secure by borrowing money from China and Saudi Arabia to fund today's military, making us economically beholden to the very foreign powers that represent a real geopolitical threat to American interests.

That is why budgets matter, that is why these budget gimmicks that are being used through the overseas contingency fund matter, and that is why we need to have a budget debate, not a fake budget debate in the context of a national defense debate, which is what is being done here today.

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

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

Mr. Speaker, the gentleman referred to what this would do to the budget. I would point out to the gentleman, and I think I did this in committee yesterday, that if this is passed, it will only be 16.8 percent of total Federal outlays, which means the single most important thing that we do here in government only gets less than 20 percent of the money that we are going to spend. So I don't think it is asking too much of ourselves, as the people responsible for providing for the defense of America, that we spend 16.8 percent of all the Federal money we are going to spend next year on making the American people safe and secure.

He spoke about tradeoffs. Let me tell you one tradeoff I don't think any of us should be willing to make, and that is trading off the safety and security of the American people for trying to keep some other overspending in some other part of the budget going.

We need to focus today, and in this bill, on what it takes to authorize the defense and the safety and security of the American people, and I believe this bill does that, as did all but one of my colleagues on the House Armed Services Committee.

So I believe that we have struck the appropriate balance here that does all that. Yes, we have got some budget things we need to take care of. That is for later. For today, we are going to focus on defending the American people.

Mr. Speaker, I yield 2 minutes to the gentleman from Georgia (Mr. AUSTIN

SCOTT), my colleague on the Armed Services Committee.

Mr. AUSTIN SCOTT of Georgia. Mr. Speaker, I would like to thank the gentleman from Alabama (Mr. BYRNE) for his work on the National Defense Authorization Act.

Mr. Speaker, I rise today to ask my fellow Members to support the fiscal year 2018 National Defense Authorization Act.

After nearly 13 hours of debate, my colleagues and I on the Armed Services Committee, we came together, we passed the legislation to provide critical resources and reforms for our Nation's military to undertake the 21st century threats that our country and the world faces.

Part of facing these challenges is ensuring that our military personnel are able to combat the dangerous and illegal actions of transnational criminal organizations, particularly those close to home in the SOUTHCOM region.

Mr. Speaker, I appreciate the gentleman who spoke earlier about the opioid epidemic. I would just remind my fellow Americans that over 5,000 Americans die every month from drug overdoses.

Just a few months ago, I, along with the gentleman from Texas (Mr. VEASEY), had the opportunity to visit with the Joint Interagency Task Force South and SOUTHCOM's headquarters in Florida to hear and see firsthand the challenges that migrant and drug interdiction within the Caribbean region pose on homeland and national security.

Included in the fiscal year 2018 National Defense Authorization Act is a provision that I authored aimed at addressing the threat these transnational criminal organizations pose on our country and seeking to find new ways to support SOUTHCOM in their continuing efforts to tackle those threats head-on.

To all of the members of the SOUTHCOM team, I want to thank you for the important work that you do in securing our coastlines, supporting our national security, and protecting your fellow Americans.

To my colleagues, I urge your support in passage of the fiscal year 2018 NDAA to keep the U.S. military the best and most prepared fighting force in the world.

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

Mr. POLIS. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. GALLEGO), a distinguished member of the Armed Services Committee.

Mr. GALLEGO. Mr. Speaker, this rule is a travesty. If we vote to approve it, an amendment unanimously supported by the Armed Services Committee—unanimously, all Democrats and all Republicans would compromise language—to prevent President Trump from using our military's money to build his border wall will suddenly vanish. It is a legislative magic trick, a sneaky gimmick designed to disguise their actions.

Once again, Speaker RYAN and the House Republicans are doing President Trump's dirty work. They want to make sure that Trump can build his wall, but they are also desperate to avoid a clean up-or-down vote on this issue. They are hiding from the American voters.

They didn't have the courage to oppose my amendment in committee or even on the House floor. They passed this rule late at night with hardly anyone watching, in typical Republican fashion.

Republicans are resorting to deceptive legislative tactics to do Trump's bidding just for his small, fragile ego.

Mr. Speaker, this self-executing rule, if it comes to fruition, is going to attempt to slip one past Congress and the American people.

Just 6 months into this administration, it is already abundantly clear that Mexico won't pay for Trump's stupid, dumb border wall. We must not allow precious resources to be robbed from our troops simply to score political points for Trump's ego.

Mr. Speaker, with Mexico refusing to entertain this absurd policy and without a direct appropriation from Congress, President Trump is going to get desperate. His administration will inevitably seek to pull money from other sources to make good on his promise to build this wall, including from the Defense budget.

That is why my amendment was so crucial. It would simply ensure that DOD resources aren't siphoned off for a pointless wall that we don't need and cannot afford. It was supported by Democrats and Republicans alike, the ranking member and the chairman.

As a Member of Congress, we have a sacred responsibility to ensure that money meant to address real national security challenges isn't diverted to combat imaginary ones that the President has created.

□ 1300

As a Marine Corps veteran, I believe it would be an insult to our members of the military if their resources were reallocated to build a wall that we don't need, that won't bring us more security, when we have tens of thousands of military members that are currently still on food stamps while serving this country.

Mr. Speaker, make no mistake: a vote for this rule is a vote to build the wall and take precious resources from the Department of Defense budget. Please vote ''no.''

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

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

Mr. Speaker, I appreciate the comments of my colleague from Arizona.

This was not done in the middle of the night in secrecy. This was done in full committee with cameras watching us, and done early in the evening with full debate, so I disagree with him about that.

Let's talk about the wall for a second.

I support President Trump and what he is trying to do with the wall. I hope we get to a point where we can deal with that.

This is a defense authorization bill. This is not a wall authorization bill. The wall is already authorized. We don't need an authorization bill for the wall. It is already there. The next step for us to take for the wall is an appropriations bill, and this is not an appropriations bill.

So what the Rules Committee has done is made it clear that we are not going to deal with the wall one way or the other in the National Defense Authorization Act. That is not the proper place for it. That is not the proper place to be spending money for it. There is another part of our budget, another law for us to deal with there.

So I hope that we all will understand that what we have done is made it clear there is nothing in this bill—nothing—about a wall, nor should there be anything in this bill about a wall, because that is for another committee, another bill, another time, and another place.

Mr. Speaker, I yield 5 minutes to the gentlewoman from Wyoming (Ms. CHENEY), our newest member of the Armed Services Committee and the Rules Committee.

Ms. CHENEY. Mr. Speaker, I thank very much my colleague from both the Rules Committee and the Armed Services Committee, Mr. BYRNE, for his work on this bill.

Mr. Speaker, I rise today to urge my colleagues to support both of these underlying bills, and I want to speak particularly about the National Defense Authorization Act.

We are, today, living in a world where we face a more complex array of threats than at any time in the last 70 years. The obligation that we have to our men and women in uniform, to make sure that we provide them with the resources that they need to defend this Nation, is a more solemn obligation than any other we have.

There are many things that we were elected to do when we came to Washington, and we have done many of those things in this Congress. We have been a historically productive Congress in the months that we have been here. We have passed repeal and replace of healthcare reform, we have passed the repeal bill for Dodd-Frank, we have begun our important work on immigration reform, and we have done tremendous work on regulatory reform to lift the burden of the massive overreach of the Obama years. But there is nothing that we do that is more important than providing the resources for our men and women in uniform. This bill is a very important first step in that direction.

I want to mention a couple of things that this bill does in particular.

In the aftermath of the ICBM test, the first successful North Korean ICBM test, one of the most important challenges we face as a nation is ensuring that we have provided for the defense of this Nation with respect to missile defense. This bill adds $2.5 billion above the administration's request for missile defense. It focuses on including additional interceptors for existing systems, as well as research for new technologies.

Total missile defense is still below the funding levels during the Bush administration. This bill is a very important first step, but, Mr. Speaker, we have got to do much more.

We also, in this bill, begin the process of providing the necessary additional resources and top line to begin to rebuild. We have not had a defense budget, Mr. Speaker, since 2011 that was based upon the Pentagon being able to assess the threats and telling us what we need to do to be able to defend against those threats.

We have now, because we are living under the Budget Control Act, had a Defense Department, instead, that has been obligated to fund at levels that are arbitrary and to cut at levels that are arbitrary. No nation can responsibly live under that system.

The next thing we have got to do is repeal the Budget Control Act. We have got to recognize that we have a huge and growing debt crisis, a huge fiscal crisis, but that crisis is not being driven by our defense budget. The Budget Control Act has been ineffective at getting at what we need to do in terms of reducing the debt. Instead, it has gutted our defense.

We are in a world today where the North Koreans, the Iranians, the Russians, the Chinese, ISIS, and al-Qaida are all continuing to make strides against us, Mr. Speaker.

One of the things that I am often asked as a new Member of this body is what has surprised me most in my time in Congress. I came to this body, Mr. Speaker, as somebody who has spent a lot of time focused on national security and defense issues, as someone who spent a large part of her career really invested in and studying and learning these issues, and I thought, Mr. Speaker, that I was relatively well informed about these issues.

I have been stunned, Mr. Speaker, as a member of the House Armed Services Committee, briefing after briefing after briefing, at the extent to which we have fallen so far behind. And I think it is critically important for my colleagues, Mr. Speaker, and for the American people to understand the extent to which our adversaries are, today, fielding and developing capabilities and systems against which we cannot, may not be able to defend.

Mr. Speaker, in closing, I want to read something that Ronald Reagan said back in 1982 on an issue when they were having similar issues and debates and discussions about defense spending. He said: ''Now, I realize that many well-meaning people deplore the expenditure of huge sums of money for military purposes at a time of economic hardship. Similar voices were heard in the 1930s, when economic conditions were far worse than anything we're experiencing today. But the result of heeding those voices then was a disastrous military imbalance that tempted the forces of tyranny and evil and plunged the world into a ruinous war. . . . We must never repeat that experience.''

Mr. Speaker, I urge my colleagues to remember that weakness is provocative, that it is when we are strong that we are most able to protect ourselves and to defend ourselves, and we must learn the lessons of the past. Passing this rule and passing the underlying legislation, this National Defense Authorization Act, is the first step in that direction.

Mr. Speaker, I urge my colleagues to vote in the affirmative and to ensure that we do everything we can to defend our Nation and to make sure that we defend freedom for the next generation.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, we are here with H.R. 23 again discussing attempts to override State and Federal environmental law. The House and Senate negotiated additional pumping flexibility in last year's WIIN Act. This group has stated for years that they just want a little additional flexibility in environmental law, which actually means weakening or eliminating environmental law. They ignore the damage this would cause to California's delta region, its families, and its farmers.

We heard last year that governments are set up for the benefit of the people, but this means all of the people, not just a few people at the expense of others.

The person nominated to Deputy Secretary at the Department of the Interior worked for Westlands Water District just last December. He would make decisions to pump more water to Westlands, the Nation's largest water district—a clear conflict of interest, and a clear threat to farmers and residents in the delta.

This is also a clear example of what is wrong with H.R. 23. It will negate environmental protections; it will hurt one region to benefit another; and it allows corruption to seep into the Federal Government.

Mr. Speaker, I urge Members to oppose H.R. 23 for these reasons.

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

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

Mr. Speaker, in April, President Trump and congressional Republicans rolled back the FCC's rule to protect Americans' personal information and their internet browsing history. By doing so, they effectively sold personal privacy to the highest corporate bidder.

Today is Net Neutrality Day of Action, protesting the FCC's proposal to end equal access to online content, which would destroy the internet as we know it. What better day to also protect the future of our privacy by undoing the Republicans' reckless rollback that placed cable profits above our privacy and consumer protections.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up Representative ROSEN's Restoring American Privacy Act, H.R. 1868. This bill will restore Americans' privacy protections and tell internet service providers they can't sell their customers' personal information without the knowledge and consent of the customers.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. SCHWEIKERT). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, to discuss our proposal, I yield 5 minutes to the gentlewoman from Nevada (Ms. ROSEN).

Ms. ROSEN. Mr. Speaker, if today's vote on the previous question fails, instead of voting on a partisan bill that rolls back key environmental laws, overturns State law, and ignores real solutions to our water supply shortages in the West, we will have the opportunity to vote on my bill, H.R. 1868, the Restoring American Privacy Act of 2017.

This bipartisan legislation will reverse the President's decision to assign a disastrous resolution allowing internet providers to sell their customers' personal information without their acknowledge or without their consent.

As a former computer programmer and someone who has firsthand experience writing code, I can tell you that the first step towards protecting vulnerable and sensitive data is to make sure it remains private.

S.J. Res. 34, which now, unfortunately, is the law, prevents vital online protections for millions of Americans nationwide from taking effect later this year. The resolution, signed by the President, negating FCC broadband consumer privacy rules is not only wrong and a blatant violation of privacy, but it jeopardizes Americans' personal data and puts them at risk of hacking.

The October 2016 rule was the only rule that required internet service providers to obtain consumers' permission before selling their private internet browsing history and other sensitive information, including geolocation and amp usage.

I am simply shocked that most of my colleagues across the aisle voted for a

measure that violates Americans' privacy by selling our most intimate and personal information, all without our consent.

Repealing the FCC rule with S.J. Res. 34 now allows broadband providers to turn private personal information over to the highest bidder—or anybody they want, including the government—without a warrant and without ever telling you.

That is right. Without this rule that President Trump and most Republicans in Congress blocked, internet service providers don't need to ask for permission to collect and share sensitive personal information. Even worse, the passage of this resolution also told providers they no longer have to use reasonable measures to protect consumers' personal data.

This is absolutely unacceptable. We are living in a time where identity theft and internet hacking have become the new norm. Shortly after President Trump and Republicans repealed these consumer protections, we experienced a massive ransomware attack that caused major damage to businesses and companies around the world. No American wants their most personal information to be up for grabs.

By using the Congressional Review Act to eliminate this rule, the FCC is now prevented from publishing rules that are substantially the same absent additional legislation, establishing a dangerous precedent for private citizens.

Americans should have the right to decide how their internet providers use their personal information, especially since many people can't choose their own broadband provider.

What my bill does, Mr. Speaker, is simple. H.R. 1868 makes it clear that the American people's browsing histories are not for sale; the American people's personal information is not for sale; the American people's financial information is not for sale; and the American people's location data is not for sale.

It is a very simple concept, one that I hope my colleagues across the aisle will recognize and support. The American people don't want the legislation that was signed into law this last spring. In overwhelming numbers, they are calling Congress and letting it be known they want to keep their private information private.

I am proud to stand up for the American people, and I hope you take up the Restoring American Privacy Act of 2017 for consideration. This is commonsense, bipartisan legislation that will reverse a misguided resolution by saying, once and for all, that ISPs cannot sell customers' personal information without their knowledge and without their permission. This bill says that your privacy is not for sale, period.

□ 1315

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

I appreciate the gentlewoman's comments and concerns about protecting all of our privacy on the internet. I think we all should be about that. But instead of having a misguided and unauthorized regulatory action that left vast gaps in this system, we should have a comprehensive bill to deal with it. That bill is not before the House today.

What is before the House today in this rule are two bills: one that deals with the drought in the West, which is very important; and the second is provide for the safety and security of the American people. So that is what we are here today about.

I appreciate her concerns about that. I join with her, and I hope that we have a bill on this floor that comprehensively deals with the issues that she brought up, but now is not the time, these are not the bills, and this is not the rule to deal with it.

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

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, first of all, I want to acknowledge the good work of Chairman THORNBERRY and Ranking Member SMITH in the Armed Services Committee. As my colleague from Alabama said, there is nothing more important than having a secure national defense to protect the American people.

But this bill does have problems. Many of them are not created by the Armed Services Committee. They are created by us in Congress.

It has been catastrophic for us to have the millstone of the Budget Control Act that is limiting the ability of Congress to make decisions about where to spend more or where to spend less, and two things are happening as a result of that.

Number one, we abdicate our responsibility. In some places we should be spending more, but in many other places we should be spending less.

The second thing, Mr. Speaker, is that we put in straitjackets our managers at the Pentagon and in other programs because we micromanage where they must spend money. If we are going to give them a challenge—the budget cap right now is $549 billion; this bill suggests that we spend close to $700 billion—we have got to give them managerial flexibility and stability.

The Budget Control Act is the ''Budget Paralysis Act.'' That is on all of us here in Congress.

Now, a second thing, this bill, in that context, where we are going to blow through that cap but do nothing about our ability to make decisions on the taxes and spending, means that this gets cut totally out of domestic spending. In my view, General Mattis' view is that is bad for national defense.

We plus-up the Defense budget, but we take a hatchet to the State Department budget, not something that you can address in the Armed Services bill, I understand. But the effect of it, as General Mattis said: We have to buy more bullets.

So this is a symptom of the problem that we have got to face squarely.

The other issue in this bill is that it hasn't given us a policy of what is our exit strategy in Afghanistan.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Vermont.

Mr. WELCH. What is our policy?

We are sleepwalking into an escalation. That has failed us before. We have to have that debate now.

Where is the money coming from?

$150 billion is just going to magically appear. No discussion about that.

And this bill does not acknowledge the absolute vital importance of domestic and diplomatic programs to our national security.

I applaud the committee and the chairman and the ranking member for some very good work they did. I criticize us in Congress for putting the straitjacket on them so they can't do the job right.

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

I strongly agree with my colleague from Vermont's remarks regarding the Budget Control Act. It was passed for a good intention, but it has worked out quite differently from what people thought it was going to accomplish.

It is time for us to take responsibility, as the gentleman from Vermont said, and to do what we are supposed to do to make the priority decisions about what is important for America and what is not. Providing for the safety and security of the people of America, that is important. And if we have to make cuts in other parts of our budget to make sure we are doing that, first and foremost, I am happy to do it.

The gentleman is absolutely right about micromanagement. We have been micromanaging the people that we charge with defending America with how they are going to carry out combat responsibilities, particularly in the Middle East. President Trump, I think, quite rightly, has delegated many of those decisions down to Secretary Mattis so that our combatant commanders can make the decisions they have got to make as and when they need to make them.

I understand what he is saying about the State Department budget, something that we all should be concerned about. The appropriate time to talk about that is when the appropriations bill for the State Department is here, not when we are talking about the National Defense Authorization Act.

Finally, with regard to Afghanistan, which if I may make a little bit broader and talk about the Middle East in general, it is time for a new AUMF. The AUMFs that were passed in this Congress over 15 years ago were for a different time, with different circumstances altogether. And I do sense

a bipartisan urging for us to do that, but this is not the right time for us to do it on this particular piece of legislation.

I hope that at a future time the Foreign Affairs Committee, that has appropriate jurisdiction over that issue, will come forward with an AUMF that we can all discuss because we are now not just in Afghanistan and Iraq, we are in Syria, we are in Yemen, we are in Libya, we are in Somalia, where we have had some past history that is not so good.

We all—everybody, not just from the Armed Services Committee—need to understand these threats to our country and what we are going to do about them, have a strategy with a clear endgame, which we need and we haven't had for the last several years.

Then we should authorize it because only Congress has the power to declare war. We should authorize it. And by authorizing it, we not only take responsibility, but we communicate to our friends and our foes alike, and to those servicemen and -women who put themselves at risk out there that we are behind it. We, as the Representatives of the American people, are behind it. So I hope that we can do that, but it won't be in this particular bill.

Mr. Speaker, I appreciate the gentleman's remarks, and I reserve the balance of my time.

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

This bill has several other policies I want to address. For one, it ties our participation in the critical New START with Russia to a separate Europe-focused treaty that Russia is not in compliance with.

The New START is a nuclear arms reduction treaty between our Nation and Russia, and we should not remove ourselves from that, from an agreement that allows us to inspect and gather information about Russia's nuclear facilities.

In addition, this rule, if adopted, would fail to extend the Special Survivor Indemnity Allowance, causing it to expire in May of 2018. The Special Survivor Indemnity Allowance is a program that was originally created in the NDAA, and goes a long way to helping to mitigate the problems that recipients of the Defense Department's Survivor Benefit Plan face.

There are other provisions of this bill which I object to in their current form but are going to be debated through amendments very likely over the course of the next week. For instance, the bill currently prevents the transfer of any detainees at the Guantanamo Bay detention facility. This detention facility that is extralegal should be closed, not repopulated, and we certainly will have that debate this week.

This bill, unfortunately, also authorizes far too many funds and continues to overfund our nuclear weapons activities, costing taxpayers hundreds of billions of dollars, in fact, as much as $1 trillion over the next 30 years, for a stockpile of weapons that, even if substantially cut, would be enough to end life on the planet.

I testified before the Appropriations Subcommittee with regard to this matter and argued how can we possibly go before the taxpayers back home and say we need to overfund our nuclear arsenal to destroy the world seven times instead of five, or five times instead of three.

One would think that ending life on the planet once would be more than enough, and it is hard to argue from taxpayers that they should, in fact, pay for this planet's destruction multiple times.

We also continue to use force in our ongoing operations in Iraq, Syria, and elsewhere. I join my colleagues from the other side of the aisle in calling for an updated Authorization for Use of Military Force. To date, Congress has taken zero meaningful actions toward achieving that, yet we hear on this floor regularly from my friend from Alabama and others that Republicans and Democrats need to do that, especially before we put another soldier in harm's way.

That is the role of this body, and it is time to stop avoiding the task of writing an Authorization for Use of Military Force. Have that debate and make it happen.

These are the types of questions we should be debating, but instead we are continuing to avoid those and plunging our Nation deeper into debt without a real budget plan.

Instead of focusing on real questions about how to improve our defense, the general debate on this bill will largely focus on budget tricks. This debate on this budget should happen on the floor, in the Budget Committee, in a budget passed by this body.

One of the amendments I offered with my colleague, Ms. LEE, that we will be debating, would cut 1 percent of the money authorized in that bill. That would help. It would be a starting point. It would still be a spending level above the budget caps, but at least 1 percent in the record, reckless deficits from this Republican spending bill.

At some point we have to make decisions about tradeoffs, about the directions of our budgets, our entitlements, our discretionary, our revenues, our defense, and our nondefense. We can't resign ourselves to plunging future generations into further debt.

My amendment with Ms. LEE is a small, first step taking a stand against unsustainable budget levels that make our Nation less secure rather than more secure. It is the wrong way to do things. It is the wrong time to have this debate. I urge my colleagues to vote ''no'' on this rule so we can go back to the starting board and discuss the items that my Republican colleagues agree are important in terms of the use of the Authorization for Use of Military Force, ending the budget gimmicks, and figuring out how to balance the budget, rather than plunge our Nation deeper into debt.

Mr. Speaker, I urge my colleagues to vote ''no,'' and I yield back the balance of my time.

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

If I may make sure that we are all clear about where we are on the START; the START runs through 2021. That is 4 years from now. What the bill says is that if we find that Russia is in violation of the INF Treaty—and there is some indication that that is true—that we wouldn't extend it beyond 2021. But that is 4 years from now.

So what does that mean?

This is a shot across the bow to Russia. We are telling Russia: If you continue to violate the INF Treaty, we are not going to extend with you on START.

This is telling them: We are not going to let you get away with this.

And I would think, at this point, after all that we have heard, we would want to stand up to Russia, and this is a very vital way to do that.

Secondly, about the GTMO issue that he brought up, there are two amendments made in order by this rule for us to discuss GTMO, and I believe we are going to have that debate tonight. Now, I don't agree with the amendments, but we made them in order so we can have that debate on this floor.

So we are going to debate GTMO. My prediction is that we are going to defeat both of those amendments, but the people on the other side of the aisle have been given a great opportunity to make their argument that we shouldn't do that.

Nukes. Why are we trying to modernize our nuclear force?

Because our adversaries are modernizing theirs, and if we don't, we are not doing the proper thing to protect the people of the United States.

And then the gentleman talks about the budget bills. Now, there is a budget bill coming. Now, the budget bill is for the next fiscal year, October 1, 2017. That is several weeks from now. We have got time to pass a budget for next fiscal year.

But the way we have everything set up here, we try to move these defense bills about this time of year so that we can do what we have got to do to make sure we have communicated to the military what they are going to have to do their jobs.

If I may walk briefly around the world to remind us about where we are. Kim Jong-un has continued to test missiles throughout last year and this year, and he is getting better. And what he seeks is not just to strike South Korea or Japan, he wants to strike America. That is why you have an ICBM if you are in North Korea.

We need to step up to the plate and do more in missile defense and more in other things to make sure we are doing everything we can to protect America from an attack from North Korea.

China wants to take control of the South China Sea and the East China Sea. What does that mean to us for America?

Forty percent of the trade in the world moves through those two oceans. The greatest population center in the world is right there. It is where we want to do more business, where people there want to do more business with us; and not having a robust military presence there means we cede that part of the world to China.

I guess we could pull back to where we were on December 6, 1941, when we didn't have a presence in Guam and Japan and South Korea and Singapore. Or we could take the understanding from what happened that terrible day on December 7, 1941, that we have to be thinking now for the challenge to us then and, by making those preparations and making sure we have the defense in place, we keep December 7, 1941, from happening again.

Then we have our good friends in Russia, as they push not only into Eastern Europe, but now into the Middle East. It used to be we thought that Russia was kind of off the table; you know, the Soviet Union collapsed; didn't have to worry about Russia anymore.

Russia is back. They are back in many different military ways, in their navy, in their missiles, and what they are doing with their armed forces, including the little green men in Ukraine. We need to take that threat seriously, as we haven't had to take it for years.

And then there is the Middle East. We know what is happening today in Mosul and in Raqqa. Perhaps ISIS is being pushed out of those places, but it is not disappearing. It is not going away as a threat, any more than al-Qaida has gone away as a threat. We still have terrorist groups like them and others who seek to do harm to the American people, whether it is over there or over here, and we have to provide for the defense against that.

Then there is Iran; Iran that, because of an ill-considered agreement reached with them by the Obama administration, now is on a path to get an ICBM of its own, which it doesn't need to strike Israel. It needs an ICBM to strike us.

□ 1330

Then they get as close as they want to under that agreement that we reached with them. Right up to the edge of violation, where they perfect their nuclear technology, they decide in a short period of time to violate it, put a nuclear weapon on one of those ICBMs and threaten us directly.

That and a host of other threats are what we are talking about in this bill. We have never faced such a complex set of threats since the end of World War II. It is not my word. It is the word of countless experts who have come before our committee.

We have to do this. The American people expect us to do this. Like many other people in this body, I do tele-townhalls. At my last two tele-townhalls, I have asked this open-ended question: What is the most important issue to you?

We give them a broad range of issues to pick from: healthcare, tax reform, you name it. The number one issue in those two tele-townhalls, by far, for the people in my district was national security. They see what is happening in North Korea. They see what is happening in the Middle East. They know what Russia is up to. They are worried about China, and they want to know what we are doing.

This bill that this rule provides for does what we need to do to protect the American people. Mr. Speaker, I appreciate everything that I have heard today from my colleagues on both sides of the aisle because I know people on both sides of the aisle care a great deal about these issues.

Mr. Speaker, I urge my colleagues to support House Resolution 431 and the underlying bill.

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

AN AMENDMENT TO H. RES. 431 OFFERED BY MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 6. Immediately upon adoption of this resolution the Speaker shall, 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. 1868) to provide that providers of broadband Internet access service shall be subject to the privacy rules adopted by the Federal Communications Commission on October 27, 2016. 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 shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 7. Clause 1(c) of rule XIX shall not apply to the consideration of H.R. 1868.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

The Republican majority may say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BYRNE. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. JODY B. HICE of Georgia). The question is on ordering the previous question.

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

Mr. POLIS. Mr. 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.

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 on which the vote incurs objection under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

FDA REAUTHORIZATION ACT OF 2017

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2430) to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2430

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 ''FDA Reauthorization Act of 2017''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—FEES RELATING TO DRUGS

Sec. 101. Short title; finding.
Sec. 102. Authority to assess and use drug fees.
Sec. 103. Reauthorization; reporting requirements.
Sec. 104. Sunset dates.
Sec. 105. Effective date.
Sec. 106. Savings clause.

TITLE II—FEES RELATING TO DEVICES

Sec. 201. Short title; finding.
Sec. 202. Definitions.
Sec. 203. Authority to assess and use device fees.
Sec. 204. Reauthorization; reporting requirements.
Sec. 205. Conformity assessment pilot program.
Sec. 206. Reauthorization of review.
Sec. 207. Electronic format for submissions.
Sec. 208. Savings clause.
Sec. 209. Effective date.
Sec. 210. Sunset dates.

TITLE III—FEES RELATING TO GENERIC DRUGS

Sec. 301. Short title; finding.
Sec. 302. Definitions.
Sec. 303. Authority to assess and use human generic drug fees.
Sec. 304. Reauthorization; reporting requirements.
Sec. 305. Sunset dates.
Sec. 306. Effective date.
Sec. 307. Savings clause.

TITLE IV—FEES RELATING TO BIOSIMILAR BIOLOGICAL PRODUCTS

Sec. 401. Short title; finding.
Sec. 402. Definitions.
Sec. 403. Authority to assess and use biosimilar fees.
Sec. 404. Reauthorization; reporting requirements.
Sec. 405. Sunset dates.
Sec. 406. Effective date.
Sec. 407. Savings clause.

TITLE V—PEDIATRIC DRUGS AND DEVICES

Sec. 501. Best pharmaceuticals for children.
Sec. 502. Pediatric devices.
Sec. 503. Early meeting on pediatric study plan.
Sec. 504. Development of drugs and biological products for pediatric cancers.
Sec. 505. Additional provisions on development of drugs and biological products for pediatric use.

TITLE VI—REAUTHORIZATIONS AND IMPROVEMENTS RELATED TO DRUGS

Sec. 601. Reauthorization of provision relating to exclusivity of certain drugs containing single enantiomers.
Sec. 602. Reauthorization of the critical path public-private partnerships.
Sec. 603. Reauthorization of orphan grants program.
Sec. 604. Protecting and strengthening the drug supply chain.
Sec. 605. Patient experience data.
Sec. 606. Communication plans.
Sec. 607. Orphan drugs.
Sec. 608. Pediatric information added to labeling.
Sec. 609. Sense of Congress on lowering the cost of prescription drugs.
Sec. 610. Expanded access.
Sec. 611. Tropical disease product application.

TITLE VII—DEVICE INSPECTION AND REGULATORY IMPROVEMENTS

Sec. 701. Risk-based inspections for devices.
Sec. 702. Improvements to inspections process for device establishments.
Sec. 703. Reauthorization of inspection program.
Sec. 704. Certificates to foreign governments for devices.
Sec. 705. Facilitating international harmonization.
Sec. 706. Fostering innovation in medical imaging.
Sec. 707. Risk-based classification of accessories.
Sec. 708. Device pilot projects.
Sec. 709. Regulation of over-the-counter hearing aids.
Sec. 710. Report on servicing of devices.

TITLE VIII—IMPROVING GENERIC DRUG ACCESS

Sec. 801. Priority review of generic drugs.
Sec. 802. Enhancing regulatory transparency to enhance generic competition.
Sec. 803. Competitive generic therapies.
Sec. 804. Accurate information about drugs with limited competition.
Sec. 805. Suitability petitions.
Sec. 806. Inspections.
Sec. 807. Reporting on pending generic drug applications and priority review applications.
Sec. 808. Incentivizing competitive generic drug development.
Sec. 809. GAO study of issues regarding first cycle approvals of generic medicines.

TITLE IX—ADDITIONAL PROVISIONS

Sec. 901. Technical corrections.
Sec. 902. Annual report on inspections.
Sec. 903. Streamlining and improving consistency in performance reporting.
Sec. 904. Analysis of use of funds.
Sec. 905. Facilities management.

TITLE I—FEES RELATING TO DRUGS

SEC. 101. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the ''Prescription Drug User Fee Amendments of 2017''.

(b) FINDING.—The Congress finds that the fees authorized by the amendments made in this title will be dedicated toward expediting the drug development process and the process for the review of human drug applications, including postmarket drug safety activities, as set forth in the goals identified for purposes of part 2 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

SEC. 102. AUTHORITY TO ASSESS AND USE DRUG FEES.

(a) TYPES OF FEES.—

(1) IN GENERAL.—Section 736(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(a)) is amended—

(A) in the matter preceding paragraph (1), by striking ''fiscal year 2013'' and inserting ''fiscal year 2018'';

(B) in the heading of paragraph (1), by striking ''AND SUPPLEMENT'';

(C) in paragraph (1), by striking ''or a supplement'' and ''or supplement'' each place either appears;

(D) in paragraph (1)(A)—

(i) in clause (i), by striking ''(c)(4)'' and inserting ''(c)(5)''; and

(ii) in clause (ii), by striking ''A fee established'' and all that follows through ''are required.'' and inserting the following: ''A fee established under subsection (c)(5) for a human drug application for which clinical data (other than bioavailability or bioequivalence studies) with respect to safety or effectiveness are not required for approval.'';

(E) in the heading of paragraph (1)(C), by striking ''OR SUPPLEMENT'';

(F) in paragraph (1)(F)—

(i) in the heading, by striking ''OR INDICATION''; and

(ii) by striking the second sentence;

(G) by striking paragraph (2) (relating to a prescription drug establishment fee);

(H) by redesignating paragraph (3) as paragraph (2);

(I) in the heading of paragraph (2), as so redesignated, by striking ''PRESCRIPTION DRUG PRODUCT FEE'' and inserting ''PRESCRIPTION DRUG PROGRAM FEE'';

(J) in subparagraph (A) of such paragraph (2), by amending the first sentence to read as follows: ''Except as provided in subparagraphs (B) and (C), each person who is named as the applicant in a human drug application, and who, after September 1, 1992, had pending before the Secretary a human drug application or supplement, shall pay the annual prescription drug program fee established for a fiscal year under subsection (c)(5) for each prescription drug product that is identified in such a human drug application approved as of October 1 of such fiscal year.'';

(K) in subparagraph (B) of such paragraph (2)—

(i) in the heading of subparagraph (B), by inserting after ''EXCEPTION'' the following: ''FOR CERTAIN PRESCRIPTION DRUG PRODUCTS''; and

(ii) by striking ''A prescription drug product shall not be assessed a fee'' and inserting ''A prescription drug program fee shall not be assessed for a prescription drug product''; and

(L) by adding at the end of such paragraph (2) the following:

''(C) LIMITATION.—A person who is named as the applicant in an approved human drug application shall not be assessed more than 5 prescription drug program fees for a fiscal

year for prescription drug products identified in such approved human drug application.''.

(2) CONFORMING AMENDMENT.—Subparagraph (C) of section 740(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–12(a)(3)) is amended to read as follows:

''(C) LIMITATION.—An establishment shall be assessed only one fee per fiscal year under this section.''.

(b) FEE REVENUE AMOUNTS.—Subsection (b) of section 736 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h) is amended to read as follows:

''(b) FEE REVENUE AMOUNTS.—

''(1) IN GENERAL.—For each of the fiscal years 2018 through 2022, fees under subsection (a) shall, except as provided in subsections (c), (d), (f), and (g), be established to generate a total revenue amount under such subsection that is equal to the sum of—

''(A) the annual base revenue for the fiscal year (as determined under paragraph (3));

''(B) the dollar amount equal to the inflation adjustment for the fiscal year (as determined under subsection (c)(1));

''(C) the dollar amount equal to the capacity planning adjustment for the fiscal year (as determined under subsection (c)(2));

''(D) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(3));

''(E) the dollar amount equal to the additional direct cost adjustment for the fiscal year (as determined under subsection (c)(4)); and

''(F) additional dollar amounts for each fiscal year as follows:

''(i) $20,077,793 for fiscal year 2018.

''(ii) $21,317,472 for fiscal year 2019.

''(iii) $16,953,329 for fiscal year 2020.

''(iv) $5,426,896 for fiscal year 2021.

''(v) $2,769,609 for fiscal year 2022.

''(2) TYPES OF FEES.—Of the total revenue amount determined for a fiscal year under paragraph (1)—

''(A) 20 percent shall be derived from human drug application fees under subsection (a)(1); and

''(B) 80 percent shall be derived from prescription drug program fees under subsection (a)(2).

''(3) ANNUAL BASE REVENUE.—For purposes of paragraph (1), the dollar amount of the annual base revenue for a fiscal year shall be—

''(A) for fiscal year 2018, $878,590,000; and

''(B) for fiscal years 2019 through 2022, the dollar amount of the total revenue amount established under paragraph (1) for the previous fiscal year, not including any adjustments made under subsection (c)(3) or (c)(4).''.

(c) ADJUSTMENTS; ANNUAL FEE SETTING.—Subsection (c) of section 736 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h) is amended to read as follows:

''(c) ADJUSTMENTS; ANNUAL FEE SETTING.—

''(1) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—For purposes of subsection (b)(1)(B), the dollar amount of the inflation adjustment to the annual base revenue for each fiscal year shall be equal to the product of—

''(i) such annual base revenue for the fiscal year under subsection (b)(1)(A); and

''(ii) the inflation adjustment percentage under subparagraph (B).

''(B) INFLATION ADJUSTMENT PERCENTAGE.—The inflation adjustment percentage under this subparagraph for a fiscal year is equal to the sum of—

''(i) the average annual percent change in the cost, per full-time equivalent position of the Food and Drug Administration, of all personnel compensation and benefits paid with respect to such positions for the first 3 years of the preceding 4 fiscal years, multiplied by the proportion of personnel compensation and benefits costs to total costs of the process for the review of human drug applications (as defined in section 735(6)) for the first 3 years of the preceding 4 fiscal years; and

''(ii) the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC–MD–VA–WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 years of available data multiplied by the proportion of all costs other than personnel compensation and benefits costs to total costs of the process for the review of human drug applications (as defined in section 735(6)) for the first 3 years of the preceding 4 fiscal years.

''(2) CAPACITY PLANNING ADJUSTMENT.—

''(A) IN GENERAL.—For each fiscal year, after the annual base revenue established in subsection (b)(1)(A) is adjusted for inflation in accordance with paragraph (1), such revenue shall be adjusted further for such fiscal year, in accordance with this paragraph, to reflect changes in the resource capacity needs of the Secretary for the process for the review of human drug applications.

''(B) INTERIM METHODOLOGY.—

''(i) IN GENERAL.—Until the capacity planning methodology described in subparagraph (C) is effective, the adjustment under this paragraph for a fiscal year shall be based on the product of—

''(I) the annual base revenue for such year, as adjusted for inflation under paragraph (1); and

''(II) the adjustment percentage under clause (ii).

''(ii) ADJUSTMENT PERCENTAGE.—The adjustment percentage under this clause for a fiscal year is the weighted change in the 3-year average ending in the most recent year for which data are available, over the 3-year average ending in the previous year, for—

''(I) the total number of human drug applications, efficacy supplements, and manufacturing supplements submitted to the Secretary;

''(II) the total number of active commercial investigational new drug applications; and

''(III) the total number of formal meetings scheduled by the Secretary, and written responses issued by the Secretary in lieu of such formal meetings, as identified in section I.H of the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017.

''(C) CAPACITY PLANNING METHODOLOGY.—

''(i) DEVELOPMENT; EVALUATION AND REPORT.—The Secretary shall obtain, through a contract with an independent accounting or consulting firm, a report evaluating options and recommendations for a new methodology to accurately assess changes in the resource and capacity needs of the process for the review of human drug applications. The capacity planning methodological options and recommendations presented in such report shall utilize and be informed by personnel time reporting data as an input. The report shall be published for public comment no later than the end of fiscal year 2020.

''(ii) ESTABLISHMENT AND IMPLEMENTATION.—After review of the report described in clause (i) and any public comments thereon, the Secretary shall establish a capacity planning methodology for purposes of this paragraph, which shall—

''(I) replace the interim methodology under subparagraph (B);

''(II) incorporate such approaches and attributes as the Secretary determines appropriate; and

''(III) be effective beginning with the first fiscal year for which fees are set after such capacity planning methodology is established.

''(D) LIMITATION.—Under no circumstances shall an adjustment under this paragraph result in fee revenue for a fiscal year that is less than the sum of the amounts under subsections (b)(1)(A) (the annual base revenue for the fiscal year) and (b)(1)(B) (the dollar amount of the inflation adjustment for the fiscal year).

''(E) PUBLICATION IN FEDERAL REGISTER.—The Secretary shall publish in the Federal Register notice under paragraph (5) of the fee revenue and fees resulting from the adjustment and the methodologies under this paragraph.

''(3) OPERATING RESERVE ADJUSTMENT.—

''(A) INCREASE.—For fiscal year 2018 and subsequent fiscal years, the Secretary may, in addition to adjustments under paragraphs (1) and (2), further increase the fee revenue and fees if such an adjustment is necessary to provide for not more than 14 weeks of operating reserves of carryover user fees for the process for the review of human drug applications.

''(B) DECREASE.—If the Secretary has carryover balances for such process in excess of 14 weeks of such operating reserves, the Secretary shall decrease such fee revenue and fees to provide for not more than 14 weeks of such operating reserves.

''(C) NOTICE OF RATIONALE.—If an adjustment under subparagraph (A) or (B) is made, the rationale for the amount of the increase or decrease (as applicable) in fee revenue and fees shall be contained in the annual Federal Register notice under paragraph (5) establishing fee revenue and fees for the fiscal year involved.

''(4) ADDITIONAL DIRECT COST ADJUSTMENT.—

''(A) IN GENERAL.—The Secretary shall, in addition to adjustments under paragraphs (1), (2), and (3), further increase the fee revenue and fees—

''(i) for fiscal year 2018, by $8,730,000; and

''(ii) for fiscal year 2019 and subsequent fiscal years, by the amount determined under subparagraph (B).

''(B) AMOUNT.—The amount determined under this subparagraph is—

''(i) $8,730,000, multiplied by

''(ii) the Consumer Price Index for urban consumers (Washington-Baltimore, DC–MD–VA–WV; Not Seasonally Adjusted; All Items; Annual Index) for the most recent year of available data, divided by such Index for 2016.

''(5) ANNUAL FEE SETTING.—The Secretary shall, not later than 60 days before the start of each fiscal year that begins after September 30, 2017—

''(A) establish, for each such fiscal year, human drug application fees and prescription drug program fees under subsection (a), based on the revenue amounts established under subsection (b) and the adjustments provided under this subsection; and

''(B) publish such fee revenue and fees in the Federal Register.

''(6) LIMIT.—The total amount of fees charged, as adjusted under this subsection, for a fiscal year may not exceed the total costs for such fiscal year for the resources allocated for the process for the review of human drug applications.''.

(d) FEE WAIVER OR REDUCTION.—Section 736(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(d)) is amended—

(1) in paragraph (1)—

(A) by inserting ''or'' at the end of subparagraph (B);

(B) by striking subparagraph (C); and

(C) by redesignating subparagraph (D) as subparagraph (C);

(2) by striking paragraph (3) (relating to use of standard costs);

(3) by redesignating paragraph (4) as paragraph (3); and

(4) in paragraph (3), as so redesignated—

(A) in subparagraphs (A) and (B), by striking ''paragraph (1)(D)'' and inserting ''paragraph (1)(C)''; and

(B) in subparagraph (B)—

(i) by striking clause (ii);

(ii) by striking ''shall pay'' through ''(i) application fees'' and inserting ''shall pay application fees''; and

(iii) by striking ''; and'' at the end and inserting a period.

(e) EFFECT OF FAILURE TO PAY FEES.—Section 736(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(e)) is amended by striking ''all fees'' and inserting ''all such fees''.

(f) LIMITATIONS.—Section 736(f)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(f)(2)) is amended by striking ''supplements, prescription drug establishments, and prescription drug products'' and inserting ''prescription drug program fees''.

(g) CREDITING AND AVAILABILITY OF FEES.—Section 736(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(g)) is amended—

(1) in paragraph (3)—

(A) by striking ''2013 through 2017'' and inserting ''2018 through 2022''; and

(B) by striking ''and paragraph (4) of this subsection''; and

(2) by striking paragraph (4).

(h) ORPHAN DRUGS.—Section 736(k) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(k)) is amended by striking ''product and establishment fees'' each place it appears and inserting ''prescription drug program fees''.

SEC. 103. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 736B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h–2) is amended—

(1) in subsection (a)(1)—

(A) in the matter before subparagraph (A), by striking ''2013'' and inserting ''2018''; and

(B) in subparagraph (A), by striking ''Prescription Drug User Fee Amendments of 2012'' and inserting ''Prescription Drug User Fee Amendments of 2017'';

(2) in subsection (b), by striking ''2013'' and inserting ''2018''; and

(3) in subsection (d), by striking ''2017'' each place it appears and inserting ''2022''.

SEC. 104. SUNSET DATES.

(a) AUTHORIZATION.—Sections 735 and 736 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379g; 379h) shall cease to be effective October 1, 2022.

(b) REPORTING REQUIREMENTS.—Section 736B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h–2) shall cease to be effective January 31, 2023.

(c) PREVIOUS SUNSET PROVISION.—Effective October 1, 2017, subsections (a) and (b) of section 105 of the Food and Drug Administration Safety and Innovation Act (Public Law 112–144) are repealed.

SEC. 105. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2017, or the date of the enactment of this Act, whichever is later, except that fees under part 2 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act shall be assessed for all human drug applications received on or after October 1, 2017, regardless of the date of the enactment of this Act.

SEC. 106. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 2 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to human drug applications and supplements (as defined in such part as of such day) that on or after October 1, 2012, but before October 1, 2017, were accepted by the Food and Drug Administration for filing with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2018.

TITLE II—FEES RELATING TO DEVICES

SEC. 201. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the ''Medical Device User Fee Amendments of 2017''.

(b) FINDING.—The Congress finds that the fees authorized under the amendments made by this title will be dedicated toward expediting the process for the review of device applications and for assuring the safety and effectiveness of devices, as set forth in the goals identified for purposes of part 3 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

SEC. 202. DEFINITIONS.

(a) IN GENERAL.—Section 737 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379i) is amended—

(1) by redesignating paragraphs (8) through (13) as paragraphs (9) through (14), respectively;

(2) by inserting after paragraph (7) the following new paragraph:

''(8) The term 'de novo classification request' means a request made under section 513(f)(2)(A) with respect to the classification of a device.'';

(3) in subparagraph (D) of paragraph (10) (as redesignated by paragraph (1)), by striking ''and submissions'' and inserting ''submissions, and de novo classification requests''; and

(4) in paragraph (11) (as redesignated by paragraph (1)), by striking ''2011'' and inserting ''2016''.

(b) CONFORMING AMENDMENT.—Section 714(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379d–3(b)(1)) is amended by striking ''737(8)'' and inserting ''737(9)''.

SEC. 203. AUTHORITY TO ASSESS AND USE DEVICE FEES.

(a) TYPES OF FEES.—Section 738(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(a)) is amended—

(1) in paragraph (1), by striking ''fiscal year 2013'' and inserting ''fiscal year 2018''; and

(2) in paragraph (2)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i), by striking ''October 1, 2012'' and inserting ''October 1, 2017'';

(ii) in clause (viii), by striking ''2'' and inserting ''3.4''; and

(iii) by adding at the end the following new clause:

''(xi) For a de novo classification request, a fee equal to 30 percent of the fee that applies under clause (i).''; and

(B) in subparagraph (B)(v)(I), by striking ''or premarket notification submission'' and inserting ''premarket notification submission, or de novo classification request''.

(b) FEE AMOUNTS.—Section 738(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(b)) is amended to read as follows:

''(b) FEE AMOUNTS.—

''(1) IN GENERAL.—Subject to subsections (c), (d), (e), and (h), for each of fiscal years 2018 through 2022, fees under subsection (a) shall be derived from the base fee amounts specified in paragraph (2), to generate the total revenue amounts specified in paragraph (3).

''(2) BASE FEE AMOUNTS SPECIFIED.—For purposes of paragraph (1), the base fee amounts specified in this paragraph are as follows:

''Fee Type	Fiscal Year 2018	Fiscal Year 2019	Fiscal Year 2020	Fiscal Year 2021	Fiscal Year 2022
Premarket Application	$294,000	$300,000	$310,000	$328,000	$329,000
Establishment Registration	$4,375	$4,548	$4,760	$4,975	$4,978

''(3) TOTAL REVENUE AMOUNTS SPECIFIED.—For purposes of paragraph (1), the total revenue amounts specified in this paragraph are as follows:

''(A) $183,280,756 for fiscal year 2018.

''(B) $190,654,875 for fiscal year 2019.

''(C) $200,132,014 for fiscal year 2020.

''(D) $211,748,789 for fiscal year 2021.

''(E) $213,687,660 for fiscal year 2022.''.

(c) ANNUAL FEE SETTING; ADJUSTMENTS.—Section 738(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(c)) is amended—

(1) in paragraph (1), by striking ''2012'' and inserting ''2017'';

(2) in paragraph (2)—

(A) in subparagraph (A), by striking ''2014'' and inserting ''2018'';

(B) by striking subparagraph (B) and inserting the following new subparagraph:

''(B) APPLICABLE INFLATION ADJUSTMENT.—The applicable inflation adjustment for fiscal year 2018 and each subsequent fiscal year is the product of—

''(i) the base inflation adjustment under subparagraph (C) for such fiscal year; and

''(ii) the product of the base inflation adjustment under subparagraph (C) for each of the fiscal years preceding such fiscal year, beginning with fiscal year 2016.'';

(C) in subparagraph (C), in the heading, by striking ''TO TOTAL REVENUE AMOUNTS''; and

(D) by amending subparagraph (D) to read as follows:

''(D) ADJUSTMENT TO BASE FEE AMOUNTS.—For each of fiscal years 2018 through 2022, the Secretary shall—

''(i) adjust the base fee amounts specified in subsection (b)(2) for such fiscal year by multiplying such amounts by the applicable inflation adjustment under subparagraph (B) for such year; and

''(ii) if the Secretary determines necessary, increase (in addition to the adjustment under clause (i)) such base fee amounts, on a uniform proportionate basis, to generate the total revenue amounts under subsection (b)(3), as adjusted for inflation under subparagraph (A).''; and

(3) in paragraph (3)—

(A) by striking ''2014 through 2017'' and inserting ''2018 through 2022''; and

(B) by striking ''further adjusted'' and inserting ''increased''.

(d) SMALL BUSINESSES; FEE WAIVER AND FEE REDUCTION REGARDING PREMARKET APPROVAL FEES.—Section 738(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(d)) is amended—

(1) in paragraph (1), by striking ''specified in clauses (i) through (v) and clauses (vii), (ix), and (x)'' and inserting ''specified in clauses (i) through (vii) and clauses (ix), (x), and (xi)''; and

(2) in paragraph (2)(C)—

(A) by striking ''supplement, or'' and inserting ''supplement,''; and

(B) by inserting '', or a de novo classification request'' after ''class III device''.

(e) SMALL BUSINESSES; FEE REDUCTION REGARDING PREMARKET NOTIFICATION SUBMISSIONS.—Section 738(e)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(e)(2)(C)) is amended by striking ''50'' and inserting ''25''.

(f) FEE WAIVER OR REDUCTION.—

(1) REPEAL.—Section 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j) is amended by striking subsection (f).

(2) CONFORMING AMENDMENTS.—

(A) Section 515(c)(4)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e(c)(4)(A)) is amended by striking ''738(h)'' and inserting ''738(g)''.

(B) Section 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j), as amended by paragraph (1), is further amended—

(i) by redesignating subsections (g) through (l) as subsections (f) through (k);

(ii) in subsection (a)(2)(A), by striking ''(d), (e), and (f)'' and inserting ''(d) and (e)''; and

(iii) in subsection (a)(3)(A), by striking ''and subsection (f)''.

(g) EFFECT OF FAILURE TO PAY FEES.—Subsection (f)(1), as so redesignated, of section 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j) is amended—

(1) by striking ''or periodic reporting concerning a class III device'' and inserting ''periodic reporting concerning a class III device, or de novo classification request''; and

(2) by striking ''all fees'' and inserting ''all such fees''.

(h) CONDITIONS.—Subsection (g)(1)(A), as so redesignated, of section 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j) is amended by striking ''$280,587,000'' and inserting ''$320,825,000''.

(i) CREDITING AND AVAILABILITY OF FEES.—Subsection (h), as so redesignated, of section 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j) is amended—

(1) in paragraph (3)—

(A) by striking ''2013 through 2017'' and inserting ''2018 through 2022''; and

(B) by striking ''subsection (c)'' and all that follows through the period at the end and inserting ''subsection (c).''; and

(2) by striking paragraph (4).

SEC. 204. REAUTHORIZATION; REPORTING REQUIREMENTS.

(a) PERFORMANCE REPORTS.—Section 738A(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–1(a)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) by striking ''2013'' and inserting ''2018''; and

(ii) by striking ''the Medical Device User Fee Amendments of 2012'' and inserting ''the Medical Device User Fee Amendments of 2017''; and

(B) in subparagraph (B), by striking ''the Medical Device User Fee Amendments Act of 2012'' and inserting ''the Medical Device User Fee Amendments of 2017''; and

(2) in paragraph (2), by striking ''2013 through 2017'' and inserting ''2018 through 2022''.

(b) REAUTHORIZATION.—Section 738A(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–1(b)) is amended—

(1) in paragraph (1), by striking ''2017'' and inserting ''2022''; and

(2) in paragraph (5), by striking ''2017'' and inserting ''2022''.

SEC. 205. CONFORMITY ASSESSMENT PILOT PROGRAM.

(a) IN GENERAL.—Section 514 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360d) is amended by adding at the end the following:

''(d) PILOT ACCREDITATION SCHEME FOR CONFORMITY ASSESSMENT.—

''(1) IN GENERAL.—The Secretary shall establish a pilot program under which—

''(A) testing laboratories may be accredited, by accreditation bodies meeting criteria specified by the Secretary, to assess the conformance of a device with certain standards recognized under this section; and

''(B) subject to paragraph (2), determinations by testing laboratories so accredited that a device conforms with such standard or standards shall be accepted by the Secretary for purposes of demonstrating such conformity under this section unless the Secretary finds that a particular such determination shall not be so accepted.

''(2) SECRETARIAL REVIEW OF ACCREDITED LABORATORY DETERMINATIONS.—The Secretary may—

''(A) review determinations by testing laboratories accredited pursuant to this subsection, including by conducting periodic audits of such determinations or processes of accredited bodies or testing laboratories and, following such review, taking additional measures under this Act, such as suspension or withdrawal of accreditation of such testing laboratory under paragraph (1)(A) or requesting additional information with respect to such device, as the Secretary determines appropriate; and

''(B) if the Secretary becomes aware of information materially bearing on safety or effectiveness of a device assessed for conformity by a testing laboratory so accredited, take such additional measures under this Act as the Secretary determines appropriate, such as suspension or withdrawal of accreditation of such testing laboratory under paragraph (1)(A), or requesting additional information with regard to such device.

''(3) IMPLEMENTATION AND REPORTING.—

''(A) PUBLIC MEETING.—The Secretary shall publish in the Federal Register a notice of a public meeting to be held no later than September 30, 2018, to discuss and obtain input and recommendations from stakeholders regarding the goals and scope of, and a suitable framework and procedures and requirements for, the pilot program under this subsection.

''(B) PILOT PROGRAM GUIDANCE.—The Secretary shall—

''(i) not later than September 30, 2019, issue draft guidance regarding the goals and implementation of the pilot program under this subsection; and

''(ii) not later than September 30, 2021, issue final guidance with respect to the implementation of such program.

''(C) PILOT PROGRAM INITIATION.—Not later than September 30, 2020, the Secretary shall initiate the pilot program under this subsection.

''(D) REPORT.—The Secretary shall make available on the internet website of the Food and Drug Administration an annual report on the progress of the pilot program under this subsection.

''(4) SUNSET.—As of October 1, 2022—

''(A) the authority for accreditation bodies to accredit testing laboratories pursuant to paragraph (1)(A) shall cease to have force or effect;

''(B) the Secretary—

''(i) may not accept a determination pursuant to paragraph (1)(B) made by a testing laboratory after such date; and

''(ii) may accept such a determination made prior to such date;

''(C) except for purposes of accepting a determination described in subparagraph (B)(ii), the Secretary shall not continue to recognize the accreditation of testing laboratories accredited under paragraph (1)(A); and

''(D) the Secretary may take actions in accordance with paragraph (2) with respect to the determinations made prior to such date and recognition of the accreditation of testing laboratories pursuant to determinations made prior to such date.''.

SEC. 206. REAUTHORIZATION OF REVIEW.

Section 523 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360m) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), by striking clauses (ii) and (iii) and inserting the following:

''(ii) a device classified under section 513(f)(2) or designated under section 515C(d);

''(iii) a device that is intended to be permanently implantable, life sustaining, or life supporting, unless otherwise determined by the Secretary in accordance with subparagraph (B)(i)(II) and listed as eligible for review under subparagraph (B)(iii); or

''(iv) a device that is of a type, or subset of a type, listed as not eligible for review under subparagraph (B)(iii).'';

(B) by striking subparagraph (B) and inserting the following:

''(B) DESIGNATION FOR REVIEW.—The Secretary shall—

''(i) issue draft guidance on the factors the Secretary will use in determining whether a class I or class II device type, or subset of such device types, is eligible for review by an accredited person, including—

''(I) the risk of the device type, or subset of such device type; and

''(II) whether the device type, or subset of such device type, is permanently implantable, life sustaining, or life supporting, and whether there is a detailed public health justification for permitting the review by an accredited person of such device type or subset;

''(ii) not later than 24 months after the date on which the Secretary issues such draft guidance, finalize such guidance; and

''(iii) beginning on the date such guidance is finalized, designate and post on the internet website of the Food and Drug Administration, an updated list of class I and class II device types, or subsets of such device types, and the Secretary's determination with respect to whether each such device type, or subset of a device type, is eligible or not eligible for review by an accredited person under this section based on the factors described in clause (i).''; and

(C) by adding at the end the following:

''(C) INTERIM RULE.—Until the date on which the updated list is designated and posted in accordance with subparagraph (B)(iii), the list in effect on the date of enactment the Medical Device User Fee Amendments of 2017 shall be in effect.'';

(2) in subsection (b)—

(A) in paragraph (2)—

(i) by striking subparagraph (D); and

(ii) by redesignating subparagraph (E) as subparagraph (D); and

(B) in paragraph (3)—

(i) by redesignating subparagraph (E) as subparagraph (F);

(ii) in subparagraph (F) (as so redesignated), by striking ''The operations of'' and

all that follows through ''it will—'' and inserting ''Such person shall agree, at a minimum, to include in its request for accreditation a commitment to, at the time of accreditation, and at any time it is performing any review pursuant to this section—''; and

(iii) by inserting after subparagraph (D) the following new subparagraph:

''(E) The operations of such person shall be in accordance with generally accepted professional and ethical business practices.''; and

(3) in subsection (c), by striking ''2017'' and inserting ''2022''.

SEC. 207. ELECTRONIC FORMAT FOR SUBMISSIONS.

Section 745A(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379k–1(b)) is amended by adding at the end the following new paragraph:

''(3) PRESUBMISSIONS AND SUBMISSIONS SOLELY IN ELECTRONIC FORMAT.—

''(A) IN GENERAL.—Beginning on such date as the Secretary specifies in final guidance issued under subparagraph (C), presubmissions and submissions for devices described in paragraph (1) (and any appeals of action taken by the Secretary with respect to such presubmissions or submissions) shall be submitted solely in such electronic format as specified by the Secretary in such guidance.

''(B) DRAFT GUIDANCE.—The Secretary shall, not later than October 1, 2019, issue draft guidance providing for—

''(i) any further standards for the submission by electronic format required under subparagraph (A);

''(ii) a timetable for the establishment by the Secretary of such further standards; and

''(iii) criteria for waivers of and exemptions from the requirements of this subsection.

''(C) FINAL GUIDANCE.—The Secretary shall, not later than 1 year after the close of the public comment period on the draft guidance issued under subparagraph (B), issue final guidance.''.

SEC. 208. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 3 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379i et seq.), as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to the submissions listed in section 738(a)(2)(A) of such Act (as defined in such part as of such day) that on or after October 1, 2012, but before October 1, 2017, were accepted by the Food and Drug Administration for filing with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2018.

SEC. 209. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2017, or the date of the enactment of this Act, whichever is later, except that fees under part 3 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act shall be assessed for all submissions listed in section 738(a)(2)(A) of such Act received on or after October 1, 2017, regardless of the date of the enactment of this Act.

SEC. 210. SUNSET DATES.

(a) AUTHORIZATION.—Sections 737 and 738 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 739i; 739j) shall cease to be effective October 1, 2022.

(b) REPORTING REQUIREMENTS.—Section 738A (21 U.S.C. 739j–1) of the Federal Food, Drug, and Cosmetic Act (regarding reauthorization and reporting requirements) shall cease to be effective January 31, 2023.

(c) PREVIOUS SUNSET PROVISION.—Effective October 1, 2017, section 207(a) of the Food and Drug Administration Safety and Innovation Act (Public Law 112–144) is repealed.

TITLE III—FEES RELATING TO GENERIC DRUGS

SEC. 301. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the ''Generic Drug User Fee Amendments of 2017''.

(b) FINDING.—The Congress finds that the fees authorized by the amendments made in this title will be dedicated to human generic drug activities, as set forth in the goals identified for purposes of part 7 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

SEC. 302. DEFINITIONS.

Section 744A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–41) is amended—

(1) in paragraph (1)(B), by striking ''application for a positron emission tomography drug.'' and inserting ''application—

''(i) for a positron emission tomography drug; or

''(ii) submitted by a State or Federal governmental entity for a drug that is not distributed commercially.'';

(2) by redesignating paragraphs (5) through (12) as paragraphs (6) through (13), respectively; and

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

''(5) The term 'contract manufacturing organization facility' means a manufacturing facility of a finished dosage form of a drug approved pursuant to an abbreviated new drug application, where such manufacturing facility is not identified in an approved abbreviated new drug application held by the owner of such facility or an affiliate of such owner or facility.''.

SEC. 303. AUTHORITY TO ASSESS AND USE HUMAN GENERIC DRUG FEES.

(a) TYPES OF FEES.—Section 744B(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''fiscal year 2013'' and inserting ''fiscal year 2018'';

(2) in paragraph (1), by adding at the end the following:

''(E) SUNSET.—This paragraph shall cease to be effective October 1, 2022.'';

(3) in paragraph (2)—

(A) by amending subparagraph (C) to read as follows:

''(C) NOTICE.—Not later than 60 days before the start of each of fiscal years 2018 through 2022, the Secretary shall publish in the Federal Register the amount of the drug master file fee established by this paragraph for such fiscal year.''; and

(B) in subparagraph (E)—

(i) in clause (i)—

(I) by striking ''no later than the date'' and inserting ''on the earlier of—

''(I) the date'';

(II) by striking the period and inserting ''; or''; and

(III) by adding at the end the following:

''(II) the date on which the drug master file holder requests the initial completeness assessment.''; and

(ii) in clause (ii), by striking ''notice provided for in clause (i) or (ii) of subparagraph (C), as applicable'' and inserting ''notice provided for in subparagraph (C)'';

(4) in paragraph (3)—

(A) in the heading, by striking ''AND PRIOR APPROVAL SUPPLEMENT'';

(B) in subparagraph (A), by striking ''or a prior approval supplement to an abbreviated new drug application'';

(C) by amending subparagraphs (B) and (C) to read as follows:

''(B) NOTICE.—Not later than 60 days before the start of each of fiscal years 2018 through 2022, the Secretary shall publish in the Federal Register the amount of the fees under subparagraph (A) for such fiscal year.

''(C) FEE DUE DATE.—The fees required by subparagraphs (A) and (F) shall be due no later than the date of submission of the abbreviated new drug application or prior approval supplement for which such fee applies.'';

(D) in subparagraph (D)—

(i) in the heading, by inserting '', IS WITHDRAWN PRIOR TO BEING RECEIVED, OR IS NO LONGER RECEIVED'' after ''RECEIVED''; and

(ii) by striking ''The Secretary shall'' and all that follows through the period and inserting the following:

''(i) APPLICATIONS NOT CONSIDERED TO HAVE BEEN RECEIVED AND APPLICATIONS WITHDRAWN PRIOR TO BEING RECEIVED.—The Secretary shall refund 75 percent of the fee paid under subparagraph (A) for any abbreviated new drug application that the Secretary considers not to have been received within the meaning of section 505(j)(5)(A) for a cause other than failure to pay fees, or that has been withdrawn prior to being received within the meaning of section 505(j)(5)(A).

''(ii) APPLICATIONS NO LONGER RECEIVED.—The Secretary shall refund 100 percent of the fee paid under subparagraph (A) for any abbreviated new drug application if the Secretary initially receives the application under section 505(j)(5)(A) and subsequently determines that an exclusivity period for a listed drug should have prevented the Secretary from receiving such application, such that the abbreviated new drug application is no longer received within the meaning of section 505(j)(5)(A).'';

(E) in subparagraph (E), by striking ''or prior approval supplement''; and

(F) in the matter preceding clause (i) of subparagraph (F)—

(i) by striking ''2012'' and inserting ''2017''; and

(ii) by striking ''subsection (d)(3)'' and inserting ''subsection (d)(2)'';

(5) in paragraph (4)—

(A) in subparagraph (A)—

(i) in the matter preceding clause (i) and in clause (iii), by striking '', or intended to be identified, in at least one generic drug submission that is pending or'' and inserting ''in at least one generic drug submission that is'';

(ii) in clause (i), by striking ''or intended to be identified in at least one generic drug submission that is pending or'' and inserting ''in at least one generic drug submission that is'';

(iii) in clause (ii), by striking ''produces,'' and all that follows through ''such a'' and inserting ''is identified in at least one generic drug submission in which the facility is approved to produce one or more active pharmaceutical ingredients or in a Type II active pharmaceutical ingredient drug master file referenced in at least one such''; and

(iv) in clause (iii), by striking ''to fees under both such clauses'' and inserting ''only to the fee attributable to the manufacture of the finished dosage forms''; and

(B) by amending subparagraphs (C) and (D) to read as follows:

''(C) NOTICE.—Within the timeframe specified in subsection (d)(1), the Secretary shall publish in the Federal Register the amount of the fees under subparagraph (A) for such fiscal year.

''(D) FEE DUE DATE.—For each of fiscal years 2018 through 2022, the fees under subparagraph (A) for such fiscal year shall be due on the later of—

''(i) the first business day on or after October 1 of each such year; or

''(ii) the first business day after the enactment of an appropriations Act providing for the collection and obligation of fees for such year under this section for such year.'';

(6) by redesignating paragraph (5) as paragraph (6); and

(7) by inserting after paragraph (4) the following:

''(5) GENERIC DRUG APPLICANT PROGRAM FEE.—

''(A) IN GENERAL.—A generic drug applicant program fee shall be assessed annually as described in subsection (b)(2)(E).

''(B) AMOUNT.—The amount of fees established under subparagraph (A) shall be established under subsection (d).

''(C) NOTICE.—Within the timeframe specified in subsection (d)(1), the Secretary shall publish in the Federal Register the amount of the fees under subparagraph (A) for such fiscal year.

''(D) FEE DUE DATE.—For each of fiscal years 2018 through 2022, the fees under subparagraph (A) for such fiscal year shall be due on the later of—

''(i) the first business day on or after October 1 of each such fiscal year; or

''(ii) the first business day after the date of enactment of an appropriations Act providing for the collection and obligation of fees for such fiscal year under this section for such fiscal year.''.

(b) FEE REVENUE AMOUNTS.—Section 744B(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(b)) is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)—

(i) in the heading, by striking ''2013'' and inserting ''2018'';

(ii) by striking ''2013'' and inserting ''2018'';

(iii) by striking ''$299,000,000'' and inserting ''$493,600,000''; and

(iv) by striking ''Of that amount'' and all that follows through the end of clause (ii); and

(B) in subparagraph (B)—

(i) in the heading, by striking ''2014 THROUGH 2017'' and inserting ''2019 THROUGH 2022'';

(ii) by striking ''2014 through 2017'' and inserting ''2019 through 2022'';

(iii) by striking ''paragraphs (2) through (4)'' and inserting ''paragraphs (2) through (5)''; and

(iv) by striking ''$299,000,000'' and inserting ''$493,600,000''; and

(2) in paragraph (2)—

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

(i) by striking ''paragraph (1)(A)(ii) for fiscal year 2013 and paragraph (1)(B) for each of fiscal years 2014 through 2017'' and inserting ''such paragraph for a fiscal year''; and

(ii) by striking ''through (4)'' and inserting ''through (5)'';

(B) in subparagraph (A), by striking ''Six percent'' and inserting ''Five percent'';

(C) by amending subparagraphs (B) and (C) to read as follows:

''(B) Thirty-three percent shall be derived from fees under subsection (a)(3) (relating to abbreviated new drug applications).

''(C) Twenty percent shall be derived from fees under subsection (a)(4)(A)(i) (relating to generic drug facilities). The amount of the fee for a contract manufacturing organization facility shall be equal to one-third the amount of the fee for a facility that is not a contract manufacturing organization facility. The amount of the fee for a facility located outside the United States and its territories and possessions shall be $15,000 higher than the amount of the fee for a facility located in the United States and its territories and possessions.'';

(D) in subparagraph (D)—

(i) by striking ''Fourteen percent'' and inserting ''Seven percent'';

(ii) by striking ''not less than $15,000 and not more than $30,000'' and inserting ''$15,000''; and

(iii) by striking '', as determined'' and all that follows through the period at the end and inserting a period; and

(E) by adding at the end the following:

''(E)(i) Thirty-five percent shall be derived from fees under subsection (a)(5) (relating to generic drug applicant program fees). For purposes of this subparagraph, if a person has affiliates, a single program fee shall be assessed with respect to that person, including its affiliates, and may be paid by that person or any one of its affiliates. The Secretary shall determine the fees as follows:

''(I) If a person (including its affiliates) owns at least one but not more than 5 approved abbreviated new drug applications on the due date for the fee under this subsection, the person (including its affiliates) shall be assessed a small business generic drug applicant program fee equal to one-tenth of the large size operation generic drug applicant program fee.

''(II) If a person (including its affiliates) owns at least 6 but not more than 19 approved abbreviated new drug applications on the due date for the fee under this subsection, the person (including its affiliates) shall be assessed a medium size operation generic drug applicant program fee equal to two-fifths of the large size operation generic drug applicant program fee.

''(III) If a person (including its affiliates) owns 20 or more approved abbreviated new drug applications on the due date for the fee under this subsection, the person (including its affiliates) shall be assessed a large size operation generic drug applicant program fee.

''(ii) For purposes of this subparagraph, an abbreviated new drug application shall be deemed not to be approved if the applicant has submitted a written request for withdrawal of approval of such abbreviated new drug application by April 1 of the previous fiscal year.''.

(c) ADJUSTMENTS.—Section 744B(c) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(c)) is amended—

(1) in paragraph (1)—

(A) by striking ''2014'' and inserting ''2019'';

(B) by inserting ''to equal the product of the total revenues established in such notice for the prior fiscal year multiplied'' after ''a fiscal year,''; and

(C) by striking the flush text following subparagraph (C); and

(2) in paragraph (2)—

(A) by striking ''2017'' each place it appears and inserting ''2022'';

(B) by striking ''the first 3 months of fiscal year 2018'' and inserting ''the first 3 months of fiscal year 2023''; and

(C) by striking ''Such fees may only be used in fiscal year 2018.''.

(d) ANNUAL FEE SETTING.—Section 744B(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(d)) is amended—

(1) by striking paragraphs (1) and (2) and inserting the following:

''(1) FISCAL YEARS 2018 THROUGH 2022.—Not more than 60 days before the first day of each of fiscal years 2018 through 2022, the Secretary shall establish the fees described in paragraphs (2) through (5) of subsection (a), based on the revenue amounts established under subsection (b) and the adjustments provided under subsection (c).'';

(2) by redesignating paragraph (3) as paragraph (2); and

(3) in paragraph (2) (as so redesignated), in the matter preceding subparagraph (A), by striking ''fees under paragraphs (1) and (2)'' and inserting ''fee under paragraph (1)''.

(e) IDENTIFICATION OF FACILITIES.—Section 744B(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(f)) is amended—

(1) by striking paragraph (1);

(2) by redesignating paragraphs (2) through (4) as paragraphs (1) through (3), respectively;

(3) in paragraph (1) (as so redesignated)—

(A) by striking ''paragraph (4)'' and inserting ''paragraph (3)''; and

(B) by striking ''Such information shall'' and all that follows through the end of subparagraph (B) and inserting ''Such information shall, for each fiscal year, be submitted, updated, or reconfirmed on or before June 1 of the previous fiscal year.''; and

(4) in paragraph (2), as so redesignated—

(A) in the heading, by striking ''CONTENTS OF NOTICE'' and inserting ''INFORMATION REQUIRED TO BE SUBMITTED'';

(B) in the matter preceding subparagraph (A), by striking ''paragraph (2)'' and inserting ''paragraph (1)'';

(C) in subparagraph (A), by striking ''or intended to be identified'';

(D) in subparagraph (D), by striking ''and'' at the end;

(E) in subparagraph (E), by striking the period and inserting ''; and''; and

(F) by adding at the end the following:

''(F) whether the facility is a contract manufacturing organization facility.''.

(f) EFFECT OF FAILURE TO PAY FEES.—Section 744B(g) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(g)) is amended—

(1) in paragraph (1), by adding at the end the following: ''This paragraph shall cease to be effective on October 1, 2022.'';

(2) in paragraph (2)(C)(ii), by striking ''of 505(j)(5)(A)'' and inserting ''of section 505(j)(5)(A)''; and

(3) by adding at the end the following:

''(5) GENERIC DRUG APPLICANT PROGRAM FEE.—

''(A) IN GENERAL.—A person who fails to pay a fee as required under subsection (a)(5) by the date that is 20 calendar days after the due date, as specified in subparagraph (D) of such subsection, shall be subject to the following:

''(i) The Secretary shall place the person on a publicly available arrears list.

''(ii) Any abbreviated new drug application submitted by the generic drug applicant or an affiliate of such applicant shall not be received, within the meaning of section 505(j)(5)(A).

''(iii) All drugs marketed pursuant to any abbreviated new drug application held by such applicant or an affiliate of such applicant shall be deemed misbranded under section 502(aa).

''(B) APPLICATION OF PENALTIES.—The penalties under subparagraph (A) shall apply until the fee required under subsection (a)(5) is paid.''.

(g) LIMITATIONS.—Section 744B(h)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(h)(2)) is amended by striking ''for Type II active pharmaceutical ingredient drug master files, abbreviated new drug applications and prior approval supplements, and generic drug facilities and active pharmaceutical ingredient facilities''.

(h) CREDITING AND AVAILABILITY OF FEES.—Section 744B(i) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(i)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (A), by striking ''subparagraphs (C) and (D)'' and inserting ''subparagraph (C)'';

(B) by striking subparagraph (C) (relating to fee collection during first program year);

(C) in subparagraph (D)—

(i) in the heading, by striking ''IN SUBSEQUENT YEARS''; and

(ii) by striking ''(after fiscal year 2013)''; and

(D) by redesignating subparagraph (D) as subparagraph (C); and

(2) in paragraph (3), by striking ''fiscal years 2013 through 2017'' and inserting ''fiscal years 2018 through 2022''.

(i) INFORMATION ON ABBREVIATED NEW DRUG APPLICATIONS OWNED BY APPLICANTS AND THEIR AFFILIATES.—Section 744B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42) is amended by adding at the end the following:

''(o) INFORMATION ON ABBREVIATED NEW DRUG APPLICATIONS OWNED BY APPLICANTS AND THEIR AFFILIATES.—

''(1) IN GENERAL.—By April 1 of each year, each person that owns an abbreviated new drug application, or a designated affiliate of such person, shall submit, on behalf of the person and the affiliates of such person, to the Secretary a list of—

''(A) all approved abbreviated new drug applications owned by such person; and

''(B) if any affiliate of such person also owns an abbreviated new drug application, all affiliates that own any such abbreviated new drug application and all approved abbreviated new drug applications owned by any such affiliate.

''(2) FORMAT AND METHOD.—The Secretary shall specify in guidance the format and method for submission of lists under this subsection.''.

SEC. 304. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 744C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–43) is amended—

(1) in subsection (a)—

(A) by striking ''2013'' and inserting ''2018''; and

(B) by striking ''Generic Drug User Fee Amendments of 2012'' and inserting ''Generic Drug User Fee Amendments of 2017'';

(2) in subsection (b), by striking ''2013'' and inserting ''2018''; and

(3) in subsection (d), by striking ''2017'' each place it appears and inserting ''2022''.

SEC. 305. SUNSET DATES.

(a) AUTHORIZATION.—Sections 744A and 744B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–41; 379j–42) shall cease to be effective October 1, 2022.

(b) REPORTING REQUIREMENTS.—Section 744C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–43) shall cease to be effective January 31, 2023.

(c) PREVIOUS SUNSET PROVISION.—

(1) IN GENERAL.—Effective October 1, 2017, section 304 of the Food and Drug Administration Safety and Innovation Act (Public Law 112–144) is repealed.

(2) CONFORMING AMENDMENT.—The Food and Drug Administration Safety and Innovation Act (Public Law 112–144) is amended in the table of contents in section 2 by striking the item relating to section 304.

SEC. 306. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2017, or the date of the enactment of this Act, whichever is later, except that fees under part 7 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act shall be assessed for all abbreviated new drug applications received on or after October 1, 2017, regardless of the date of the enactment of this Act.

SEC. 307. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 7 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to abbreviated new drug applications (as defined in such part as of such day) that were received by the Food and Drug Administration within the meaning of section 505(j)(5)(A) of such Act (21 U.S.C. 355(j)(5)(A)), prior approval supplements that were submitted, and drug master files for Type II active pharmaceutical ingredients that were first referenced on or after October 1, 2012, but before October 1, 2017, with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2018.

TITLE IV—FEES RELATING TO BIOSIMILAR BIOLOGICAL PRODUCTS

SEC. 401. SHORT TITLE; FINDING.

(a) SHORT TITLE.—This title may be cited as the ''Biosimilar User Fee Amendments of 2017''.

(b) FINDING.—The Congress finds that the fees authorized by the amendments made in this title will be dedicated to expediting the process for the review of biosimilar biological product applications, including postmarket safety activities, as set forth in the goals identified for purposes of part 8 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, in the letters from the Secretary of Health and Human Services to the Chairman of the Committee on Health, Education, Labor, and Pensions of the Senate and the Chairman of the Committee on Energy and Commerce of the House of Representatives, as set forth in the Congressional Record.

SEC. 402. DEFINITIONS.

(a) ADJUSTMENT FACTOR.—Section 744G(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–51(1)) is amended to read as follows:

''(1) The term 'adjustment factor' applicable to a fiscal year is the Consumer Price Index for urban consumers (Washington-Baltimore, DC–MD–VA–WV; Not Seasonally Adjusted; All items) for October of the preceding fiscal year divided by such Index for October 2011.''.

(b) BIOSIMILAR BIOLOGICAL PRODUCT.—Section 744G(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–51(3)) is amended by striking ''means a product'' and inserting ''means a specific strength of a biological product in final dosage form''.

SEC. 403. AUTHORITY TO ASSESS AND USE BIOSIMILAR FEES.

(a) TYPES OF FEES.—Section 744H(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52(a)) is amended—

(1) in the matter preceding paragraph (1), by striking ''fiscal year 2013'' and inserting ''fiscal year 2018'';

(2) in the heading of paragraph (1), by striking ''BIOSIMILAR'' and inserting ''BIOSIMILAR BIOLOGICAL PRODUCT'';

(3) in paragraph (1)(A)(i), by striking ''(b)(1)(A)'' and inserting ''(c)(5)'';

(4) in paragraph (1)(B)(i), by striking ''(b)(1)(B) for biosimilar biological product development'' and inserting ''(c)(5) for the biosimilar biological product development program'';

(5) in paragraph (1)(B)(ii), by striking ''annual biosimilar biological product development program fee'' and inserting ''annual biosimilar biological product development fee'';

(6) in paragraph (1)(B)(iii), by striking ''annual biosimilar development program fee'' and inserting ''annual biosimilar biological product development fee'';

(7) in paragraph (1)(B), by adding at the end the following:

''(iv) REFUND.—If a person submits a marketing application for a biosimilar biological product before October 1 of a fiscal year and such application is accepted for filing on or after October 1 of such fiscal year, the person may request a refund equal to the annual biosimilar biological product development fee paid by the person for the product for such fiscal year. To qualify for consideration for a refund under this clause, a person shall submit to the Secretary a written request for such refund not later than 180 days after the marketing application is accepted for filing.'';

(8) in paragraph (1)(C), by striking ''for a product effective October 1 of a fiscal year by,'' and inserting ''for a product, effective October 1 of a fiscal year, by,'';

(9) in paragraph (1)(D)—

(A) in clause (i) in the matter preceding subclause (I), by inserting '', if the person seeks to resume participation in such program,'' before ''pay a fee'';

(B) in clause (i)(I), by inserting after ''grants a request'' the following: ''by such person''; and

(C) in clause (i)(II), by inserting after ''discontinued)'' the following: ''by such person'';

(10) in the heading of paragraph (1)(E), by striking ''BIOSIMILAR DEVELOPMENT PROGRAM'';

(11) in paragraph (1)(F)—

(A) in the subparagraph heading, by striking ''BIOSIMILAR DEVELOPMENT PROGRAM''; and

(B) by amending clause (i) to read as follows:

''(i) REFUNDS.—Except as provided in subparagraph (B)(iv), the Secretary shall not refund any initial or annual biosimilar biological product development fee paid under subparagraph (A) or (B), or any reactivation fee paid under subparagraph (D).'';

(12) in paragraph (2)—

(A) in the paragraph heading, by striking ''AND SUPPLEMENT'';

(B) by amending subparagraphs (A) and (B) to read as follows:

''(A) IN GENERAL.—Each person that submits, on or after October 1, 2017, a biosimilar biological product application shall be subject to the following fees:

''(i) A fee established under subsection (c)(5) for a biosimilar biological product application for which clinical data (other than comparative bioavailability studies) with respect to safety or effectiveness are required for approval.

''(ii) A fee established under subsection (c)(5) for a biosimilar biological product application for which clinical data (other than comparative bioavailability studies) with respect to safety or effectiveness are not required for approval. Such fee shall be equal to half of the amount of the fee described in clause (i).

''(B) RULE OF APPLICABILITY; TREATMENT OF CERTAIN PREVIOUSLY PAID FEES.—Any person who pays a fee under subparagraph (A), (B), or (D) of paragraph (1) for a product before October 1, 2017, but submits a biosimilar biological product application for that product after such date, shall—

''(i) be subject to any biosimilar biological product application fees that may be assessed at the time when such biosimilar biological product application is submitted; and

''(ii) be entitled to no reduction of such application fees based on the amount of fees paid for that product before October 1, 2017, under such subparagraph (A), (B), or (D).'';

(C) in the heading of subparagraph (D), by striking ''OR SUPPLEMENT'';

(D) in subparagraphs (C) through (F), by striking ''or supplement'' each place it appears; and

(E) in subparagraph (D), by striking ''or a supplement'';

(13) by amending paragraph (3) to read as follows:

''(3) BIOSIMILAR BIOLOGICAL PRODUCT PROGRAM FEE.—

''(A) IN GENERAL.—Each person who is named as the applicant in a biosimilar biological product application shall pay the annual biosimilar biological product program

fee established for a fiscal year under subsection (c)(5) for each biosimilar biological product that—

''(i) is identified in such a biosimilar biological product application approved as of October 1 of such fiscal year; and

''(ii) as of October 1 of such fiscal year, does not appear on a list, developed and maintained by the Secretary, of discontinued biosimilar biological products.

''(B) DUE DATE.—The biosimilar biological product program fee for a fiscal year shall be due on the later of—

''(i) the first business day on or after October 1 of each such year; or

''(ii) the first business day after the enactment of an appropriations Act providing for the collection and obligation of fees for such year under this section.

''(C) ONE FEE PER PRODUCT PER YEAR.—The biosimilar biological product program fee shall be paid only once for each product for each fiscal year.

''(D) LIMITATION.—A person who is named as the applicant in a biosimilar biological product application shall not be assessed more than 5 biosimilar biological product program fees for a fiscal year for biosimilar biological products identified in such biosimilar biological product application.''.

(b) FEE REVENUE AMOUNTS.—Subsection (b) of section 744H of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52) is amended to read as follows:

''(b) FEE REVENUE AMOUNTS.—

''(1) FISCAL YEAR 2018.—For fiscal year 2018, fees under subsection (a) shall be established to generate a total revenue amount equal to the sum of—

''(A) $45,000,000; and

''(B) the dollar amount equal to the fiscal year 2018 adjustment (as determined under subsection (c)(4)).

''(2) SUBSEQUENT FISCAL YEARS.—For each of the fiscal years 2019 through 2022, fees under subsection (a) shall, except as provided in subsection (c), be established to generate a total revenue amount equal to the sum of—

''(A) the annual base revenue for the fiscal year (as determined under paragraph (4));

''(B) the dollar amount equal to the inflation adjustment for the fiscal year (as determined under subsection (c)(1));

''(C) the dollar amount equal to the capacity planning adjustment for the fiscal year (as determined under subsection (c)(2)); and

''(D) the dollar amount equal to the operating reserve adjustment for the fiscal year, if applicable (as determined under subsection (c)(3)).

''(3) ALLOCATION OF REVENUE AMOUNT AMONG FEES; LIMITATIONS ON FEE AMOUNTS.—

''(A) ALLOCATION.—The Secretary shall determine the percentage of the total revenue amount for a fiscal year to be derived from, respectively—

''(i) initial and annual biosimilar biological product development fees and reactivation fees under subsection (a)(1);

''(ii) biosimilar biological product application fees under subsection (a)(2); and

''(iii) biosimilar biological product program fees under subsection (a)(3).

''(B) LIMITATIONS ON FEE AMOUNTS.—Until the first fiscal year for which the capacity planning adjustment under subsection (c)(2) is effective, the amount of any fee under subsection (a) for a fiscal year after fiscal year 2018 shall not exceed 125 percent of the amount of such fee for fiscal year 2018.

''(C) BIOSIMILAR BIOLOGICAL PRODUCT DEVELOPMENT FEES.—The initial biosimilar biological product development fee under subsection (a)(1)(A) for a fiscal year shall be equal to the annual biosimilar biological product development fee under subsection (a)(1)(B) for that fiscal year.

''(D) REACTIVATION FEE.—The reactivation fee under subsection (a)(1)(D) for a fiscal year shall be equal to twice the amount of the annual biosimilar biological product development fee under subsection (a)(1)(B) for that fiscal year.

''(4) ANNUAL BASE REVENUE.—For purposes of paragraph (2), the dollar amount of the annual base revenue for a fiscal year shall be the dollar amount of the total revenue amount for the previous fiscal year, excluding any adjustments to such revenue amount under subsection (c)(3).''.

(c) ADJUSTMENTS; ANNUAL FEE SETTING.—Section 744H of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52) is amended—

(1) by redesignating subsections (c) through (h) as subsections (d) through (i), respectively;

(2) in subsections (a)(2)(F) and (h) (as redesignated by paragraph (1)), by striking ''subsection (c)'' and inserting ''subsection (d)'';

(3) in subsection (a)(4)(A), by striking ''subsection (b)(1)(F)'' and inserting ''subsection (c)(5)''; and

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

''(c) ADJUSTMENTS; ANNUAL FEE SETTING.—

''(1) INFLATION ADJUSTMENT.—

''(A) IN GENERAL.—For purposes of subsection (b)(2)(B), the dollar amount of the inflation adjustment to the annual base revenue for each fiscal year shall be equal to the product of—

''(i) such annual base revenue for the fiscal year under subsection (b); and

''(ii) the inflation adjustment percentage under subparagraph (B).

''(B) INFLATION ADJUSTMENT PERCENTAGE.—The inflation adjustment percentage under this subparagraph for a fiscal year is equal to the sum of—

''(i) the average annual percent change in the cost, per full-time equivalent position of the Food and Drug Administration, of all personnel compensation and benefits paid with respect to such positions for the first 3 years of the preceding 4 fiscal years, multiplied by the proportion of personnel compensation and benefits costs to total costs of the process for the review of biosimilar biological product applications (as defined in section 744G(13)) for the first 3 years of the preceding 4 fiscal years; and

''(ii) the average annual percent change that occurred in the Consumer Price Index for urban consumers (Washington-Baltimore, DC–MD–VA–WV; Not Seasonally Adjusted; All items; Annual Index) for the first 3 years of the preceding 4 years of available data multiplied by the proportion of all costs other than personnel compensation and benefits costs to total costs of the process for the review of biosimilar biological product applications (as defined in section 744G(13)) for the first 3 years of the preceding 4 fiscal years.

''(2) CAPACITY PLANNING ADJUSTMENT.—

''(A) IN GENERAL.—Beginning with the fiscal year described in subparagraph (B)(ii)(II), the Secretary shall, in addition to the adjustment under paragraph (1), further increase the fee revenue and fees under this section for a fiscal year to reflect changes in the resource capacity needs of the Secretary for the process for the review of biosimilar biological product applications.

''(B) CAPACITY PLANNING METHODOLOGY.—

''(i) DEVELOPMENT; EVALUATION AND REPORT.—The Secretary shall obtain, through a contract with an independent accounting or consulting firm, a report evaluating options and recommendations for a new methodology to accurately assess changes in the resource and capacity needs of the process for the review of biosimilar biological product applications. The capacity planning methodological options and recommendations presented in such report shall utilize and be informed by personnel time reporting data as an input. The report shall be published for public comment not later than September 30, 2020.

''(ii) ESTABLISHMENT AND IMPLEMENTATION.—After review of the report described in clause (i) and receipt and review of public comments thereon, the Secretary shall establish a capacity planning methodology for purposes of this paragraph, which shall—

''(I) incorporate such approaches and attributes as the Secretary determines appropriate; and

''(II) be effective beginning with the first fiscal year for which fees are set after such capacity planning methodology is established.

''(C) LIMITATION.—Under no circumstances shall an adjustment under this paragraph result in fee revenue for a fiscal year that is less than the sum of the amounts under subsections (b)(2)(A) (the annual base revenue for the fiscal year) and (b)(2)(B) (the dollar amount of the inflation adjustment for the fiscal year).

''(D) PUBLICATION IN FEDERAL REGISTER.—The Secretary shall publish in the Federal Register notice under paragraph (5) the fee revenue and fees resulting from the adjustment and the methodologies under this paragraph.

''(3) OPERATING RESERVE ADJUSTMENT.—

''(A) INTERIM APPLICATION; FEE REDUCTION.—Until the first fiscal year for which the capacity planning adjustment under paragraph (2) is effective, the Secretary may, in addition to the adjustment under paragraph (1), reduce the fee revenue and fees under this section for a fiscal year as the Secretary determines appropriate for long-term financial planning purposes.

''(B) GENERAL APPLICATION AND METHODOLOGY.—Beginning with the first fiscal year for which the capacity planning adjustment under paragraph (2) is effective, the Secretary may, in addition to the adjustments under paragraphs (1) and (2)—

''(i) reduce the fee revenue and fees under this section as the Secretary determines appropriate for long-term financial planning purposes; or

''(ii) increase the fee revenue and fees under this section if such an adjustment is necessary to provide for not more than 21 weeks of operating reserves of carryover user fees for the process for the review of biosimilar biological product applications.

''(C) FEDERAL REGISTER NOTICE.—If an adjustment under subparagraph (A) or (B) is made, the rationale for the amount of the increase or decrease (as applicable) in fee revenue and fees shall be contained in the annual Federal Register notice under paragraph (5)(B) establishing fee revenue and fees for the fiscal year involved.

''(4) FISCAL YEAR 2018 ADJUSTMENT.—

''(A) IN GENERAL.—For fiscal year 2018, the Secretary shall adjust the fee revenue and fees under this section in such amount (if any) as needed to reflect an updated assessment of the workload for the process for the review of biosimilar biological product applications.

''(B) METHODOLOGY.—The Secretary shall publish under paragraph (5)(B) a description of the methodology used to calculate the fiscal year 2018 adjustment under this paragraph in the Federal Register notice establishing fee revenue and fees for fiscal year 2018.

''(C) LIMITATION.—No adjustment under this paragraph shall result in an increase in fee revenue and fees under this section in excess of $9,000,000.

''(5) ANNUAL FEE SETTING.—For fiscal year 2018 and each subsequent fiscal year, the Secretary shall, not later than 60 days before the start of each such fiscal year—

''(A) establish, for the fiscal year, initial and annual biosimilar biological product development fees and reactivation fees under subsection (a)(1), biosimilar biological product application fees under subsection (a)(2), and biosimilar biological product program fees under subsection (a)(3), based on the revenue amounts established under subsection (b) and the adjustments provided under this subsection; and

''(B) publish such fee revenue and fees in the Federal Register.

''(6) LIMIT.—The total amount of fees assessed for a fiscal year under this section may not exceed the total costs for such fiscal year for the resources allocated for the process for the review of biosimilar biological product applications.''.

(d) APPLICATION FEE WAIVER FOR SMALL BUSINESS.—Subsection (d)(1) of section 744H of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52), as redesignated by subsection (c)(1), is amended—

(1) by striking subparagraph (B);

(2) by striking ''; and'' at the end of subparagraph (A) and inserting a period; and

(3) by striking ''shall pay—'' and all that follows through ''application fees'' and inserting ''shall pay application fees''.

(e) EFFECT OF FAILURE TO PAY FEES.—Subsection (e) of section 744H of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52), as redesignated by subsection (c)(1), is amended by striking ''all fees'' and inserting ''all such fees''.

(f) CREDITING AND AVAILABILITY OF FEES.—Subsection (f) of section 744H of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52), as redesignated by subsection (c)(1), is amended—

(1) in paragraph (2)—

(A) by striking subparagraph (C) (relating to fee collection during first program year) and inserting the following:

''(C) COMPLIANCE.—The Secretary shall be considered to have met the requirements of subparagraph (B) in any fiscal year if the costs described in such subparagraph are not more than 15 percent below the level specified in such subparagraph.''; and

(B) in subparagraph (D)—

(i) in the heading, by striking ''IN SUBSEQUENT YEARS''; and

(ii) by striking ''(after fiscal year 2013)''; and

(2) in paragraph (3), by striking ''2013 through 2017'' and inserting ''2018 through 2022''.

SEC. 404. REAUTHORIZATION; REPORTING REQUIREMENTS.

Section 744I of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–53) is amended—

(1) in subsection (a)—

(A) by striking ''2013'' and inserting ''2018''; and

(B) by striking ''Biosimilar User Fee Act of 2012'' and inserting ''Biosimilar User Fee Amendments of 2017'';

(2) in subsection (b), by striking ''2013'' and inserting ''2018'';

(3) by striking subsection (d);

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

(5) in subsection (d), as so redesignated, by striking ''2017'' each place it appears and inserting ''2022''.

SEC. 405. SUNSET DATES.

(a) AUTHORIZATION.—Sections 744G and 744H of the Federal Food, Drug, and Cosmetic Act shall cease to be effective October 1, 2022.

(b) REPORTING REQUIREMENTS.—Section 744I of the Federal Food, Drug, and Cosmetic Act shall cease to be effective January 31, 2023.

(c) PREVIOUS SUNSET PROVISION.—

(1) IN GENERAL.—Effective October 1, 2017, section 404 of the Food and Drug Administration Safety and Innovation Act (Public Law 112–144) is repealed.

(2) CONFORMING AMENDMENT.—The Food and Drug Administration Safety and Innovation Act (Public Law 112–144) is amended in the table of contents in section 2 by striking the item relating to section 404.

SEC. 406. EFFECTIVE DATE.

The amendments made by this title shall take effect on October 1, 2017, or the date of the enactment of this Act, whichever is later, except that fees under part 8 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act shall be assessed for all biosimilar biological product applications received on or after October 1, 2017, regardless of the date of the enactment of this Act.

SEC. 407. SAVINGS CLAUSE.

Notwithstanding the amendments made by this title, part 8 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act, as in effect on the day before the date of the enactment of this title, shall continue to be in effect with respect to biosimilar biological product applications and supplements (as defined in such part as of such day) that were accepted by the Food and Drug Administration for filing on or after October 1, 2012, but before October 1, 2017, with respect to assessing and collecting any fee required by such part for a fiscal year prior to fiscal year 2018.

TITLE V—PEDIATRIC DRUGS AND DEVICES

SEC. 501. BEST PHARMACEUTICALS FOR CHILDREN.

Section 409I of the Public Health Service Act (42 U.S.C. 284m) is amended—

(1) in subsection (a)(2)(A)(ii), by inserting ''and identification of biomarkers for such diseases, disorders, or conditions,'' after ''biologics,'';

(2) in subsection (c)—

(A) in paragraph (6)—

(i) by amending subparagraph (B) to read as follows:

''(B) AVAILABILITY OF REPORTS.—

''(i) IN GENERAL.—Each report submitted under subparagraph (A) shall be considered to be in the public domain (subject to section 505A(d)(4) of the Federal Food, Drug, and Cosmetic Act) and not later than 90 days after submission of such report, shall be—

''(I) posted on the internet website of the National Institutes of Health in a manner that is accessible and consistent with all applicable Federal laws and regulations, including such laws and regulations for the protection of—

''(aa) human research participants, including with respect to privacy, security, informed consent, and protected health information; and

''(bb) proprietary interests, confidential commercial information, and intellectual property rights; and

''(II) assigned a docket number by the Commissioner of Food and Drugs and made available for the submission of public comments.

''(ii) SUBMISSION OF COMMENTS.—An interested person may submit written comments concerning such pediatric studies to the Commissioner of Food and Drugs, and the submitted comments shall become part of the docket file with respect to each of the drugs.''; and

(ii) in subparagraph (C), by striking ''appropriate action'' and all that follows through the period and inserting ''action in a timely and appropriate manner in response to the reports submitted under subparagraph (A), and shall begin such action upon receipt of the report under subparagraph (A), in accordance with paragraph (7).''; and

(B) in paragraph (7)—

(i) in the matter preceding subparagraph (A), by striking ''During'' and inserting ''Within'';

(ii) in subparagraph (C)(i), by striking ''place'' and all that follows through ''and of'' and inserting ''include in the public docket file a reference to the location of the report on the internet website of the National Institutes of Health and a copy of''; and

(iii) in clause (ii), by striking ''in the Federal Register and'';

(3) by striking subsection (d);

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

(5) in paragraph (1) of subsection (d), as so redesignated, by striking ''2013 through 2017'' and inserting ''2018 through 2022''.

SEC. 502. PEDIATRIC DEVICES.

(a) PEDIATRIC USE OF DEVICES.—Section 515A(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e–1(a)(3)) is amended—

(1) by redesignating subparagraphs (B) through (D) as subparagraphs (D) through (F), respectively;

(2) by inserting after subparagraph (A) the following:

''(B) any information, based on a review of data available to the Secretary, regarding devices used in pediatric patients but not labeled for such use for which the Secretary determines that approved pediatric labeling could confer a benefit to pediatric patients;

''(C) the number of pediatric devices that receive a humanitarian use exemption under section 520(m);'';

(3) in subparagraph (E), as so redesignated, by striking ''; and'' and inserting '';'';

(4) in subparagraph (F) (as so redesignated), by striking ''(B), and (C).'' and inserting ''(C), (D), and (E);''; and

(5) by adding at the end the following:

''(G) the number of devices for which the Secretary relied on data with respect to adults to support a determination of a reasonable assurance of safety and effectiveness in pediatric patients; and

''(H) the number of devices for which the Secretary relied on data from one pediatric subpopulation to support a determination of a reasonable assurance of safety and effectiveness in another pediatric subpopulation. For the items described in this paragraph, such report shall disaggregate the number of devices by pediatric subpopulation.''.

(b) HUMANITARIAN DEVICE EXEMPTION.—Section 520(m) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j(m)) is amended—

(1) in paragraph (4)—

(A) in subparagraph (B), by inserting ''or an appropriate local committee'' after ''review committee'' each place such term appears; and

(B) in the matter following subparagraph (B), by inserting ''or an appropriate local committee'' after ''review committee'' each place such term appears; and

(2) in paragraph (6)(A)(iv), by striking ''2017'' and inserting ''2022''.

(c) DEMONSTRATION GRANTS FOR IMPROVING PEDIATRIC AVAILABILITY.—Section 305 of the Pediatric Medical Device Safety and Improvement Act of 2007 (Public Law 110–85; 42 U.S.C. 282 note)) is amended—

(1) in subsection (c)—

(A) in paragraph (4), by striking ''and'' at the end;

(B) in paragraph (5), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(6) providing regulatory consultation to device sponsors in support of the submission

of an application for a pediatric device, where appropriate.''; and

(2) in subsection (e), by striking ''2013 through 2017'' and inserting ''2018 through 2022''.

(d) MEETING ON PEDIATRIC DEVICE DEVELOPMENT.—

(1) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, the Secretary of Health and Human Services shall convene a public meeting on the development, approval or clearance, and labeling of pediatric medical devices. The Secretary shall invite to such meeting representatives from the medical device industry, academia, recipients of funding under section 305 of the Pediatric Medical Device Safety and Improvement Act of 2007 (Public Law 110–85; 42 U.S.C. 282 note), medical provider organizations, and organizations representing patients and consumers.

(2) TOPICS.—The meeting described in paragraph (1) shall include consideration of ways to—

(A) improve research infrastructure and research networks to facilitate the conduct of clinical studies of devices for pediatric populations that would result in the approval or clearance, and labeling, of medical devices for such populations;

(B) appropriately use extrapolation under section 515A(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e–1(b));

(C) enhance the appropriate use of postmarket registries and data to increase pediatric medical device labeling;

(D) increase Food and Drug Administration assistance to medical device manufacturers in developing devices for pediatric populations that are approved or cleared, and labeled, for their use; and

(E) identify current barriers to pediatric device development and incentives to address such barriers.

(3) REPORT.—The report submitted under section 515A(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e–1(a)(3)) with respect to the calendar year in which the meeting described in paragraph (1) is held shall include a summary of, and responses to, recommendations raised in such meeting.

SEC. 503. EARLY MEETING ON PEDIATRIC STUDY PLAN.

(a) IN GENERAL.—Clause (i) of section 505B(e)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(e)(2)(C)) is amended to read as follows:

''(i) shall meet with the applicant—

''(I) if requested by the applicant with respect to a drug or biological product that is intended to treat a serious or life-threatening disease or condition, to discuss preparation of the initial pediatric study plan, not later than the end-of-Phase 1 meeting (as such term is used in section 312.82(b) of title 21, Code of Federal Regulations, or successor regulations) or within 30 calendar days of receipt of such request, whichever is later;

''(II) to discuss the initial pediatric study plan as soon as practicable, but not later than 90 calendar days after the receipt of such plan under subparagraph (A); and

''(III) to discuss the bases for the deferral under subsection (a)(4) or a full or partial waiver under subsection (a)(5);''.

(b) CONFORMING CHANGES.—Section 505B(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(e)) is amended—

(1) in the heading of paragraph (2), by striking ''MEETING'' and inserting ''MEETINGS'';

(2) in the heading of paragraph (2)(C), by striking ''MEETING'' and inserting ''MEETINGS'';

(3) in clauses (ii) and (iii) of paragraph (2)(C), by striking ''no meeting'' each place it appears and inserting ''no meeting under clause (i)(II)''; and

(4) in paragraph (3) by striking ''meeting under paragraph (2)(C)(i)'' and inserting ''meeting under paragraph (2)(C)(i)(II)''.

SEC. 504. DEVELOPMENT OF DRUGS AND BIOLOGICAL PRODUCTS FOR PEDIATRIC CANCERS.

(a) MOLECULAR TARGETS REGARDING CANCER DRUGS AND BIOLOGICAL PRODUCTS.—Section 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and adjusting the margins accordingly;

(ii) by striking ''A person'' and inserting the following:

''(A) GENERAL REQUIREMENTS.—Except with respect to an application for which subparagraph (B) applies, a person'';

(iii) in clause (i), as so redesignated, by striking '', or'' at the end and inserting ''; or''; and

(iv) by adding after subparagraph (A), as so designated by clause (ii), the following:

''(B) CERTAIN MOLECULARLY TARGETED CANCER INDICATIONS.—A person that submits, on or after the date that is 3 years after the date of enactment of the FDA Reauthorization Act of 2017, an original application for a new active ingredient under section 505 of this Act or section 351 of the Public Health Service Act, shall submit with the application reports on the investigation described in paragraph (3) if the drug or biological product that is the subject of the application is—

''(i) intended for the treatment of an adult cancer; and

''(ii) directed at a molecular target that the Secretary determines to be substantially relevant to the growth or progression of a pediatric cancer.'';

(B) in paragraph (2)(A), by striking ''paragraph (1)'' and inserting ''paragraph (1)(A)'';

(C) by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively;

(D) by inserting after paragraph (2) the following:

''(3) MOLECULARLY TARGETED PEDIATRIC CANCER INVESTIGATION.—

''(A) IN GENERAL.—With respect to a drug or biological product described in paragraph (1)(B), the investigation described in this paragraph is a molecularly targeted pediatric cancer investigation, which shall be designed to yield clinically meaningful pediatric study data, gathered using appropriate formulations for each age group for which the study is required, regarding dosing, safety, and preliminary efficacy to inform potential pediatric labeling.

''(B) EXTRAPOLATION OF DATA.—Paragraph (2)(B) shall apply to investigations described in this paragraph to the same extent and in the same manner as paragraph (2)(B) applies with respect to the assessments required under paragraph (1)(A).

''(C) DEFERRALS AND WAIVERS.—Deferrals and waivers under paragraphs (4) and (5) shall apply to investigations described in this paragraph to the same extent and in the same manner as such deferrals and waivers apply with respect to the assessments under paragraph (2)(B).'';

(E) in paragraph (4), as so redesignated—

(i) by striking ''assessments required under paragraph (1)'' each place it appears and inserting ''assessments required under paragraph (1)(A) or reports on the investigation required under paragraph (1)(B)'';

(ii) in subparagraph (A)(ii)(I), by inserting ''or reports on the investigation'' after ''assessments'';

(iii) in subparagraph (B)(ii), by striking ''assessment under paragraph (1)'' and inserting ''assessment under paragraph (1)(A) or reports on the investigation under paragraph (1)(B)''; and

(iv) in subparagraph (C)(ii)(II), by inserting ''or investigation'' after ''assessment''; and

(F) in paragraph (5), as so redesignated, by inserting ''or reports on the investigation'' after ''assessments'' each place it appears;

(2) in subsection (d)—

(A) by striking ''subsection (a)(3)'' each place it appears and inserting ''subsection (a)(4)'';

(B) by inserting ''AND REPORTS ON THE INVESTIGATION'' after ''SUBMISSION OF ASSESSMENTS'' in the heading; and

(C) by inserting ''or the investigation described in subsection (a)(3)'' after ''assessment described in subsection (a)(2)'' each place it appears;

(3) in subsection (e)—

(A) in paragraph (1), by inserting ''or the investigation described in subsection (a)(3)'' after ''under subsection (a)(2)''; and

(B) in paragraph (2)(A)(i), by inserting ''or the investigation described in subsection (a)(3)'' after ''under subsection (a)(2)''; and

(4) by adding at the end the following:

''(m) LIST OF PRIMARY MOLECULAR TARGETS.—

''(1) IN GENERAL.—Within one year of the date of enactment of the FDA Reauthorization Act of 2017, the Secretary shall establish and update regularly, and shall publish on the internet website of the Food and Drug Administration—

''(A) a list of molecular targets considered, on the basis of data the Secretary determines to be adequate, to be substantially relevant to the growth and progression of a pediatric cancer, and that may trigger the requirements under this section; and

''(B) a list of molecular targets of new cancer drugs and biological products in development for which pediatric cancer study requirements under this section will be automatically waived.

''(2) CONSULTATION.—In establishing the lists described in paragraph (1), the Secretary shall consult the National Cancer Institute, members of the internal committee under section 505C, and the Pediatric Oncology Subcommittee of the Oncologic Drugs Advisory Committee, and shall take into account comments from the meeting under subsection (c).

''(3) RULE OF CONSTRUCTION.—Nothing in paragraph (1) shall be construed—

''(A) to require the inclusion of a molecular target on the list published under such paragraph as a condition for triggering the requirements under subsection (a)(1)(B) with respect to a drug or biological product directed at such molecular target; or

''(B) to authorize the disclosure of confidential commercial information, as prohibited under section 301(j) of this Act or section 1905 of title 18, United States Code.''.

(b) ORPHAN DRUGS.—Section 505B(k) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(k)) is amended to read as follows:

''(k) RELATION TO ORPHAN DRUGS.—

''(1) IN GENERAL; EXEMPTION FOR ORPHAN INDICATIONS.—Unless the Secretary requires otherwise by regulation and except as provided in paragraph (2), this section does not apply to any drug or biological product for an indication for which orphan designation has been granted under section 526.

''(2) APPLICABILITY DESPITE ORPHAN DESIGNATION OF CERTAIN INDICATIONS.—This section shall apply with respect to a drug or biological product for which an indication has been granted orphan designation under 526 if the investigation described in subsection (a)(3) applies to the drug or biological product as described in subsection (a)(1)(B).''.

(c) MEETING, CONSULTATION, AND GUIDANCE.—

(1) MEETING.—The Secretary of Health and Human Services (referred to in this subsection as the ''Secretary''), acting through

the Commissioner of Food and Drugs and in collaboration with the Director of the National Cancer Institute, shall convene a public meeting not later than 1 year after the date of enactment of this Act to solicit feedback from physicians and researchers (including pediatric oncologists and rare disease specialists), patients, and other stakeholders to provide input on development of the guidance under paragraph (2) and the list under subsection (m) of section 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c), as added by subsection (a). The Secretary shall seek input at such meeting on—

(A) the data necessary to determine that there is scientific evidence that a drug or biological product is directed at a molecular target that is considered to be substantially relevant to the growth or progression of a pediatric cancer;

(B) the data necessary to determine that there is scientific evidence that a molecular target is considered to be substantially relevant to the growth or progression of a pediatric cancer;

(C) the data needed to meet the requirement of conducting an investigation described in section 505B(a)(3) of the Federal Food, Drug, and Cosmetic Act, as amended by subsection (a);

(D) considerations when developing the list under section 505B(m) of the Federal Food, Drug, and Cosmetic Act that contains molecular targets shared between different tumor types;

(E) the process the Secretary shall utilize to update regularly a list of molecular targets that may trigger a pediatric study under section 505B of the Federal Food, Drug, and Cosmetic Act, as so amended, and how often such updates shall occur;

(F) how to overcome the challenges related to pediatric cancer drug and biological product development, including issues related to the ethical, practical, and other barriers to conducting clinical trials in pediatric cancer with small patient populations;

(G) scientific or operational challenges associated with performing an investigation described in section 505B(a)(1)(B) of the Federal Food, Drug, and Cosmetic Act, including the effect on pediatric studies currently underway in a pediatric patient population, treatment of a pediatric patient population, and the ability to complete adult clinical trials;

(H) the advantages and disadvantages of innovative clinical trial designs in addressing the development of cancer drugs or biological products directed at molecular targets in pediatric cancer patients;

(I) the ways in which the Secretary can improve the current process outlined under sections 505A and 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a, 355c) to encourage additional research and development of pediatric cancer treatments;

(J) the ways in which the Secretary might streamline and improve the written request process, including when studies contained in a request under such section 505A are not feasible due to the ethical, practical, or other barriers to conducting clinical trials in pediatric cancer populations;

(K) how the Secretary will facilitate collaboration among pediatric networks, academic centers and experts in pediatric cancer to conduct an investigation described in such section 505B(a)(3);

(L) how the Secretary may facilitate collaboration among sponsors of same-in-class drugs and biological products that would be subject to the requirements for an investigation under such section 505B based on shared molecular targets; and

(M) the ways in which the Secretary will help to mitigate the risks, if any, of discouraging the research and development of orphan drugs when implementing such section 505B as amended.

(2) GUIDANCE.—Not later than 2 years after the date of enactment of this Act, the Secretary, acting through the Commissioner of Food and Drugs, shall issue final guidance on implementation of the amendments to section 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c) regarding molecularly targeted cancer drugs made by this section, including—

(A) the scientific criteria, types of data, and regulatory considerations for determining whether a molecular target is substantially relevant to the growth or progression of a pediatric cancer and would trigger an investigation under section 505B of the Federal Food, Drug, and Cosmetic Act, as amended;

(B) the process by which the Secretary will engage with sponsors to discuss determinations, investigation requirements, deferrals, waivers, and any other issues that need to be resolved to ensure that any required investigation based on a molecular target can be reasonably conducted;

(C) the scientific or operational challenges for which the Secretary may issue deferrals or waivers for an investigation described in subsection (a)(3) of such section 505B, including adverse impacts on current pediatric studies underway in a pediatric patient population, studies involving drugs designated as orphan drugs, treatment of a pediatric patient population, or the ability to complete adult clinical trials;

(D) how the Secretary and sponsors will facilitate collaboration among pediatric networks, academic centers, and experts in pediatric cancer to conduct an investigation described in subsection (a)(3) of such section 505B;

(E) scientific and regulatory considerations for study designs, including the applicability of innovative clinical trial designs for pediatric cancer drug and biological product developments under sections 505A and 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a, 355c);

(F) approaches to streamline and improve the amendment process, including when studies contained in a request under such section 505A are not feasible due to the ethical, practical, or other barriers to conducting clinical trials in pediatric cancer populations;

(G) the process for submission of an initial pediatric study plan for the investigation described in section 505B(a)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(a)(3)), including the process for a sponsor to meet and reach agreement with the Secretary on the initial pediatric study plan; and

(H) considerations for implementation of such section 505B, as so amended, and waivers of the requirements of such section 505B with regard to molecular targets for which several drugs or biological products may be under investigation.

(d) REPORT TO CONGRESS.—Section 508(b) of the Food and Drug Administration Safety and Innovation Act (21 U.S.C. 355c–1(b)) is amended—

(1) in paragraph (10), by striking ''; and'' and inserting ''.''; and

(2) by striking paragraph (11) and inserting the following:

''(11) an assessment of the impact of the amendments to such section 505B made by the FDA Reauthorization Act of 2017 on pediatric research and labeling of drugs and biological products and pediatric labeling of molecularly targeted drugs and biological products for the treatment of cancer;

''(12) an assessment of the efforts of the Secretary to implement the plan developed under section 505C–1 of the Federal Food, Drug, and Cosmetic Act, regarding earlier submission of pediatric studies under sections 505A and 505B of such Act and section 351(m) of the Public Health Service Act, including—

''(A) the average length of time after the approval of an application under section 505(b)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)(1)) or section 351(a) of the Public Health Service Act (42 U.S.C. 262(a)) before studies conducted pursuant to such section 505A, 505B, or section 351(m) are completed, submitted, and incorporated into labeling;

''(B) the average length of time after the receipt of a proposed pediatric study request before the Secretary responds to such request;

''(C) the average length of time after the submission of a proposed pediatric study request before the Secretary issues a written request for such studies;

''(D) the number of written requests issued for each investigational new drug or biological product prior to the submission of an application under section 505(b)(1) of the Federal Food, Drug, and Cosmetic Act or section 351(a) of the Public Health Service Act; and

''(E) the average number, and range of numbers, of amendments to written requests issued, and the time the Secretary requires to review and act on proposed amendments to written requests;

''(13) a list of sponsors of applications or holders of approved applications who received exclusivity under such section 505A or such section 351(m) after receiving a letter issued under such section 505B(d)(1) for any drug or biological product before the studies referred to in such letter were completed and submitted;

''(14) a list of assessments and investigations required under such section 505B;

''(15) how many requests under such section 505A for molecular targeted cancer drugs, as defined by subsection (a)(1)(B) of such section 505B, approved prior to 3 years after the date of enactment of the FDA Reauthorization Act of 2017, have been issued by the Food and Drug Administration, and how many such requests have been completed; and

''(16) the Secretary's assessment of the overall impact of the amendments made by section 504 of the FDA Reauthorization Act of 2017 on the conduct and effectiveness of pediatric cancer research and the orphan drug program, as well any subsequent recommendations.''.

(e) RULE OF CONSTRUCTION.—Nothing in this section, including the amendments made by this section, shall limit the authority of the Secretary of Health and Human Services to issue written requests under section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) or section 351(m) of the Public Health Service Act (42 U.S.C. 262(m)), or to negotiate or implement amendments to such requests proposed by the an applicant.

(f) GAO REPORT.—

(1) IN GENERAL.—Beginning on the date that is 5 years after the date of enactment of this Act, the Comptroller General of the United States shall conduct a study of the effectiveness of requiring assessments and investigations described in section 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c), as amended by this section, in the development of drugs and biological products for pediatric cancer indications. The Comptroller General shall examine—

(A) the indications and associated molecular targets studied in assessments and investigations required for drugs or biological products intended for the treatment of an adult cancer;

(B) the indication for which the study was requested as compared to the indication requested under the new drug application filed by the sponsor;

(C) the number of pediatric cancer indications for which assessments and investigations have been required under such section 505B;

(D) the number of requests for deferral and waiver of pediatric assessments and investigations required under such section and the number of such deferral and waiver requests granted and denied;

(E) the number of orphan-designated indications for drugs and biological products for which assessments and investigations were required under such section;

(F) the number of drugs and biological products approved for the treatment of cancer in the pediatric population for which the supportive studies were required to be conducted under such section;

(G) the number of written requests made under section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) relating to investigations required under subsection (a)(1)(B) of such section 505B; and

(H) any additional considerations by the Secretary regarding the effectiveness of requiring pediatric assessments described in such section 505B in the development of drugs and biological products for pediatric cancer indications.

(2) REVIEW.—The study under paragraph (1) shall include a review of the Food and Drug Administration's use of the authority under section 505B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c), as amended by this section, including the amendments to the deferral and waiver criteria under such section and how such criteria have been applied.

(3) CONSULTATION.—In conducting the study under paragraph (1), the Comptroller General of the United States shall consult with appropriate stakeholders that may be required to conduct the trials under section 505B of the Federal Food, Drug, and Cosmetic Act, and the ability of such stakeholders to adhere to the requests issued by the Food and Drug Administration.

(4) REPORT.—Not later than the date that is 6 years after the date of enactment of this Act, the Comptroller General of the United States shall submit a report containing the results of the study under paragraph (1) to the Secretary of Health and Human Services, the Committee on Health, Education, Labor, and Pensions of the Senate, and the Committee on Energy and Commerce of the House of Representatives.

SEC. 505. ADDITIONAL PROVISIONS ON DEVELOPMENT OF DRUGS AND BIOLOGICAL PRODUCTS FOR PEDIATRIC USE.

(a) INFORMING INTERNAL REVIEW COMMITTEE.—Section 505A(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a(f)) is amended by adding at the end the following:

''(7) INFORMING INTERNAL REVIEW COMMITTEE.—The Secretary shall provide to the committee referred to in paragraph (1) any response issued to an applicant or holder with respect to a proposed pediatric study request.''.

(b) ACTION ON SUBMISSIONS.—

(1) IN GENERAL.—Section 505A(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a(d)) is amended—

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

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

''(3) ACTION ON SUBMISSIONS.—The Secretary shall review and act upon a submission by a sponsor or holder of a proposed pediatric study request or a proposed amendment to a written request for pediatric studies within 120 calendar days of the submission.''.

(2) CONFORMING AMENDMENTS.—

(A) FEDERAL FOOD, DRUG, AND COSMETIC ACT.—Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a), as amended by paragraph (1), is further amended by striking subsection ''(d)(3)'' each place it appears and inserting ''(d)(4)''.

(B) PUBLIC HEALTH SERVICE ACT.—Paragraphs (2), (3), and (4) of section 351(m) of the Public Health Service Act (42 U.S.C. 262(m)) are amended by striking ''section 505A(d)(3)'' each place it appears and inserting ''section 505A(d)(4)''.

(c) PLAN.—The Secretary of Health and Human Services, acting through the internal review committee established under section 505C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355d) shall, not later than one year after the date of enactment of this Act, develop and implement a plan to achieve, when appropriate, earlier submission of pediatric studies under section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) or section 351(m) of the Public Health Service Act (42 U.S.C. 262(m)). Such plan shall include recommendations to achieve—

(1) earlier discussion of proposed pediatric study requests and written requests with sponsors, and if appropriate, discussion of such requests at the meeting required under section 505B(e)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(e)(2)(C)), as amended by section 503(a);

(2) earlier issuance of written requests for a pediatric study under such section 505A, including for investigational new drugs prior to the submission of an application under section 505(b)(1) of such Act (21 U.S.C. 355(b)(1)); and

(3) shorter timelines, when appropriate, for the completion of studies pursuant to a written request under such section 505A or such section 351(m).

(d) NEONATOLOGY EXPERTISE.—

(1) IN GENERAL.—Section 6(d) of the Best Pharmaceuticals for Children Act (21 U.S.C. 393a(d)) is amended by striking ''For the 5-year period beginning on the date of enactment of this subsection, at'' and inserting ''At''.

(2) DRAFT GUIDANCE.—Not later than 2 years after the date of enactment of this Act, the Secretary shall issue draft guidance on clinical pharmacology considerations for neonatal studies for drugs and biological products.

(e) SUBMISSION OF ASSESSMENTS.—Section 505B(d)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(d)(1)) is amended by adding at the end the following: ''The Secretary shall inform the Pediatric Advisory Committee of letters issued under this paragraph and responses to such letters.''.

(f) INTERNAL COMMITTEE.—Section 505C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355d) is amended by inserting ''or pediatric rare diseases'' after ''psychiatry''.

(g) REPORT ON LABELING OF ORPHAN DRUGS.—

(1) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, and make publicly available, including through posting on the internet website of the Food and Drug Administration, a report on the lack of information in the labeling of drugs for indications that have received an orphan designation under section 526 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb) with respect to the use of such drugs pediatric populations.

(2) CONTENTS.—The report described in paragraph (1) shall include—

(A) a list of drugs for which—

(i) an indication was granted an orphan designation under section 526 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb);

(ii) an application described under section 505B(a)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355c(a)(1)) for such indication was submitted to the Secretary of Health and Human Services on or after April 1, 1999; and

(iii) the labeling for such indication lacks important pediatric information, including information related to safety, dosing, and effectiveness;

(B) a description of the lack of information referred to in subparagraph (A)(iii) for each drug for an indication on such list; and

(C) Federal policy recommendations to improve the labeling of drugs for indications that have received an orphan designation under such section 526 with respect to the use of such drugs pediatric populations.''

TITLE VI—REAUTHORIZATIONS AND IMPROVEMENTS RELATED TO DRUGS

SEC. 601. REAUTHORIZATION OF PROVISION RELATING TO EXCLUSIVITY OF CERTAIN DRUGS CONTAINING SINGLE ENANTIOMERS.

Section 505(u)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(u)(4)) is amended by striking ''2017'' and inserting ''2022''.

SEC. 602. REAUTHORIZATION OF THE CRITICAL PATH PUBLIC-PRIVATE PARTNERSHIPS.

Section 566(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–5(f)) is amended by striking ''2013 through 2017'' and inserting ''2018 through 2022''.

SEC. 603. REAUTHORIZATION OF ORPHAN GRANTS PROGRAM.

Section 5(c) of the Orphan Drug Act (21 U.S.C. 360ee(c)) is amended by striking ''2013 through 2017'' and inserting ''2018 through 2022''.

SEC. 604. PROTECTING AND STRENGTHENING THE DRUG SUPPLY CHAIN.

(a) DIVERTED DRUGS.—Paragraph (1) of section 801(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(d)) is amended—

(1) by striking ''(d)(1) Except as'' and inserting ''(d)(1)(A) Except as''; and

(2) by adding at the end the following:

''(B) Except as authorized by the Secretary in the case of a drug that appears on the drug shortage list under section 506E or in the case of importation pursuant to section 804, no drug that is subject to section 503(b)(1) may be imported into the United States for commercial use if such drug is manufactured outside the United States, unless the manufacturer has authorized the drug to be marketed in the United States and has caused the drug to be labeled to be marketed in the United States.''.

(b) COUNTERFEIT DRUGS.—Subsection (b) of section 303 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333) is amended by adding at the end the following:

''(8) Notwithstanding subsection (a), any person who violates section 301(i)(3) by knowingly making, selling or dispensing, or holding for sale or dispensing, a counterfeit drug shall be imprisoned for not more than 10 years or fined in accordance with title 18, United States Code, or both.''.

SEC. 605. PATIENT EXPERIENCE DATA.

Section 569C(c)(2)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–8c(c)(2)(A)) is amended by striking ''impact of such disease or condition, or a related therapy,'' and inserting ''impact (including physical and psychosocial impacts) of such disease or condition, or a related therapy or clinical investigation''.

SEC. 606. COMMUNICATION PLANS.

Section 505–1(e)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355–1(e)(3)) is amended—

(1) in subparagraph (B), by striking ''; or'';

(2) in subparagraph (C), by striking the period and inserting ''; or''; and

(3) by adding at the end the following:

''(D) disseminating information to health care providers about drug formulations or properties, including information about the limitations or patient care implications of such formulations or properties, and how such formulations or properties may be related to serious adverse drug events associated with use of the drug.''.

SEC. 607. ORPHAN DRUGS.

(a) IN GENERAL.—Section 527 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360cc) is amended—

(1) in subsection (a), in the matter following paragraph (2), by striking ''such drug for such disease or condition'' and inserting ''the same drug for the same disease or condition'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''If an application'' and all that follows through ''such license if'' and inserting ''During the 7-year period described in subsection (a) for an approved application under section 505 or license under section 351 of the Public Health Service Act, the Secretary may approve an application or issue a license for a drug that is otherwise the same, as determined by the Secretary, as the already approved drug for the same rare disease or condition if'';

(B) in paragraph (1), by striking ''notice'' and all that follows through ''assure'' and inserting ''of exclusive approval or licensure notice and opportunity for the submission of views, that during such period the holder of the exclusive approval or licensure cannot ensure''; and

(C) in paragraph (2), by striking ''such holder provides'' and inserting ''the holder provides''; and

(3) by adding at the end the following:

''(c) CONDITION OF CLINICAL SUPERIORITY.—

''(1) IN GENERAL.—If a sponsor of a drug that is designated under section 526 and is otherwise the same, as determined by the Secretary, as an already approved or licensed drug is seeking exclusive approval or exclusive licensure described in subsection (a) for the same rare disease or condition as the already approved drug, the Secretary shall require such sponsor, as a condition of such exclusive approval or licensure, to demonstrate that such drug is clinically superior to any already approved or licensed drug that is the same drug.

''(2) DEFINITION.—For purposes of paragraph (1), the term 'clinically superior' with respect to a drug means that the drug provides a significant therapeutic advantage over and above an already approved or licensed drug in terms of greater efficacy, greater safety, or by providing a major contribution to patient care.

''(d) REGULATIONS.—The Secretary may promulgate regulations for the implementation of subsection (c). Beginning on the date of enactment of the FDA Reauthorization Act of 2017, until such time as the Secretary promulgates regulations in accordance with this subsection, the Secretary may apply any definitions set forth in regulations that were promulgated prior to such date of enactment, to the extent such definitions are not inconsistent with the terms of this section, as amended by such Act.

''(e) DEMONSTRATION OF CLINICAL SUPERIORITY STANDARD.—To assist sponsors in demonstrating clinical superiority as described in subsection (c), the Secretary—

''(1) upon the designation of any drug under section 526, shall notify the sponsor of such drug in writing of the basis for the designation, including, as applicable, any plausible hypothesis offered by the sponsor and relied upon by the Secretary that the drug is clinically superior to a previously approved drug; and

''(2) upon granting exclusive approval or licensure under subsection (a) on the basis of a demonstration of clinical superiority as described in subsection (c), shall publish a summary of the clinical superiority findings.''.

(b) RULE OF CONSTRUCTION.—Nothing in the amendments made by subsection (a) shall affect any determination under sections 526 and 527 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bb, 360cc) made prior to the date of enactment of the FDA Reauthorization Act of 2017.

SEC. 608. PEDIATRIC INFORMATION ADDED TO LABELING.

Section 505A(o) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a(o)) is amended—

(1) in the subsection heading, by striking ''**UNDER SECTION 505(j)**'';

(2) in paragraph (1)—

(A) by striking ''under section 505(j)'' and inserting ''under subsection (b)(2) or (j) of section 505''; and

(B) by striking ''or by exclusivity under clause (iii) or (iv) of section 505(j)(5)(F)'' and inserting '', or by exclusivity under clause (iii) or (iv) of section 505(j)(5)(F), clause (iii) or (iv) of section 505(c)(3)(E), or section 527(a), or by an extension of such exclusivity under this section or section 505E'';

(3) in paragraph (2), in the matter preceding subparagraph (A)—

(A) by inserting ''clauses (iii) and (iv) of section 505(c)(3)(E), or section 527,'' after ''section 505(j)(5)(F),''; and

(B) by striking ''drug approved under section 505(j)'' and inserting ''drug approved pursuant to an application submitted under subsection (b)(2) or (j) of section 505''; and

(4) by amending paragraph (3) to read as follows:

''(3) PRESERVATION OF PEDIATRIC EXCLUSIVITY AND EXTENSIONS.—This subsection does not affect—

''(A) the availability or scope of exclusivity under—

''(i) this section;

''(ii) section 505 for pediatric formulations; or

''(iii) section 527;

''(B) the availability or scope of an extension to any such exclusivity, including an extension under this section or section 505E;

''(C) the question of the eligibility for approval under section 505 of any application described in subsection (b)(2) or (j) of such section that omits any other aspect of labeling protected by exclusivity under—

''(i) clause (iii) or (iv) of section 505(j)(5)(F);

''(ii) clause (iii) or (iv) of section 505(c)(3)(E); or

''(iii) section 527(a); or

''(D) except as expressly provided in paragraphs (1) and (2), the operation of section 505 or section 527.''.

SEC. 609. SENSE OF CONGRESS ON LOWERING THE COST OF PRESCRIPTION DRUGS.

It is the sense of the Congress that the Secretary of Health and Human Services should commit to engaging with the House of Representatives and the Senate to take administrative actions and enact legislative changes that—

(1) will lower the cost of prescription drugs for consumers and reduce the burden of such cost on taxpayers; and

(2) in lowering such cost, will—

(A) balance the need to encourage innovation with the need to improve affordability; and

(B) strive to increase competition in the pharmaceutical market, prevent anticompetitive behavior, and promote the timely availability of affordable, high-quality generic drugs and biosimilars.

SEC. 610. EXPANDED ACCESS.

(a) PATIENT ACCESS TO INVESTIGATIONAL DRUGS.—

(1) PUBLIC MEETING.—

(A) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary''), acting through the Commissioner of Food and Drugs, in coordination with the Director of the National Institutes of Health, and in consultation with patients, health care providers, drug sponsors, bioethicists, and other stakeholders, shall, not later than 270 days after the date of enactment of this Act, convene a public meeting to discuss clinical trial inclusion and exclusion criteria to inform the guidance under paragraph (3). The Secretary shall inform the Comptroller General of the United States of the date when the public meeting will take place.

(B) TOPICS.—The Secretary shall make available on the internet website of the Food and Drug Administration a report on the topics discussed at the meeting described in subparagraph (A) within 90 days of such meeting. Such topics shall include discussion of—

(i) the rationale for, and potential barriers for patients created by, research clinical trial inclusion and exclusion criteria;

(ii) how appropriate patient populations can benefit from the results of trials that employ alternative designs;

(iii) barriers to participation in clinical trials, including—

(I) information regarding any potential risks and benefits of participation;

(II) regulatory, geographical, and socioeconomic barriers; and

(III) the impact of exclusion criteria on the enrollment in clinical trials of particular populations, including infants and children, pregnant and lactating women, seniors, individuals with advanced disease, and individuals with co-morbid conditions;

(iv) clinical trial designs and methods, including expanded access trials, that increase enrollment of more diverse patient populations, when appropriate, while facilitating the collection of data to establish safe use and support substantial evidence of effectiveness, including data obtained from expanded access trials; and

(v) how changes to clinical trial inclusion and exclusion criteria may impact the complexity and length of clinical trials, the data necessary to demonstrate safety and effectiveness, and potential approaches to mitigating those impacts.

(2) REPORT.—Not later than 1 year after the Secretary issues the report under paragraph (1)(B), the Comptroller General of the United States shall report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives on individual access to investigational drugs through the expanded access program under section 561(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb(b)). The report shall include—

(A) a description of actions taken by manufacturers and distributors under section 561A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–0);

(B) consideration of whether Form FDA 3926 and the guidance documents titled ''Expanded Access to Investigational Drugs for Treatment Use—Questions and Answers'' and

''Individual Patient Expanded Access Applications: Form FDA 3926'', issued by the Food and Drug Administration in June 2016, have reduced application burden with respect to individuals and physicians seeking access to investigational new drugs pursuant to section 561(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb) and improved clarity for patients, physicians, and drug manufacturers about such process;

(C) consideration of whether the guidance or regulations issued to implement section 561 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb) have improved access for individual patients to investigational drugs who do not qualify for clinical trials of such investigational drugs, and what barriers to such access remain;

(D) an assessment of methods patients and health care providers use to engage with the Food and Drug Administration or drug sponsors on expanded access; and

(E) an analysis of the Secretary's report under paragraph (1)(B).

(3) GUIDANCE.—

(A) IN GENERAL.—Not later than 1 year after the publication of the report under paragraph (1)(B), the Secretary, acting through the Commissioner of Food and Drugs, shall issue one or more draft guidances regarding eligibility criteria for clinical trials. Not later than 1 year after the public comment period on each such draft guidance ends, the Secretary shall issue a revised draft guidance or final guidance.

(B) CONTENTS.—The guidance documents described in subparagraph (A) shall address methodological approaches that a manufacturer or sponsor of an investigation of a new drug may take to—

(i) broaden eligibility criteria for clinical trials and expanded access trials, especially with respect to drugs for the treatment of serious and life-threatening conditions or diseases for which there is an unmet medical need;

(ii) develop eligibility criteria for, and increase trial recruitment to, clinical trials so that enrollment in such trials more accurately reflects the patients most likely to receive the drug, as applicable and as appropriate, while establishing safe use and supporting findings of substantial evidence of effectiveness; and

(iii) use the criteria described in clauses (i) and (ii) in a manner that is appropriate for drugs intended for the treatment of rare diseases or conditions.

(b) IMPROVING INSTITUTIONAL REVIEW BOARD REVIEW OF SINGLE PATIENT EXPANDED ACCESS PROTOCOL.—Not later than 1 year after the date of enactment of this Act, the Secretary, acting through the Commissioner of Food and Drugs, shall issue guidance or regulations, or revise existing guidance or regulations, to streamline the institutional review board review of individual patient expanded access protocols submitted under 561(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb(b)). To facilitate the use of expanded access protocols, any guidance or regulations so issued or revised may include a description of the process for any person acting through a physician licensed in accordance with State law to request that an institutional review board chair (or designated member of the institutional review board) review a single patient expanded access protocol submitted under such section 561(b) for a drug. The Secretary shall update any relevant forms associated with individual patient expanded access requests under such section 561(b) as necessary.

(c) EXPANDED ACCESS POLICY TRANSPARENCY.—Section 561A(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–0(f)) is amended—

(1) in the matter preceding paragraph (1), by striking ''later'' and inserting ''earlier'';

(2) by striking paragraph (1);

(3) by redesignating paragraph (2) as paragraph (1);

(4) in paragraph (1) as so redesignated, by striking the period at the end and inserting ''; or''; and

(5) by adding at the end the following:

''(2) as applicable, 15 days after the drug receives a designation as a breakthrough therapy, fast track product, or regenerative advanced therapy under subsection (a), (b), or (g), respectively, of section 506.''.

SEC. 611. TROPICAL DISEASE PRODUCT APPLICATION.

(a) IN GENERAL.—Subparagraph (A) of section 524(a)(4) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360n(a)(4)) is amended—

(1) in clause (i), by striking ''and'' at the end; and

(2) by adding at the end the following:

''(iii) that contains reports of one or more new clinical investigations (other than bioavailability studies) that are essential to the approval of the application and conducted or sponsored by the sponsor of such application; and

''(iv) that contains an attestation from the sponsor of the application that such reports were not submitted as part of an application for marketing approval or licensure by a regulatory authority in India, Brazil, Thailand, or any country that is a member of the Pharmaceutical Inspection Convention or the Pharmaceutical Inspection Cooperation Scheme prior to September 27, 2007.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall apply to human drug applications submitted after September 30, 2017.

TITLE VII—DEVICE INSPECTION AND REGULATORY IMPROVEMENTS

SEC. 701. RISK-BASED INSPECTIONS FOR DEVICES.

(a) IN GENERAL.—Section 510(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(h)) is amended—

(1) by striking paragraph (2) and inserting the following:

''(2) RISK-BASED SCHEDULE FOR DEVICES.—

''(A) IN GENERAL.—The Secretary, acting through one or more officers or employees duly designated by the Secretary, shall inspect establishments described in paragraph (1) that are engaged in the manufacture, propagation, compounding, or processing of a device or devices (referred to in this subsection as 'device establishments') in accordance with a risk-based schedule established by the Secretary.

''(B) FACTORS AND CONSIDERATIONS.—In establishing the risk-based schedule under subparagraph (A), the Secretary shall—

''(i) apply, to the extent applicable for device establishments, the factors identified in paragraph (4); and

''(ii) consider the participation of the device establishment, as applicable, in international device audit programs in which the United States participates or the United States recognizes for purposes of inspecting device establishments.''; and

(2) in paragraph (4)—

(A) in the matter preceding subparagraph (A), by striking ''paragraph (3)'' and inserting ''paragraph (2) or (3)''; and

(B) in subparagraph (C), by inserting ''or device'' after ''drug''.

(b) FOREIGN INSPECTIONS.—Section 809(a)(1) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384e(a)(1)) is amended by striking ''section 510(h)(3)'' and inserting ''paragraph (2) or (3) of section 510(h)''.

SEC. 702. IMPROVEMENTS TO INSPECTIONS PROCESS FOR DEVICE ESTABLISHMENTS.

(a) IN GENERAL.—Section 704 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374) is amended by adding at the end the following:

''(h)(1) In the case of inspections other than for-cause inspections, the Secretary shall review processes and standards applicable to inspections of domestic and foreign device establishments in effect as of the date of the enactment of this subsection, and update such processes and standards through the adoption of uniform processes and standards applicable to such inspections. Such uniform processes and standards shall provide for—

''(A) exceptions to such processes and standards, as appropriate;

''(B) announcing the inspection of the establishment within a reasonable time before such inspection occurs, including by providing to the owner, operator, or agent in charge of the establishment a notification regarding the type and nature of the inspection;

''(C) a reasonable estimate of the timeframe for the inspection, an opportunity for advance communications between the officers or employees carrying out the inspection under subsection (a)(1) and the owner, operator, or agent in charge of the establishment concerning appropriate working hours during the inspection, and, to the extent feasible, advance notice of some records that will be requested; and

''(D) regular communications during the inspection with the owner, operator, or agent in charge of the establishment regarding inspection status, which may be recorded by either party with advance notice and mutual consent.

''(2)(A) The Secretary shall, with respect to a request described in subparagraph (B), provide nonbinding feedback with respect to such request not later than 45 days after the Secretary receives such request.

''(B) A request described in this subparagraph is a request for feedback—

''(i) that is made by the owner, operator, or agent in charge of such establishment in a timely manner; and

''(ii) with respect to actions proposed to be taken by a device establishment in a response to a report received by such establishment pursuant to subsection (b) that involve a public health priority, that implicate systemic or major actions, or relate to emerging safety issues (as determined by the Secretary).

''(3) Nothing in this subsection affects the authority of the Secretary to conduct inspections otherwise permitted under this Act in order to ensure compliance with this Act.''.

(b) GUIDANCE.—

(1) DRAFT GUIDANCE.—Not later than 18 months after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall issue draft guidance that—

(A) specifies how the Food and Drug Administration will implement the processes and standards described in paragraph (1) of subsection (h) of section 704 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374), as added by subsection (a), and the requirements described in paragraph (2) of such subsection (h);

(B) provides for standardized methods for communications described in such paragraphs;

(C) establishes, with respect to inspections of both domestic and foreign device establishments (as referred to in section 510(h)(2) of the Federal Food, Drug, and Cosmetic Act, as amended by subsection (a)), a standard timeframe for such inspections—

(i) that occurs over consecutive days; and

(ii) to which each investigator conducting such an inspection shall adhere unless the investigator identifies to the establishment involved a reason that more time is needed to conduct such investigation; and

(D) identifies practices for investigators and device establishments to facilitate the continuity of inspections of such establishments.

(2) FINAL GUIDANCE.—Not later than 1 year after providing notice and opportunity for public comment on the draft guidance issued under paragraph (1), the Secretary of Health and Human Services shall issue final guidance to implement subsection (h) of section 704 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374), as added by subsection (a).

(c) ADULTERATED DEVICES.—Subsection (j) of section 501 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351) is amended by inserting ''or device'' after ''drug''.

SEC. 703. REAUTHORIZATION OF INSPECTION PROGRAM.

Section 704(g)(11) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(g)(11)) is amended by striking ''October 1, 2017'' and inserting ''October 1, 2022''.

SEC. 704. CERTIFICATES TO FOREIGN GOVERNMENTS FOR DEVICES.

Subsection (e)(4) of section 801 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381(e)(4)) is amended—

(1) by adding at the end the following:

''(E)(i)(I) If the Secretary denies a request for certification under subparagraph (A)(ii) with respect to a device manufactured in an establishment (foreign or domestic) registered under section 510, the Secretary shall provide in writing to the person seeking such certification the basis for such denial, and specifically identify the finding upon which such denial is based.

''(II) If the denial of a request as described in subclause (I) is based on grounds other than an injunction proceeding pursuant to section 302, seizure action pursuant to section 304, or a recall designated Class I or Class II pursuant to part 7, title 21, Code of Federal Regulations, and is based on the facility being out of compliance with part 820 of title 21, Code of Federal Regulations, the Secretary shall provide a substantive summary of the specific grounds for noncompliance identified by the Secretary.

''(III) With respect to a device manufactured in an establishment that has received a report under section 704(b), the Secretary shall not deny a request for certification as described in subclause (I) with respect to a device based solely on the issuance of that report if the owner, operator, or agent in charge of such establishment has agreed to a plan of correction in response to such report.

''(ii)(I) The Secretary shall provide a process for a person who is denied a certification as described in clause (i)(I) to request a review that conforms to the standards of section 517A(b).

''(II) Notwithstanding any previous review conducted pursuant to subclause (I), a person who has been denied a certification as described in clause (i)(I) may at any time request a review in order to present new information relating to actions taken by such person to address the reasons identified by the Secretary for the denial of certification, including evidence that corrective actions are being or have been implemented to address grounds for noncompliance identified by the Secretary.

''(III) Not later than 1 year after the date of enactment of the FDA Reauthorization Act of 2017, the Secretary shall issue guidance providing for a process to carry out this subparagraph. Not later than 1 year after the close of the comment period for such guidance, the Secretary shall issue final guidance.

''(iii)(I) Subject to subclause (II), this subparagraph applies to requests for certification on behalf of any device establishment registered under section 510, whether the establishment is located inside or outside of the United States, and regardless of whether such devices are to be exported from the United States.

''(II) If an establishment described in subclause (I) is not located within the United States and does not demonstrate that the devices manufactured, prepared, propagated, compounded, or processed at such establishment are to be exported from the United States, this subparagraph shall apply only if—

''(aa) the establishment has been inspected by the Secretary within 3 years of the date of the request; or

''(bb) the establishment participates in an audit program in which the United States participates or the United States recognizes, an audit under such program has been conducted, and the findings of such audit are provided to the Secretary within 3 years of the date of the request.''; and

(2) by moving the margins of subparagraphs (C) and (D) 4 ems to the left.

SEC. 705. FACILITATING INTERNATIONAL HARMONIZATION.

Section 704(g) of the Federal Food, Drug and Cosmetic Act (21 U.S.C. 374) is amended by adding at the end the following:

''(15)(A) Notwithstanding any other provision of this subsection, the Secretary may recognize auditing organizations that are recognized by organizations established by governments to facilitate international harmonization for purposes of conducting inspections of—

''(i) establishments that manufacture, prepare, propagate, compound, or process devices (other than types of devices licensed under section 351 of the Public Health Service Act), as required under section 510(h); or

''(ii) establishments required to register pursuant to section 510(i).

''(B) Nothing in this paragraph affects—

''(i) the authority of the Secretary to inspect any device establishment pursuant to this Act; or

''(ii) the authority of the Secretary to determine the official classification of an inspection.''.

SEC. 706. FOSTERING INNOVATION IN MEDICAL IMAGING.

(a) APPROVAL OF APPLICATIONS FOR CERTAIN DIAGNOSTIC MEDICAL IMAGING DEVICES.—Section 520 of the Federal Food, Drug, and Cosmetic Act (42 U.S.C. 360j) is amended by adding at the end the following:

''(p) DIAGNOSTIC IMAGING DEVICES INTENDED FOR USE WITH CONTRAST AGENTS.—

''(1) IN GENERAL.—The Secretary may, subject to the succeeding provisions of this subsection, approve an application (or a supplement to such an application) submitted under section 515 with respect to an applicable medical imaging device, or, in the case of an applicable medical imaging device for which a notification is submitted under section 510(k), may make a substantial equivalence determination with respect to an applicable medical imaging device, or may grant a request submitted under section 513(f)(2) for an applicable medical imaging device, if such application, notification, or request involves the use of a contrast agent that is not—

''(A) in a concentration, rate of administration, or route of administration that is different from those described in the approved labeling of the contrast agent, except that the Secretary may approve such application, make such substantial equivalence determination, or grant such request if the Secretary determines that such differences in concentration, rate of administration, or route of administration exist but do not adversely affect the safety and effectiveness of the contrast agent when used with the device;

''(B) in a region, organ, or system of the body that is different from those described in the approved labeling of the contrast agent, except that the Secretary may approve such application, make such substantial equivalence determination, or grant such request if the Secretary determines that such differences in region, organ, or system of the body exist but do not adversely affect the safety and effectiveness of the contrast agent when used with the device;

''(C) in a patient population that is different from those described in the approved labeling of the contrast agent, except that the Secretary may approve such application, make such substantial equivalence determination, or grant such request if the Secretary determines such differences in patient population exist but do not adversely affect the safety and effectiveness of the contrast agent when used with the device; or

''(D) in an imaging modality that is different from those described in the approved labeling of the contrast agent.

''(2) PREMARKET REVIEW.—The agency center charged with premarket review of devices shall have primary jurisdiction with respect to the review of an application, notification, or request described in paragraph (1). In conducting such review, such agency center may—

''(A) consult with the agency center charged with the premarket review of drugs or biological products; and

''(B) review information and data provided to the Secretary by the sponsor of a contrast agent in an application submitted under section 505 of this Act or section 351 of the Public Health Service Act, so long as the sponsor of such contrast agent has provided to the sponsor of the applicable medical imaging device that is the subject of such review a right of reference and the application is submitted in accordance with this subsection.

''(3) APPLICABLE REQUIREMENTS.—An application submitted under section 515, a notification submitted under section 510(k), or a request submitted under section 513(f)(2), as described in paragraph (1), with respect to an applicable medical imaging device shall be subject to the requirements of such respective section. Such application, notification, or request shall only be subject to the requirements of this Act applicable to devices.

''(4) DEFINITIONS.—For purposes of this subsection—

''(A) the term 'applicable medical imaging device' means a device intended to be used in conjunction with a contrast agent (or class of contrast agents) for an imaging use that is not described in the approved labeling of such contrast agent (or the approved labeling of any contrast agent in the same class as such contrast agent); and

''(B) the term 'contrast agent' means a drug that is approved under section 505 or licensed under section 351 of the Public Health Service Act, is intended for use in conjunction with an applicable medical imaging device, and—

''(i) is a diagnostic radiopharmaceutical, as defined in section 315.2 and 601.31 of title 21, Code of Federal Regulations (or any successor regulations); or

''(ii) is a diagnostic agent that improves the visualization of structure or function within the body by increasing the relative difference in signal intensity within the target tissue, structure, or fluid.''.

(b) APPLICATIONS FOR APPROVAL OF CONTRAST AGENTS INTENDED FOR USE WITH CERTAIN DIAGNOSTIC MEDICAL IMAGING DEVICES.—Section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) is amended by adding at the end the following:

''(y) CONTRAST AGENTS INTENDED FOR USE WITH APPLICABLE MEDICAL IMAGING DEVICES.—

''(1) IN GENERAL.—The sponsor of a contrast agent for which an application has been approved under this section may submit a supplement to the application seeking approval for a new use following the authorization of a premarket submission for an applicable medical imaging device for that use with the contrast agent pursuant to section 520(p)(1).

''(2) REVIEW OF SUPPLEMENT.—In reviewing a supplement submitted under this subsection, the agency center charged with the premarket review of drugs may—

''(A) consult with the center charged with the premarket review of devices; and

''(B) review information and data submitted to the Secretary by the sponsor of an applicable medical imaging device pursuant to section 515, 510(k), or 513(f)(2) so long as the sponsor of such applicable medical imaging device has provided to the sponsor of the contrast agent a right of reference.

''(3) DEFINITIONS.—For purposes of this subsection—

''(A) the term 'new use' means a use of a contrast agent that is described in the approved labeling of an applicable medical imaging device described in section 520(p), but that is not described in the approved labeling of the contrast agent; and

''(B) the terms 'applicable medical imaging device' and 'contrast agent' have the meanings given such terms in section 520(p).''.

SEC. 707. RISK-BASED CLASSIFICATION OF ACCESSORIES.

(a) IN GENERAL.—Subsection (f) of section 513 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c) is amended by adding at the end the following new paragraph:

''(6)(A) Subject to the succeeding subparagraphs of this paragraph, the Secretary shall, by written order, classify an accessory under this section based on the risks of the accessory when used as intended and the level of regulatory controls necessary to provide a reasonable assurance of safety and effectiveness of the accessory, notwithstanding the classification of any other device with which such accessory is intended to be used.

''(B) The classification of any accessory distinct from another device by regulation or written order issued prior to December 13, 2016, shall continue to apply unless and until the accessory is reclassified by the Secretary, notwithstanding the classification of any other device with which such accessory is intended to be used. Nothing in this paragraph shall preclude the Secretary's authority to initiate the classification of an accessory through regulation or written order, as appropriate.

''(C)(i) In the case of a device intended to be used with an accessory, where the accessory has been included in an application for premarket approval of such device under section 515 or a report under section 510(k) for clearance of such device and the Secretary has not classified such accessory distinctly from another device in accordance with subparagraph (A), the person filing the application or report (as applicable) at the time such application or report is filed—

''(I) may include a written request for the proper classification of the accessory pursuant to subparagraph (A);

''(II) shall include in any such request such information as may be necessary for the Secretary to evaluate, based on the least burdensome approach, the appropriate class for the accessory under subsection (a); and

''(III) shall, if the request under subclause (I) is requesting classification of the accessory in class II, include in the application an initial draft proposal for special controls, if special controls would be required pursuant to subsection (a)(1)(B).

''(ii) The Secretary's response under section 515(d) or section 510(n) (as applicable) to an application or report described in clause (i) shall also contain the Secretary's granting or denial of the request for classification of the accessory involved.

''(iii) The Secretary's evaluation of an accessory under clause (i) shall constitute an order establishing a new classification for such accessory for the specified intended use or uses of such accessory and for any accessory with the same intended use or uses as such accessory.

''(D) For accessories that have been granted marketing authorization as part of a submission for another device with which the accessory involved is intended to be used, through an application for such other device under section 515(c), a report under section 510(k), or a request for classification under paragraph (2) of this subsection, the following shall apply:

''(i) Not later than the date that is one year after the date of enactment of the FDA Reauthorization Act of 2017 and at least once every 5 years thereafter, and as the Secretary otherwise determines appropriate, pursuant to this paragraph, the Secretary shall publish in the Federal Register a notice proposing a list of such accessories that the Secretary determines may be suitable for a distinct classification in class I and the proposed regulations for such classifications. In developing such list, the Secretary shall consider recommendations from sponsors of device submissions and other stakeholders for accessories to be included on such list. The notices shall provide for a period of not less than 60 calendar days for public comment. Within 180 days after the end of the comment period, the Secretary shall publish in the Federal Register a final action classifying such suitable accessories into class I.

''(ii) A manufacturer or importer of an accessory that has been granted such marketing authorization may submit to the Secretary a written request for the appropriate classification of the accessory based on the risks and appropriate level of regulatory controls as described in subparagraph (A), and shall, if the request is requesting classification of the accessory in class II, include in the submission an initial draft proposal for special controls, if special controls would be required pursuant to subsection (a)(1)(B). Such request shall include such information as may be necessary for the Secretary to evaluate, based on the least burdensome approach, the appropriate class for the accessory under subsection (a). The Secretary shall provide an opportunity for a manufacturer or importer to meet with appropriate personnel of the Food and Drug Administration to discuss the appropriate classification of such accessory prior to submitting a written request under this clause for classification of the accessory.

''(iii) The Secretary shall respond to a request made under clause (ii) not later than 85 calendar days after receiving such request by issuing a written order classifying the accessory or denying the request. If the Secretary does not agree with the recommendation for classification submitted by the manufacturer or importer, the response shall include a detailed description and justification for such determination. Within 30 calendar days after granting such a request, the Secretary shall publish a notice in the Federal Register announcing such response.

''(E) Nothing in this paragraph may be construed as precluding a manufacturer of an accessory of a new type from using the classification process described in subsection (f)(2) to obtain classification of such accessory in accordance with the criteria and requirements set forth in that subsection.''.

(b) CONFORMING CHANGE.—Section 513(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c(b)) is amended by striking paragraph (9) (relating to classification of an accessory).

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on the date that is 60 days after the date of enactment of this Act.

SEC. 708. DEVICE PILOT PROJECTS.

(a) POSTMARKET PILOT.—Section 519 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360i) is amended by adding at the end the following:

''(i) POSTMARKET PILOT.—

''(1) IN GENERAL.—In order to provide timely and reliable information on the safety and effectiveness of devices approved under section 515, cleared under section 510(k), or classified under section 513(f)(2), including responses to adverse events and malfunctions, and to advance the objectives of part 803 of title 21, Code of Federal Regulations (or successor regulations), and advance the objectives of, and evaluate innovative new methods of compliance with, this section and section 522, the Secretary shall, within one year of the date of enactment of the FDA Reauthorization Act of 2017, initiate one or more pilot projects for voluntary participation by a manufacturer or manufacturers of a device or device type, or continue existing projects, in accordance with paragraph (3), that—

''(A) are designed to efficiently generate reliable and timely safety and active surveillance data for use by the Secretary or manufacturers of the devices that are involved in the pilot project;

''(B) inform the development of methods, systems, data criteria, and programs that could be used to support safety and active surveillance activities for devices included or not included in such project;

''(C) may be designed and conducted in coordination with a comprehensive system for evaluating medical device technology that operates under a governing board with appropriate representation of stakeholders, including patient groups and device manufacturers;

''(D) use electronic health data including claims data, patient survey data, or any other data, as the Secretary determines appropriate; and

''(E) prioritize devices and device types that meet one or more of the following criteria:

''(i) Devices and device types for which the collection and analysis of real world evidence regarding a device's safety and effectiveness is likely to advance public health.

''(ii) Devices and device types that are widely used.

''(iii) Devices and device types, the failure of which has significant health consequences.

''(iv) Devices and device types for which the Secretary—

''(I) has received public recommendations in accordance with paragraph (2)(B); and

''(II) has determined to meet one or more of the criteria under clause (i), (ii), or (iii) and is appropriate for such a pilot project.

''(2) PARTICIPATION.—The Secretary shall establish the conditions and processes—

''(A) under which a manufacturer of a device may voluntarily participate in a pilot project described in paragraph (1); and

''(B) for facilitating public recommendations for devices to be prioritized under such

a pilot project, including requirements for the data necessary to support such a recommendation.

''(3) CONTINUATION OF ONGOING PROJECTS.—The Secretary may continue or expand projects, with respect to providing timely and reliable information on the safety and effectiveness of devices approved under section 515, cleared under section 510(k), or classified under section 513(f)(2), that are being carried out as of the date of the enactment of the FDA Reauthorization Act of 2017. The Secretary shall, beginning on such date of enactment, take such steps as may be necessary—

''(A) to ensure such projects meet the requirements of subparagraphs (A) through (E) of paragraph (1); and

''(B) to increase the voluntary participation in such projects of manufacturers of devices and facilitate public recommendations for any devices prioritized under such a project.

''(4) IMPLEMENTATION.—

''(A) CONTRACTING AUTHORITY.—The Secretary may carry out a pilot project meeting the criteria specified in subparagraphs (A) through (E) of paragraph (1) or a project continued or expanded under paragraph (3) by entering into contracts, cooperative agreements, grants, or other appropriate agreements with public or private entities that have a significant presence in the United States and meet the following conditions:

''(i) If such an entity is a component of another organization, the entity and the organization have established an agreement under which appropriate security measures are implemented to maintain the confidentiality and privacy of the data described in paragraph (1)(D) and such agreement ensures that the entity will not make an unauthorized disclosure of such data to the other components of the organization in breach of requirements with respect to confidentiality and privacy of such data established under such security measures.

''(ii) In the case of the termination or nonrenewal of such a contract, cooperative agreement, grant, or other appropriate agreement, the entity or entities involved shall comply with each of the following:

''(I) The entity or entities shall continue to comply with the requirements with respect to confidentiality and privacy referred to in clause (i) with respect to all data disclosed to the entity under such an agreement.

''(II) The entity or entities shall return any data disclosed to such entity pursuant to this subsection and to which it would not otherwise have access or, if returning such data is not practicable, destroy the data.

''(iii) The entity or entities shall have one or more qualifications with respect to—

''(I) research, statistical, epidemiologic, or clinical capability and expertise to conduct and complete the activities under this subsection, including the capability and expertise to provide the Secretary access to deidentified data consistent with the requirements of this subsection;

''(II) an information technology infrastructure to support electronic data and operational standards to provide security for such data, as appropriate;

''(III) experience with, and expertise on, the development of research on, and surveillance of, device safety and effectiveness using electronic health data; or

''(IV) such other expertise which the Secretary determines necessary to carry out such a project.

''(B) REVIEW OF CONTRACT IN THE EVENT OF A MERGER OR ACQUISITION.—The Secretary shall review any contract, cooperative agreement, grant, or other appropriate agreement entered into under this paragraph with an entity meeting the conditions specified in subparagraph (A) in the event of a merger or acquisition of the entity in order to ensure that the requirements specified in this subsection will continue to be met.

''(5) COMPLIANCE WITH REQUIREMENTS FOR RECORDS OR REPORTS ON DEVICES.—The participation of a manufacturer in pilot projects under this subsection or a project continued or expanded under paragraph (3) shall not affect the eligibility of such manufacturer to participate in any quarterly reporting program with respect to devices carried out under this section 519 or section 522. The Secretary may determine that, for a specified time period to be determined by the Secretary, a manufacturer's participation in a pilot project under this subsection or a project continued or expanded under paragraph (3) may meet the applicable requirements of this section or section 522, if—

''(A) the project has demonstrated success in capturing relevant adverse event information; and

''(B) the Secretary has established procedures for making adverse event and safety information collected from such project public, to the extent possible.

''(6) PRIVACY REQUIREMENTS.—With respect to the disclosure of any health information collected through a project conducted under this subsection—

''(A) individually identifiable health information so collected shall not be disclosed when presenting any information from such project; and

''(B) any such disclosure shall be made in compliance with regulations issued pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d–2 note) and sections 552 and 552a of title 5, United States Code.

''(7) LIMITATIONS.—No pilot project under this subsection, or in coordination with the comprehensive system described in paragraph (1)(C), may allow for an entity participating in such project, other than the Secretary, to make determinations of safety or effectiveness, or substantial equivalence, for purposes of this Act.

''(8) OTHER PROJECTS REQUIRED TO COMPLY.—Paragraphs (1)(B), (4)(A)(i), (4)(A)(ii), (5), (6), and (7) shall apply with respect to any pilot project undertaken in coordination with the comprehensive system described in paragraph (1)(C) that relates to the use of real world evidence for devices in the same manner and to the same extent as such paragraphs apply with respect to pilot projects conducted under this subsection.

''(9) REPORT TO CONGRESS.—Not later than 18 months after the date of enactment of this Act, and annually thereafter, the Secretary shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate a report containing a description of the pilot projects being conducted under this subsection and projects continued or expanded pursuant to paragraph (3), including for each such project—

''(A) how the project is being implemented in accordance with paragraph (4), including how such project is being implemented through a contract, cooperative agreement, grant, or other appropriate agreement, if applicable;

''(B) the number of manufacturers that have agreed to participate in such project;

''(C) the data sources used to conduct such project;

''(D) the devices or device categories involved in such project;

''(E) the number of patients involved in such project; and

''(F) the findings of the project in relation to device safety, including adverse events, malfunctions, and other safety information.

''(10) SUNSET.—The Secretary may not carry out a pilot project initiated by the Secretary under this subsection after October 1, 2022.''.

(b) REPORT.—Not later than January 31, 2021, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall conduct a review through an independent third party to evaluate the strengths, limitations, and appropriate use of evidence collected pursuant to real world evidence pilot projects described in the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017 and subsection (i) of section 519 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360i), as amended by subsection (a), for informing premarket and postmarket decisionmaking for multiple device types, and to determine whether the methods, systems, and programs in such pilot projects efficiently generate reliable and timely evidence about the effectiveness or safety surveillance of devices.

SEC. 709. REGULATION OF OVER-THE-COUNTER HEARING AIDS.

(a) IN GENERAL.—Section 520 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j), as amended by section 708, is further amended by adding at the end the following:

''(q) REGULATION OF OVER-THE-COUNTER HEARING AIDS.—

''(1) DEFINITION.—

''(A) IN GENERAL.—In this subsection, the term 'over-the-counter hearing aid' means a device that—

''(i) uses the same fundamental scientific technology as air conduction hearing aids (as defined in section 874.3300 of title 21, Code of Federal Regulations) (or any successor regulation) or wireless air conduction hearing aids (as defined in section 874.3305 of title 21, Code of Federal Regulations) (or any successor regulation);

''(ii) is intended to be used by adults age 18 and older to compensate for perceived mild to moderate hearing impairment;

''(iii) through tools, tests, or software, allows the user to control the over-the-counter hearing aid and customize it to the user's hearing needs;

''(iv) may—

''(I) use wireless technology; or

''(II) include tests for self-assessment of hearing loss; and

''(v) is available over-the-counter, without the supervision, prescription, or other order, involvement, or intervention of a licensed person, to consumers through in-person transactions, by mail, or online.

''(B) EXCEPTION.—Such term does not include a personal sound amplification product intended to amplify sound for nonhearing impaired consumers in situations including hunting and bird-watching.

''(2) REGULATION.—An over-the-counter hearing aid shall be subject to the regulations promulgated in accordance with section 709(b) of the FDA Reauthorization Act of 2017 and shall be exempt from sections 801.420 and 801.421 of title 21, Code of Federal Regulations (or any successor regulations).''.

(b) REGULATIONS TO ESTABLISH CATEGORY.—

(1) IN GENERAL.—The Secretary of Health and Human Services (referred to in this section as the ''Secretary''), not later than 3 years after the date of enactment of this Act, shall promulgate proposed regulations to establish a category of over-the-counter hearing aids, as defined in subsection (q) of section 520 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j) as amended by subsection (a), and, not later than 180 days after the date on which the public comment

period on the proposed regulations closes, shall issue such final regulations.

(2) REQUIREMENTS.—In promulgating the regulations under paragraph (1), the Secretary shall—

(A) include requirements that provide reasonable assurances of the safety and effectiveness of over-the-counter hearing aids;

(B) include requirements that establish or adopt output limits appropriate for over-the-counter hearing aids;

(C) include requirements for appropriate labeling of over-the-counter hearing aids, including requirements that such labeling include a conspicuous statement that the device is only intended for adults age 18 and older, information on how consumers may report adverse events, information on any contraindications, conditions, or symptoms of medically treatable causes of hearing loss, and advisements to consult promptly with a licensed health care practitioner; and

(D) describe the requirements under which the sale of over-the-counter hearing aids is permitted, without the supervision, prescription, or other order, involvement, or intervention of a licensed person, to consumers through in-person transactions, by mail, or online.

(3) PREMARKET NOTIFICATION.—The Secretary shall make findings under section 510(m) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(m)) to determine whether over-the-counter hearing aids (as defined in section 520(q) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j), as amended by subsection (a)) require a report under section 510(k) to provide reasonable assurance of safety and effectiveness.

(4) EFFECT ON STATE LAW.—No State or local government shall establish or continue in effect any law, regulation, order, or other requirement specifically related to hearing products that would restrict or interfere with the servicing, marketing, sale, dispensing, use, customer support, or distribution of over-the-counter hearing aids (as defined in section 520(q) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j), as amended by subsection (a)) through in-person transactions, by mail, or online, that is different from, in addition to, or otherwise not identical to, the regulations promulgated under this subsection, including any State or local requirement for the supervision, prescription, or other order, involvement, or intervention of a licensed person for consumers to access over-the-counter hearing aids.

(5) NO EFFECT ON PRIVATE REMEDIES.—Nothing in this section shall be construed to modify or otherwise affect the ability of any person to exercise a private right of action under any State or Federal product liability, tort, warranty, contract, or consumer protection law.

(c) NEW GUIDANCE ISSUED.—Not later than the date on which final regulations are issued under subsection (b), the Secretary shall update and finalize the draft guidance of the Department of Health and Human Services entitled ''Regulatory Requirements for Hearing Aid Devices and Personal Sound Amplification Products'', issued on November 7, 2013. Such updated and finalized guidance shall clarify which products, on the basis of claims or other marketing, advertising, or labeling material, meet the definition of a device in section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321) and which products meet the definition of a personal sound amplification product, as set forth in such guidance.

(d) REPORT.—Not later than 2 years after the date on which the final regulations described in subsection (b)(1) are issued, the Secretary of Health and Human Services shall submit to Congress a report analyzing any adverse events relating to over-the-counter hearing aids (as defined in subsection (q)(1) of section 520 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j)).

SEC. 710. REPORT ON SERVICING OF DEVICES.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Secretary of Health and Human Services, acting through the Commissioner of Food and Drugs, shall post on the internet website of the Food and Drug Administration a report on the continued quality, safety, and effectiveness of devices (as defined in section 201(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321(h))) with respect to servicing (as defined in subsection (c)).

(b) CONTENTS.—The report submitted under subsection (a) shall contain—

(1) the status of, and findings to date, with respect to, the proposed rule entitled ''Refurbishing, Reconditioning, Rebuilding, Remarketing, Remanufacturing, and Servicing of Medical Devices Performed by Third-Party Entities and Original Equipment Manufacturers; Request for Comments'' published in the Federal Register by the Food and Drug Administration on March 4, 2016 (81 Fed. Reg. 11477);

(2) information presented during the October 2016 public workshop entitled ''Refurbishing, Reconditioning, Rebuilding, Remarketing, Remanufacturing, and Servicing of Medical Devices Performed by Third-Party Entities and Original Equipment Manufacturers'';

(3) a description of the statutory and regulatory authority of the Food and Drug Administration with respect to the servicing of devices conducted by any entity, including original equipment manufacturers and third party entities;

(4) details regarding how the Food and Drug Administration currently regulates devices with respect to servicing to ensure safety and effectiveness, how the agency could improve such regulation using the authority described in paragraph (3), and whether additional authority is recommended;

(5) information on actions the Food and Drug Administration could take under the authority described in paragraphs (3) and (4) to assess the servicing of devices, including the size, scope, location, and composition of third party entities;

(6) information on actions the Food and Drug Administration could take to track adverse events caused by servicing errors performed by any entity, including original equipment manufacturers and third party entities;

(7) information regarding the regulation by States, the Joint Commission, or other regulatory bodies of device servicing performed by any entity, including original equipment manufacturers and third party entities; and

(8) any additional information determined by the Secretary (acting through the Commissioner) to be relevant to ensuring the quality, safety, and effectiveness of devices with respect to servicing.

(c) SERVICING DEFINED.—In this section, the term ''servicing'' includes, with respect to a device, refurbishing, reconditioning, rebuilding, remarketing, repairing, remanufacturing, or other servicing of the device.

TITLE VIII—IMPROVING GENERIC DRUG ACCESS

SEC. 801. PRIORITY REVIEW OF GENERIC DRUGS.

Section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) is amended by adding at the end the following:

''(11)(A) Subject to subparagraph (B), the Secretary shall prioritize the review of, and act within 8 months of the date of the submission of, an original abbreviated new drug application submitted for review under this subsection that is for a drug—

''(i) for which there are not more than 3 approved drug products listed under paragraph (7) and for which there are no blocking patents and exclusivities; or

''(ii) that has been included on the list under section 506E.

''(B) To qualify for priority review under this paragraph, not later than 60 days prior to the submission of an application described in subparagraph (A) or that the Secretary may prioritize pursuant to subparagraph (D), the applicant shall provide complete, accurate information regarding facilities involved in manufacturing processes and testing of the drug that is the subject of the application, including facilities in corresponding Type II active pharmaceutical ingredients drug master files referenced in an application and sites or organizations involved in bioequivalence and clinical studies used to support the application, to enable the Secretary to make a determination regarding whether an inspection of a facility is necessary. Such information shall include the relevant (as determined by the Secretary) sections of such application, which shall be unchanged relative to the date of the submission of such application, except to the extent that a change is made to such information to exclude a facility that was not used to generate data to meet any application requirements for such submission and that is not the only facility intended to conduct one or more unit operations in commercial production. Information provided by an applicant under this subparagraph shall not be considered the submission of an application under this subsection.

''(C) The Secretary may expedite an inspection or reinspection under section 704 of an establishment that proposes to manufacture a drug described in subparagraph (A).

''(D) Nothing in this paragraph shall prevent the Secretary from prioritizing the review of other applications as the Secretary determines appropriate.

''(12) The Secretary shall publish on the internet website of the Food and Drug Administration, and update at least once every 6 months, a list of all drugs approved under subsection (c) for which all patents and periods of exclusivity under this Act have expired and for which no application has been approved under this subsection.''.

SEC. 802. ENHANCING REGULATORY TRANSPARENCY TO ENHANCE GENERIC COMPETITION.

Section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), as amended by section 801, is further amended by adding at the end the following:

''(13) Upon the request of an applicant regarding one or more specified pending applications under this subsection, the Secretary shall, as appropriate, provide review status updates indicating the categorical status of the applications by each relevant review discipline.''.

SEC. 803. COMPETITIVE GENERIC THERAPIES.

(a) IN GENERAL.—Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by inserting after section 506G the following:

''SEC. 506H. COMPETITIVE GENERIC THERAPIES.

''(a) IN GENERAL.—The Secretary may, at the request of an applicant of a drug that is designated as a competitive generic therapy pursuant to subsection (b), expedite the development and review of an abbreviated new drug application under section 505(j) for such drug.

''(b) DESIGNATION PROCESS.—

''(1) REQUEST.—The applicant may request the Secretary to designate the drug as a competitive generic therapy.

''(2) TIMING.—A request under paragraph (1) may be made concurrently with, or at any time prior to, the submission of an abbreviated new drug application for the drug under section 505(j).

''(3) CRITERIA.—A drug is eligible for designation as a competitive generic therapy under this section if the Secretary determines that there is inadequate generic competition.

''(4) DESIGNATION.—Not later than 60 calendar days after the receipt of a request under paragraph (1), the Secretary may—

''(A) determine whether the drug that is the subject of the request meets the criteria described in paragraph (3); and

''(B) if the Secretary finds that the drug meets such criteria, designate the drug as a competitive generic therapy.

''(c) ACTIONS.—In expediting the development and review of an application under subsection (a), the Secretary may, as requested by the applicant, take actions including the following:

''(1) Hold meetings with the applicant and the review team throughout the development of the drug prior to submission of the application for such drug under section 505(j).

''(2) Provide timely advice to, and interactive communication with, the applicant regarding the development of the drug to ensure that the development program to gather the data necessary for approval is as efficient as practicable.

''(3) Involve senior managers and experienced review staff, as appropriate, in a collaborative, coordinated review of such application, including with respect to drug-device combination products and other complex products.

''(4) Assign a cross-disciplinary project lead—

''(A) to facilitate an efficient review of the development program and application, including manufacturing inspections; and

''(B) to serve as a scientific liaison between the review team and the applicant.

''(d) REPORTING REQUIREMENT.—Not later than one year after the date of the approval of an application under section 505(j) with respect to a drug for which the development and review is expedited under this section, the sponsor of such drug shall report to the Secretary on whether the drug has been marketed in interstate commerce since the date of such approval.

''(e) DEFINITIONS.—In this section:

''(1) The term 'generic drug' means a drug that is approved pursuant to section 505(j).

''(2) The term 'inadequate generic competition' means, with respect to a drug, there is not more than one approved drugs on the list of drugs described in section 505(j)(7)(A) (not including drugs on the discontinued section of such list) that is—

''(A) the reference listed drug; or

''(B) a generic drug with the same reference listed drug as the drug for which designation as a competitive generic therapy is sought.

''(3) The term 'reference listed drug' means the listed drug (as such term is used in section 505(j)) for the drug involved.''.

(b) GUIDANCE; AMENDED REGULATIONS.—

(1) IN GENERAL.—

(A) ISSUANCE.—The Secretary of Health and Human Services shall—

(i) not later than 18 months after the date of enactment of this Act, issue draft guidance on section 506H of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a); and

(ii) not later than 1 year after the close of the comment period for the draft guidance, issue final guidance on such section 506H.

(B) CONTENTS.—The guidance issued under this paragraph shall—

(i) specify the process and criteria by which the Secretary makes a designation under section 506H of the Federal Food, Drug, and Cosmetic Act, as added by subsection (a);

(ii) specify the actions the Secretary may take to expedite the development and review of a competitive generic therapy pursuant to such a designation; and

(iii) include good review management practices for competitive generic therapies.

(2) AMENDED REGULATIONS.—The Secretary of Health and Human Services shall issue or revise any regulations as may be necessary to carry out this section not later than 2 years after the date of enactment of this Act.

SEC. 804. ACCURATE INFORMATION ABOUT DRUGS WITH LIMITED COMPETITION.

Chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by inserting after section 506H, as added by section 803, the following:

''SEC. 506I. PROMPT REPORTS OF MARKETING STATUS.

''(a) NOTIFICATION OF WITHDRAWAL.—The holder of an application approved under subsection (c) or (j) of section 505 shall notify the Secretary in writing 180 days prior to withdrawing the approved drug from sale, or if 180 days is not practicable as soon as practicable but not later than the date of withdrawal. The holder shall include with such notice the—

''(1) National Drug Code;

''(2) identity of the drug by established name and by proprietary name, if any;

''(3) new drug application number or abbreviated application number;

''(4) strength of the drug;

''(5) date on which the drug is expected to no longer be available for sale; and

''(6) reason for withdrawal of the drug.

''(b) NOTIFICATION OF DRUG NOT AVAILABLE FOR SALE.—The holder of an application approved under subsection (c) or (j) shall notify the Secretary in writing within 180 calendar days of the date of approval of the drug if the drug will not be available for sale within 180 calendar days of such date of approval. The holder shall include with such notice the—

''(1) identity of the drug by established name and by proprietary name, if any;

''(2) new drug application number or abbreviated application number;

''(3) strength of the drug;

''(4) date on which the drug will be available for sale, if known; and

''(5) reason for not marketing the drug after approval.

''(c) ADDITIONAL ONE-TIME REPORT.—Within 180 days of the date of enactment of this section, all holders of applications approved under subsection (c) or (j) of section 505 shall review the information in the list published under subsection 505(j)(7)(A) and shall notify the Secretary in writing that—

''(1) all of the application holder's drugs in the active section of the list published under subsection 505(j)(7)(A) are available for sale; or

''(2) one or more of the application holder's drugs in the active section of the list published under subsection 505(j)(7)(A) have been withdrawn from sale or have never been available for sale, and include with such notice the information required pursuant to subsection (a) or (b), as applicable.

''(d) FAILURE TO MEET REQUIREMENTS.—If a holder of an approved application fails to submit the information required under subsection (a), (b), or (c), the Secretary may move the application holder's drugs from the active section of the list published under subsection 505(j)(7)(A) to the discontinued section of the list, except that the Secretary shall remove from the list in accordance with subsection 505(j)(7)(C) drugs the Secretary determines have been withdrawn from sale for reasons of safety of effectiveness.

''(e) UPDATES.—The Secretary shall update the list published under subsection 505(j)(7)(A) based on the information provided under subsections (a), (b), and (c) by moving drugs that are not available for sale from the active section to the discontinued section of the list, except that drugs the Secretary determines have been withdrawn from sale for reasons of safety or effectiveness shall be removed from the list in accordance with subsection 505(j)(7)(C). The Secretary shall make monthly updates to the list based on the information provided pursuant to subsections (a) and (b), and shall update the list based on the information provided under subsection (c) as soon as practicable.

''(f) LIMITATION ON USE OF NOTICES.—Any notice submitted under this section shall not be made public by the Secretary and shall be used solely for the purpose of the updates described in subsection (e).''.

SEC. 805. SUITABILITY PETITIONS.

(a) IN GENERAL.—It is the sense of Congress that the Food and Drug Administration shall meet the requirement under section 505(j)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(2)(C)) and section 314.93(e) of title 21, Code of Federal Regulations, of responding to suitability petitions within 90 days of submission.

(b) REPORT.—The Secretary of Health and Human Services shall include in the annual reports under section 807—

(1) the number of pending petitions under section 505(j)(2)(C) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(2)(C)); and

(2) the number of such petitions pending a substantive response for more than 180 days from the date of receipt.

SEC. 806. INSPECTIONS.

Within 6 months of the date of enactment of this Act, the Secretary of Health and Human Services shall develop and implement a protocol for expediting review of timely responses to reports of observations from an inspection under section 704 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374). Such protocol shall—

(1) apply to responses to such reports pertaining to applications submitted under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355)—

(A) for which the approval is dependent upon remediation of conditions identified in the report;

(B) for which concerns related to observations from an inspection under such section 704 are the only barrier to approval; and

(C) where the drug that is the subject of the application is a drug—

(i) for which there are not more than 3 other approved applications under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) that reference the same listed drug and for which there are less than 6 abbreviated new drug applications tentatively approved; or

(ii) that is included on the list under section 506E of such Act (21 U.S.C. 356e);

(2) address expedited re-inspection of facilities, as appropriate; and

(3) establish a 6-month timeline for completion of review of such responses to such reports.

SEC. 807. REPORTING ON PENDING GENERIC DRUG APPLICATIONS AND PRIORITY REVIEW APPLICATIONS.

Not later than 180 calendar days after the date of enactment of this Act, and quarterly thereafter until October 1, 2022, the Secretary of Health and Human Services shall post on the internet website of the Food and Drug Administration a report that provides, with respect to the months covered by the report—

(1) with respect to applications filed under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) that, during the most recent calendar year, were subject to priority review under paragraph (11) of such section 505(j) (as added by section 801) or expedited development and review under section 506H of the Federal Food, Drug, and Cosmetic Act (as added by section 803), the numbers of such applications (with denotation of such applications that were filed prior to October 1, 2014) that are—

(A) awaiting action by the applicant;

(B) awaiting action by the Secretary; and

(C) approved by the Secretary;

(2) the number of applications filed under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) and prior approval supplements withdrawn in each month;

(3) the mean and median approval and tentative approval times and the number of review cycles for such applications;

(4) the number and type of meetings requested and held under such section 506H (as added by section 803); and

(5) the number of such applications on which the Secretary has taken action pursuant to subsection (c) of such section 506H (as added by section 803) and any effect such section 506H may have on the length of time for approval of applications under such section 505(j) and the number of review cycles for such approvals.

SEC. 808. INCENTIVIZING COMPETITIVE GENERIC DRUG DEVELOPMENT.

Section 505(j)(5) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)(5)) is amended—

(1) in subparagraph (B), by adding at the end the following:

''(v) 180-DAY EXCLUSIVITY PERIOD FOR COMPETITIVE GENERIC THERAPIES.—

''(I) EFFECTIVENESS OF APPLICATION.—Subject to subparagraph (D)(iv), if the application is for a drug that is the same as a competitive generic therapy for which any first approved applicant has commenced commercial marketing, the application shall be made effective on the date that is 180 days after the date of the first commercial marketing of the competitive generic therapy (including the commercial marketing of the listed drug) by any first approved applicant.

''(II) LIMITATION.—The exclusivity period under subclause (I) shall not apply with respect to a competitive generic therapy that has previously received an exclusivity period under subclause (I).

''(III) DEFINITIONS.—In this clause and subparagraph (D)(iv):

''(aa) The term 'competitive generic therapy' means a drug—

''(AA) that is designated as a competitive generic therapy under section 506H; and

''(BB) for which there are no unexpired patents or exclusivities on the list of products described in section 505(j)(7)(A) at the time of submission.

''(bb) The term 'first approved applicant' means any applicant that has submitted an application that—

''(AA) is for a competitive generic therapy that is approved on the first day on which any application for such competitive generic therapy is approved;

''(BB) is not eligible for a 180-day exclusivity period under clause (iv) for the drug that is the subject of the application for the competitive generic therapy; and

''(CC) is not for a drug for which all drug versions have forfeited eligibility for a 180-day exclusivity period under clause (iv) pursuant to subparagraph (D).''; and

(2) in subparagraph (D), by adding at the end the following:

''(iv) SPECIAL FORFEITURE RULE FOR COMPETITIVE GENERIC THERAPY.—The 180-day exclusivity period described in subparagraph (B)(v) shall be forfeited by a first approved applicant if the applicant fails to market the competitive generic therapy within 75 days after the date on which the approval of the first approved applicant's application for the competitive generic therapy is made effective.''.

SEC. 809. GAO STUDY OF ISSUES REGARDING FIRST CYCLE APPROVALS OF GENERIC MEDICINES.

(a) STUDY BY GAO.—The Comptroller General of the United States shall conduct a study to determine the following:

(1) The rate of first cycle approvals and tentative approvals for applications submitted under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)) during the period beginning on October 1, 2012, and ending on September 30, 2017. The rate of first cycle approvals and tentative approvals shall be determined and reported per each GDUFA cohort year during this period.

(2) If the rate determined pursuant to paragraph (1) for any GDUFA cohort year is lower than 20 percent, the reasons contributing to the relatively low rate of first cycle approvals and tentative approvals for generic drug applications shall be itemized, assessed, and reported. In making the assessment required by this paragraph, the Comptroller General shall consider, among other things, the role played by—

(A) the Food and Drug Administration's implementation of approval standards for generic drug applications;

(B) the extent to which those approval standards are communicated clearly to industry and applied consistently during the review process;

(C) the procedures for reviewing generic drug applications, including timelines for review activities by the Food and Drug Administration;

(D) the extent to which those procedures are followed consistently (and those timelines are met) by the Food and Drug Administration;

(E) the processes and practices for communication between the Food and Drug Administration and sponsors of generic drug applications; and

(F) the completeness and quality of original generic drug applications submitted to the Food and Drug Administration.

(3) Taking into account the determinations made pursuant to paragraphs (1) and (2) and any review process improvements implemented pursuant to this Act, whether there are ways the review process for generic drugs could be improved to increase the rate of first cycle approvals and tentative approvals for generic drug applications. In making this determination, the Comptroller General shall consider, among other things, options for increasing review efficiency and communication effectiveness.

(b) COMPLETION DATE.—Not later than the expiration of the 2-year period beginning on the date of enactment of this Act, the Comptroller General shall complete the study under subsection (a) and submit a report describing the findings and conclusions of the study to the Secretary, the Committee on Energy and Commerce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate.

(c) DEFINITIONS.—For purposes of this section:

(1) The term ''GDUFA cohort year'' means a fiscal year.

(2) The term ''generic drug'' means a drug that is approved or is seeking approval under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)).

(3) The term ''generic drug application'' means an abbreviated new drug application for the approval of a generic drug under section 505(j) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(j)).

(4) The term ''Secretary'' means the Secretary of Health and Human Services.

(5)(A) The term ''first cycle approvals and tentative approvals'' means the approval or tentative approval of a generic drug application after the Food and Drug Administration's complete review of the application and without issuance of one or more complete response letters.

(B) For purposes of this paragraph, the term ''complete response letter'' means a written communication to the sponsor of a generic drug application or holder of a drug master file from the Food and Drug Administration describing all of the deficiencies that the Administration has identified in the generic drug application (including pending amendments) or drug master file that must be satisfactorily addressed before the generic drug application can be approved.

TITLE IX—ADDITIONAL PROVISIONS

SEC. 901. TECHNICAL CORRECTIONS.

(a) Section 3075(a) of the 21st Century Cures Act (Public Law 114–255) is amended—

(1) in the matter preceding paragraph (1), by striking ''as amended by section 2074'' and inserting ''as amended by section 3102''; and

(2) in paragraph (2), by striking ''section 2074(1)(C)'' and inserting ''section 3102(1)(C)''.

(b) Section 506G(b)(1)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 356g(b)(1)(A)) is amended by striking ''identity'' and inserting ''identify''.

(c) Section 505F(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355g(b)) is amended by striking ''randomized'' and inserting ''traditional''.

(d) Section 505F(d) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355g(d)) is amended by striking ''2'' and inserting ''3''.

(e) Section 510(h)(6) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360(h)(6)) is amended by striking ''February 1'' and replacing with ''May 1''.

(f) Effective as of the enactment of the 21st Century Cures Act (Public Law 114–255)—

(1) section 3051(a) of such Act is amended by striking ''by inserting after section 515B'' and inserting ''by inserting after section 515A''; and

(2) section 515C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e–3), as inserted by such section 3051(a), is redesignated as section 515B.

(g) Section 515B(f)(2) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360e–3(f)(2)), as redesignated by subsection (e)(2) of this section, is amended by striking ''a proposed guidance'' and inserting ''a draft version of that guidance''.

(h) Section 513(b)(5)(D) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360c(b)(5)(D)) is amended by striking ''medical device submissions'' and inserting ''medical devices that may be specifically the subject of a review by a classification panel''.

SEC. 902. ANNUAL REPORT ON INSPECTIONS.

Not later than March 1 of each year, the Secretary of Health and Human Services shall post on the internet website of the Food and Drug Administration information related to inspections of facilities necessary for approval of a drug under section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355), approval of a device under section 515 of such Act (21 U.S.C. 360e), or clearance of a device under section 510(k) of such Act (21 U.S.C. 360(k)) that were conducted during the previous calendar year. Such information shall include the following:

(1) The median time following a request from staff of the Food and Drug Administration reviewing an application or report to the beginning of the inspection, and the median time from the beginning of an inspection to the issuance of a report pursuant to section 704(b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 374(b)).

(2) The median time from the issuance of a report pursuant to such section 704(b) to the sending of a warning letter, issuance of an import alert, or holding of a regulatory meeting for inspections for which the Secretary concluded that regulatory or enforcement action was indicated.

(3) The median time from the sending of a warning letter, issuance of an import alert, or holding of a regulatory meeting to resolution of the regulatory or enforcement action indicated for inspections for which the Secretary concluded that such action was indicated.

(4) The number of times that a facility was issued a report pursuant to such section 704(b) and approval of an application was delayed due to the issuance of a withhold recommendation.

SEC. 903. STREAMLINING AND IMPROVING CONSISTENCY IN PERFORMANCE REPORTING.

(a) PDUFA.—Section 736B(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h–2(a)), as amended by section 103, is further amended by inserting after paragraph (2) the following:

''(3) REAL TIME REPORTING.—

''(A) IN GENERAL.—Not later than 30 calendar days after the end of the second quarter of fiscal year 2018, and not later than 30 calendar days after the end of each quarter of each fiscal year thereafter, the Secretary shall post the data described in subparagraph (B) on the internet website of the Food and Drug Administration for such quarter and on a cumulative basis for such fiscal year, and may remove duplicative data from the annual performance report under this subsection.

''(B) DATA.—The Secretary shall post the following data in accordance with subparagraph (A):

''(i) The number and titles of draft and final guidance on topics related to the process for the review of human drug applications, and whether such guidances were issued as required by statute or pursuant to a commitment under the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017.

''(ii) The number and titles of public meetings held on topics related to the process for the review of human drug applications, and whether such meetings were required by statute or pursuant to a commitment under the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017.

''(iii) The number of new drug applications and biological licensing applications approved.

''(iv) The number of new drug applications and biological licensing applications filed.

''(4) RATIONALE FOR PDUFA PROGRAM CHANGES.—Beginning with fiscal year 2020, the Secretary shall include in the annual report under paragraph (1)—

''(A) data, analysis, and discussion of the changes in the number of full-time equivalents hired as agreed upon in the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017 and the number of full time equivalents funded by budget authority at the Food and Drug Administration by each division within the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner;

''(B) data, analysis, and discussion of the changes in the fee revenue amounts and costs for the process for the review of human drugs, including identifying drivers of such changes; and

''(C) for each of the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner, the number of employees for whom time reporting is required and the number of employees for whom time reporting is not required.''.

(b) MDUFA.—Section 738A(a)(1)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–1(a)(1)(A)), as amended by section 204, is further amended—

(1) by striking ''Beginning with'' and inserting the following:

''(i) GENERAL REQUIREMENTS.—Beginning with''; and

(2) by adding at the end the following:

''(ii) ADDITIONAL INFORMATION.—Beginning with fiscal year 2018, the annual report under this subparagraph shall include the progress of the Center for Devices and Radiological Health in achieving the goals, and future plans for meeting the goals, including—

''(I) the number of premarket applications filed under section 515 per fiscal year for each review division;

''(II) the number of reports submitted under section 510(k) per fiscal year for each review division; and

''(III) the number of expedited development and priority review designations under section 515C per fiscal year.

''(iii) REAL TIME REPORTING.—

''(I) IN GENERAL.—Not later than 30 calendar days after the end of the second quarter of fiscal year 2018, and not later than 30 calendar days after the end of each quarter of each fiscal year thereafter, the Secretary shall post the data described in subclause (II) on the internet website of the Food and Drug Administration for such quarter and on a cumulative basis for such fiscal year, and may remove duplicative data from the annual report under this subparagraph.

''(II) DATA.—The Secretary shall post the following data in accordance with subclause (I):

''(aa) The number and titles of draft and final guidance on topics related to the process for the review of devices, and whether such guidances were issued as required by statute or pursuant to the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017; and

''(bb) The number and titles of public meetings held on topics related to the process for the review of devices, and if such meetings were required by statute or pursuant to a commitment under the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017.

''(iv) RATIONALE FOR MDUFA PROGRAM CHANGES.—Beginning with fiscal year 2020, the Secretary shall include in the annual report under paragraph (1)—

''(I) data, analysis, and discussion of the changes in the number of full-time equivalents hired as agreed upon in the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017 and the number of full time equivalents funded by budget authority at the Food and Drug Administration by each division within the Center for Devices and Radiological Health, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner;

''(II) data, analysis, and discussion of the changes in the fee revenue amounts and costs for the process for the review of devices, including identifying drivers of such changes; and

''(III) for each of the Center for Devices and Radiological Health, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner, the number of employees for whom time reporting is required and the number of employees for whom time reporting is not required.''.

(c) GDUFA.—Section 744C(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–43(a)), as amended by section 304, is further amended—

(1) by striking ''Beginning with'' and inserting the following:

''(1) GENERAL REQUIREMENTS.—Beginning with''; and

(2) by adding at the end the following:

''(2) REAL TIME REPORTING.—

''(A) IN GENERAL.—Not later than 30 calendar days after the end of the second quarter of fiscal year 2018, and not later than 30 calendar days after the end of each quarter of each fiscal year thereafter, the Secretary shall post the data described in subparagraph (B) on the internet website of the Food and Drug Administration, and may remove duplicative data from the annual report under this subsection.

''(B) DATA.—The Secretary shall post the following data in accordance with subparagraph (A):

''(i) The number and titles of draft and final guidance on topics related to human generic drug activities and whether such guidances were issued as required by statute or pursuant to a commitment under the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017.

''(ii) The number and titles of public meetings held on topics related to human generic drug activities and whether such meetings were required by statute or pursuant to a commitment under the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017.

''(3) RATIONALE FOR GDUFA PROGRAM CHANGES.—Beginning with fiscal year 2020, the Secretary shall include in the annual report under paragraph (1)—

''(A) data, analysis, and discussion of the changes in the number of full-time equivalents hired as agreed upon in the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017 and the number of full time equivalents funded by budget authority at the Food and Drug Administration by each division within the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner;

''(B) data, analysis, and discussion of the changes in the fee revenue amounts and costs for human generic drug activities, including identifying drivers of such changes; and

''(C) for each of the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner, the number of employees for whom time reporting is required and the number of employees for whom time reporting is not required.''.

(d) BsUFA.—Section 744I(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–53(a)), as amended by section 404, is further amended—

(1) by striking ''Beginning with'' and inserting the following:

''(1) GENERAL REQUIREMENTS.—Beginning with''; and

(2) by adding at the end the following:

''(2) ADDITIONAL INFORMATION.—Beginning with fiscal year 2018, the report under this subsection shall include the progress of the Food and Drug Administration in achieving

the goals, and future plans for meeting the goals, including—

''(A) information on all previous cohorts for which the Secretary has not given a complete response on all biosimilar biological product applications and supplements in the cohort;

''(B) the number of original biosimilar biological product applications filed per fiscal year, and the number of approvals issued by the agency for such applications; and

''(C) the number of resubmitted original biosimilar biological product applications filed per fiscal year and the number of approvals letters issued by the agency for such applications.

''(3) REAL TIME REPORTING.—

''(A) IN GENERAL.—Not later than 30 calendar days after the end of the second quarter of fiscal year 2018, and not later than 30 calendar days after the end of each quarter of each fiscal year thereafter, the Secretary shall post the data described in subparagraph (B) for such quarter and on a cumulative basis for the fiscal year on the internet website of the Food and Drug Administration, and may remove duplicative data from the annual report under this subsection.

''(B) DATA.—The Secretary shall post the following data in accordance with subparagraph (A):

''(i) The number and titles of draft and final guidance on topics related to the process for the review of biosimilars, and whether such guidances were required by statute or pursuant to a commitment under the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017.

''(ii) The number and titles of public meetings held on topics related to the process for the review of biosimilars, and whether such meetings were required by statute or pursuant to a commitment under the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017.

''(4) RATIONALE FOR BSUFA PROGRAM CHANGES.—Beginning with fiscal year 2020, the Secretary shall include in the annual report under paragraph (1)—

''(A) data, analysis, and discussion of the changes in the number of full-time equivalents hired as agreed upon in the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017 and the number of full time equivalents funded by budget authority at the Food and Drug Administration by each division within the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner;

''(B) data, analysis, and discussion of the changes in the fee revenue amounts and costs for the process for the review of biosimilar biological product applications, including identifying drivers of such changes; and

''(C) for each of the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, the Office of Regulatory Affairs, and the Office of the Commissioner, the number of employees for whom time reporting is required and the number of employees for whom time reporting is not required.''.

SEC. 904. ANALYSIS OF USE OF FUNDS.

(a) PDUFA REPORTS.—

(1) ANALYSIS IN PDUFA PERFORMANCE REPORTS.—Section 736B(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h–2(a)), as amended by section 903(a), is further amended by adding at the end the following:

''(5) ANALYSIS.—For each fiscal year, the Secretary shall include in the report under paragraph (1) an analysis of the following:

''(A) The difference between the aggregate number of human drug applications filed and the aggregate number of approvals, accounting for—

''(i) such applications filed during one fiscal year for which a decision is not scheduled to be made until the following fiscal year;

''(ii) the aggregate number of applications for each fiscal year that did not meet the goals identified in the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017 for the applicable fiscal year.

''(B) Relevant data to determine whether the Center for Drug Evaluation and Research and the Center for Biologics Evaluation and Research have met performance enhancement goals identified in the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017 for the applicable fiscal year.

''(C) The most common causes and trends of external or other circumstances affecting the ability of the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, Office of Regulatory Affairs, and the Food and Drug Administration to meet the review time and performance enhancement goals identified in the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017.''.

(2) ISSUANCE OF CORRECTIVE ACTION REPORTS.—Section 736B of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h–2) is amended—

(A) by redesignating subsections (c) and (d) as subsections (e) and (f), respectively; and

(B) by inserting after subsection (b) the following:

''(c) CORRECTIVE ACTION REPORT.—Beginning with fiscal year 2018, for each fiscal year for which fees are collected under this part, the Secretary shall prepare and submit a corrective action report to the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate. The report shall include the following information, as applicable:

''(1) GOALS MET.—For each fiscal year, if the Secretary determines, based on the analysis under subsection (a)(5), that each of the goals identified in the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017 for the applicable fiscal year have been met, the corrective action report shall include recommendations on ways in which the Secretary can improve and streamline the human drug application review process.

''(2) GOALS MISSED.—For any of the goals identified in the letters described in section 101(b) of the Prescription Drug User Fee Amendments of 2017 for the applicable fiscal year that the Secretary determines to not have been met, the corrective action report shall include—

''(A) a detailed justification for such determination and a description, as applicable, of the types of circumstances and trends under which human drug applications that missed the review goal time were approved during the first cycle review, or application review goals were missed; and

''(B) with respect to performance enhancement goals that were not achieved, a description of efforts the Food and Drug Administration has put in place for the fiscal year in which the report is submitted to improve the ability of such agency to meet each such goal for the such fiscal year.

''(d) ENHANCED COMMUNICATION.—

''(1) COMMUNICATIONS WITH CONGRESS.—Each fiscal year, as applicable and requested, representatives from the Centers with expertise in the review of human drugs shall meet with representatives from the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives to report on the contents described in the reports under this section.

''(2) PARTICIPATION IN CONGRESSIONAL HEARING.—Each fiscal year, as applicable and requested, representatives from the Food and Drug Administration shall participate in a public hearing before the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, to report on the contents described in the reports under this section. Such hearing shall occur not later than 120 days after the end of each fiscal year for which fees are collected under this part.''.

(b) MDUFA REPORTS.—

(1) ANALYSIS IN MDUFA PERFORMANCE REPORTS.—Section 738A(a)(1)(A) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–1(a)(1)(A)), as amended by section 903(b), is further amended by adding at the end the following:

''(iv) ANALYSIS.—For each fiscal year, the Secretary shall include in the report under clause (i) an analysis of the following:

''(I) The difference between the aggregate number of premarket applications filed under section 515 and aggregate reports submitted under section 510(k) and the aggregate number of major deficiency letters, not approvable letters, and denials for such applications issued by the agency, accounting for—

''(aa) the number of applications filed and reports submitted during one fiscal year for which a decision is not scheduled to be made until the following fiscal year; and

''(bb) the aggregate number of applications for each fiscal year that did not meet the goals as identified by the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017 for the applicable fiscal year.

''(II) Relevant data to determine whether the Center for Devices and Radiological Health has met performance enhancement goals identified by the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017 for the applicable fiscal year.

''(III) The most common causes and trends for external or other circumstances affecting the ability of the Center for Devices and Radiological Health, the Office of Regulatory Affairs, or the Food and Drug Administration to meet review time and performance enhancement goals identified by the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017.''.

(2) ISSUANCE OF CORRECTIVE ACTION REPORTS.—Section 738A(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–1(a)) is amended—

(A) by redesignating paragraphs (2) and (3) as paragraphs (4) and (5), respectively; and

(B) by inserting after paragraph (1) the following:

''(2) CORRECTIVE ACTION REPORT.—Beginning with fiscal year 2018, for each fiscal year for which fees are collected under this part, the Secretary shall prepare and submit a corrective action report to the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate. The report shall include the following information, as applicable:

''(A) GOALS MET.—For each fiscal year, if the Secretary determines, based on the analysis under paragraph (1)(A)(iv), that each of the goals identified by the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017 for the applicable

fiscal year have been met, the corrective action report shall include recommendations on ways in which the Secretary can improve and streamline the medical device application review process.

''(B) GOALS MISSED.—For each of the goals identified by the letters described in section 201(b) of the Medical Device User Fee Amendments of 2017 for the applicable fiscal year that the Secretary determines to not have been met, the corrective action report shall include—

''(i) a justification for such determination;

''(ii) a description of the types of circumstances, in the aggregate, under which applications or reports submitted under section 515 or notifications submitted under section 510(k) missed the review goal times but were approved during the first cycle review, as applicable;

''(iii) a summary and any trends with regard to the circumstances for which a review goal was missed; and

''(iv) the performance enhancement goals that were not achieved during the previous fiscal year and a description of efforts the Food and Drug Administration has put in place for the fiscal year in which the report is submitted to improve the ability of such agency to meet each such goal for the such fiscal year.

''(3) ENHANCED COMMUNICATION.—

''(A) COMMUNICATIONS WITH CONGRESS.—Each fiscal year, as applicable and requested, representatives from the Centers with expertise in the review of devices shall meet with representatives from the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives to report on the contents described in the reports under this section.

''(B) PARTICIPATION IN CONGRESSIONAL HEARING.—Each fiscal year, as applicable and requested, representatives from the Food and Drug Administration shall participate in a public hearing before the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, to report on the contents described in the reports under this section. Such hearing shall occur not later than 120 days after the end of each fiscal year for which fees are collected under this part.''.

(c) GDUFA REPORTS.—

(1) ANALYSIS IN GDUFA PERFORMANCE REPORTS.—Section 744C(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–43(a)), as amended by section 903(c) is further amended by adding at the end the following:

''(4) ANALYSIS.—For each fiscal year, the Secretary shall include in the report an analysis of the following:

''(A) The difference between the aggregate number of abbreviated new drug applications filed and the aggregate number of approvals or aggregate number of complete response letters issued by the agency, accounting for—

''(i) such applications filed during one fiscal year for which a decision is not scheduled to be made until the following fiscal year; and

''(ii) the aggregate number of applications for each fiscal year that did not meet the goals identified by the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017 for the applicable fiscal year.

''(B) Relevant data to determine whether the Food and Drug Administration has met the performance enhancement goals identified by the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017 for the applicable fiscal year.

''(C) The most common causes and trends for external or other circumstances that affected the ability of the Secretary to meet review time and performance enhancement goals identified by the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017.''.

(2) ISSUANCE OF CORRECTIVE ACTION REPORTS.—Section 744C of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–43) is amended—

(A) by redesignating subsections (c) and (d) as subsections (e) and (f), respectively; and

(B) by inserting after subsection (b) the following:

''(c) CORRECTIVE ACTION REPORT.—Beginning with fiscal year 2018, for each fiscal year for which fees are collected under this part, the Secretary shall prepare and submit a corrective action report to the Committee on Energy and Commerce and the Committee on Appropriations of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and the Committee on Appropriations of the Senate. The report shall include the following information, as applicable:

''(1) GOALS MET.—For each fiscal year, if the Secretary determines, based on the analysis under subsection (a)(4), that each of the goals identified by the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017 for the applicable fiscal year have been met, the corrective action report shall include recommendations on ways in which the Secretary can improve and streamline the abbreviated new drug application review process.

''(2) GOALS MISSED.—For each of the goals identified by the letters described in section 301(b) of the Generic Drug User Fee Amendments of 2017 for the applicable fiscal year that the Secretary determines to not have been met, the corrective action report shall include—

''(A) a detailed justification for such determination and a description, as applicable, of the types of circumstances and trends under which abbreviated new drug applications missed the review goal times but were approved during the first cycle review, or review goals were missed; and

''(B) with respect to performance enhancement goals that were not achieved, a detailed description of efforts the Food and Drug Administration has put in place for the fiscal year in which the report is submitted to improve the ability of such agency to meet each such goal for the such fiscal year.

''(d) ENHANCED COMMUNICATION.—

''(1) COMMUNICATIONS WITH CONGRESS.—Each fiscal year, as applicable and requested, representatives from the Centers with expertise in the review of human drugs shall meet with representatives from the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives to report on the contents described in the reports under this section.

''(2) PARTICIPATION IN CONGRESSIONAL HEARING.—Each fiscal year, as applicable and requested, representatives from the Food and Drug Administration shall participate in a public hearing before the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, to report on the contents described in the reports under this section. Such hearing shall occur not later than 120 days after the end of each fiscal year for which fees are collected under this part.''.

(d) BSUFA REPORTS.—

(1) ANALYSIS IN BSUFA PERFORMANCE REPORTS.—Section 744I(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–53(a)) as amended by section 903(d) is further amended by adding at the end the following:

''(5) ANALYSIS.—For each fiscal year, the Secretary shall include in the report an analysis of the following:

''(A) The difference between the aggregate number of biosimilar biological product applications and supplements filed and the aggregate number of approvals issued by the agency, accounting for—

''(i) such applications filed during one fiscal year for which a decision is not scheduled to be made until the following fiscal year; and

''(ii) the aggregate number of applications for each fiscal year that did not meet the goals identified by the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017 for the applicable fiscal year.

''(B) Relevant data to determine whether the Center for Drug Evaluation and Research and the Center for Biologics Evaluation and Research have met the performance enhancement goals identified by the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017 for the applicable fiscal year.

''(C) The most common causes and trends for external or other circumstances affecting the ability of the Secretary to meet review time and performance enhancement goals identified by the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017.''.

(2) ISSUANCE OF CORRECTIVE ACTION REPORTS.—Section 744I of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–53), as amended by section 404, is further amended—

(A) by redesignating subsections (c) and (d) as subsections (e) and (f), respectively; and

(B) by inserting after subsection (b) the following:

''(c) CORRECTIVE ACTION REPORT.—Beginning with fiscal year 2018, and for each fiscal year for which fees are collected under this part, the Secretary shall prepare and submit a corrective action report to the Committee on Energy and Commerce and Committee on Appropriations of the House of Representatives and the Committee on Health, Education, Labor, and Pensions and Committee on Appropriations of the Senate. The report shall include the following information, as applicable:

''(1) GOALS MET.—For each fiscal year, if the Secretary determines, based on the analysis under subsection (a)(5), that each of the goals identified by the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017 for the applicable fiscal year have been met, the corrective action report shall include recommendations on ways in which the Secretary can improve and streamline the biosimilar biological product application review process.

''(2) GOALS MISSED.—For each of the goals identified by the letters described in section 401(b) of the Biosimilar User Fee Amendments of 2017 for the applicable fiscal year that the Secretary determines to not have been met, the corrective action report shall include—

''(A) a justification for such determination and a description of the types of circumstances and trends, as applicable, under which biosimilar biological product applications missed the review goal times but were approved during the first cycle review, or review goals were missed; and

''(B) with respect to performance enhancement goals that were not achieved, a description of efforts the Food and Drug Administration has put in place for the fiscal year in which the report is submitted to improve the ability of such agency to meet each such goal for the such fiscal year.

''(d) ENHANCED COMMUNICATION.—

''(1) COMMUNICATIONS WITH CONGRESS.—Each fiscal year, as applicable and requested,

representatives from the Centers with expertise in the review of human drugs shall meet with representatives from the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives to report on the contents described in the reports under this section.

''(2) PARTICIPATION IN CONGRESSIONAL HEARING.—Each fiscal year, as applicable and requested, representatives from the Food and Drug Administration shall participate in a public hearing before the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives, to report on the contents described in the reports under this section. Such hearing shall occur not later than 120 days after the end of each fiscal year for which fees are collected under this part.''.

SEC. 905. FACILITIES MANAGEMENT.

(a) EVALUATION.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study on the expenses incurred by the Food and Drug Administration related to facility maintenance and renovation in fiscal years 2012 through 2019. The study under this paragraph shall include the following:

(A) A review of purchases and expenses differentiated by appropriated funds, and resources authorized by the Food and Drug Administration Safety and Innovation Act (Public Law 112–144) and this Act, as applicable, that contributed to—

(i) the maintenance of scientific equipment and any existing facility plan or plans to maintain previously purchased scientific equipment;

(ii) the renovation of facilities in the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, and the Center for Devices and Radiological Health, and the purpose of such renovation including the need for the renovation;

(iii) the assets purchased or repaired under the ''repair of facilities and acquisition'' authority under parts 2, 3, 7, and 8 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379f et seq.);

(iv) the maintenance and repair of facilities and fixtures, including a description of any unanticipated repairs and maintenance as well as scheduled repairs maintenance, and the budget plan for the scheduled or anticipated maintenance;

(v) the acquisition of furniture, a description of the furniture purchased, and the purpose of the furniture including purchases for the Center for Drug Evaluation and Research, the Center for Biologics Evaluation and Research, and the Center for Devices and Radiological Health; and

(vi) the acquisition of other necessary materials and supplies by product category under the authority under parts 2, 3, 7, and 8 of subchapter C of chapter VII of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379f et seq.).

(B) An analysis of the Food and Drug Administration's ability to further its public health mission and review medical products by incurring the expenses listed in clauses (i) through (vi) of subparagraph (A). In conducting the analysis, the Comptroller General shall request information from and consult with appropriate employees, including staff and those responsible for the fiscal decisions regarding facility maintenance and renovation for the agency.

(2) REPORT.—

(A) IN GENERAL.—The Comptroller General shall issue a report to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Energy and Commerce of the House of Representatives not later than July 30, 2020, containing the results of the study under paragraph (1).

(B) RECOMMENDATIONS.—As part of the report under this paragraph, the Comptroller General may provide recommendations, as applicable, on methods through which the Food and Drug Administration may improve planning for—

(i) the maintenance, renovation, and repair of facilities;

(ii) the purchase of furniture or other acquisitions; and

(iii) ways the Food and Drug Administration may allocate the expenses described in clauses (i) and (ii) of paragraph (1)(A), as informed by the analysis under paragraph (1)(B).

(b) ADMINISTRATION.—

(1) PDUFA.—Section 736(f) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h(f)) is amended by adding at the end the following:

''(3) LIMITATION.—Beginning on October 1, 2023, the authorities under section 735(7)(C) shall include only expenditures for leasing and necessary scientific equipment.''.

(2) MDUFA.—Section 738(h) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j(h)) is amended by adding at the end the following:

''(3) LIMITATION.—Beginning on October 1, 2023, the authorities under section 737(9)(C) shall include only leasing and necessary scientific equipment.''.

(3) GDUFA.—Section 744B(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–42(e)) is amended—

(A) in the subsection heading, by striking ''LIMIT'' and inserting ''LIMITATIONS'';

(B) by striking ''The total amount'' and inserting the following:

''(1) IN GENERAL.—The total amount''; and

(C) by adding at the end the following:

''(2) LEASING AND NECESSARY EQUIPMENT.—Beginning on October 1, 2023, the authorities under section 744A(11)(C) shall include only leasing and necessary scientific equipment.''.

(4) BSUFA.—Section 744H(e)(2)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379j–52(e)(2)(B)) is amended—

(A) in the subparagraph heading, by striking ''LIMITATION'' and inserting ''LIMITATIONS'';

(B) by striking ''The fees authorized'' and inserting the following:

''(i) IN GENERAL.—The fees authorized''; and

(C) by adding at the end the following:

''(ii) LEASING AND NECESSARY EQUIPMENT.—Beginning on October 1, 2023, the authorities under section 744G(9)(C) shall include only leasing and necessary scientific equipment.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN. Mr. 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 in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oregon?

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 2430, the FDA Reauthorization Act—FDARA—of 2017.

While it may not be headline news, for almost a year now, the Energy and Commerce Committee has been working in a bipartisan fashion on this critical legislation which will build on the landmark 21st Century Cures Act. The FDARA will ensure that innovative and lower cost treatments, as well as lifesaving medical technologies, reach patients sooner.

Last month we reported this bill out of committee on a 54–0 vote. Unanimously, Mr. Speaker.

For starters, the FDARA updates and reauthorizes four user fee programs at the Food and Drug Administration. Though they sound like just another set of wonky Washington acronyms, the UFAs, as they are called—user fee agreements—are absolutely critical to the Food and Drug Administration's timely and consistent review of brand and generic drugs, biosimilars, and medical devices. They also maintain the agency's gold standard of patient safety.

Before the generic drug user fee program was established 5 years ago, there were literally thousands of applications pending at that agency—thousands. Significant strides have been made to clear that backlog, and the FDARA will build on that progress so that generics come to market as soon as safely possible. Make no doubt about it, this bill will increase competition and it will provide lower cost alternative medications to patients.

Through a series of hearings and markups at the Energy and Commerce Committee, Members on both sides of the aisle proposed a number of additional provisions to improve the processes at the FDA and to strengthen this legislation in ways that will benefit patients, medical product manufacturers, and the agency itself.

For example, my colleague from Oregon (Mr. SCHRADER), who I know is on the floor, partnered with the gentleman from Florida (Mr. BILIRAKIS) on meaningful ways to incentivize generic entry into markets where competition was lacking and patients were being exploited by bad actors. I thank them for their work on this effort. Their work will save patients money, and their work will get new products into the market sooner.

In addition, there are a number of improvements to the regulation of various medical technologies that will expand access, that will streamline bureaucratic processes, and that will lower costs.

Further, this legislation includes provisions that have been championed by Republicans and Democrats alike in both Chambers throughout their discussions on the user fee agreements, including a range of improvements to the pediatric drug and device development process, and guidance on ways to expand patient access to clinical trials.

Finally, this legislation includes a revised version of the RACE for Children Act that Representatives MCCAUL, MULLIN, and BUTTERFIELD have worked tirelessly on for quite some time.

H.R. 2430 is the product of significant bipartisan and bicameral discussions with a wide range of stakeholders that went throughout regular order at the committee after a series of substantive hearings and then received a unanimous vote. Which, Mr. Speaker, is probably why nobody will ever read about this or see it on television, because we actually worked together and did it in a bipartisan way and achieved the unanimous vote that will bring drugs and devices to patients quicker, sooner, and safer in the long run.

This legislation is yet another example of Congress getting good things done. We are working together. And it is important to thank my colleagues on both sides of the aisle for their work on this legislation, particularly full committee Ranking Member PALLONE, Health Subcommittee Ranking Member GREEN, Health Subcommittee Chairman BURGESS. This bipartisan work has produced a big win for patients.

The FDARA will help bring lower-cost generic drug alternatives and biosimilars to market faster, increasing competition, lowering drug costs. It will streamline the process for reviewing or approving new treatments and cures for patients, ultimately delivering new and innovative therapies, drugs, and devices to patients more quickly.

Finally, this bill is a big win for the millions of Americans working in the healthcare sector and the drug and device manufacturers that help us live better and healthier lives.

Mr. Speaker, I urge my colleagues to vote ''yes.'' I want my colleagues and all Americans to know this is just step one in a long-term effort in our committee to help patients get access to better medicines and lower costs.

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

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

Mr. Speaker, I rise in support of H.R. 2430, the FDA Reauthorization Act, a bill that would allow the FDA to continue its critical mission of reviewing and approving drugs and medical devices that save lives and improve the quality of life for many Americans.

The legislation before us today is the product of compromise and almost 2 years of work between FDA, Congress, industry, and other stakeholders. The FDA Reauthorization Act reauthorizes FDA's medical product user fee agreements, providing FDA with the resources the agency needs to continue its critical public health work and hire the necessary scientists and review staff, and improve the certainty and efficiency of the drug review process.

The sixth reauthorization of the Prescription Drug User Fee Act will maintain current review timelines, modernize the user fee structure, and build on the work of 21st Century Cures Act by investing resources in the development of biomarkers and innovative clinical trial designs.

The fourth reauthorization of the Medical Device User Fee Amendments includes some important new policies that will help to increase the consistency, efficiency, and effectiveness of drug and medical device reviews.

The bill advances the use of the patient perspective and the risk-benefit assessment of medical devices. It establishes a system utilizing real world data for pre-market approval of new uses and post-market safety monitoring, and it improves presubmission communication with manufacturers in an effort to expedite the review process.

This legislation also reauthorizes two of our newer user fee programs for generics and biosimilars. Both of these programs strive to expedite access to high-quality, lower-cost drugs for American families.

The FDARA will also allow the agency to undertake new initiatives to create a category of over-the-counter hearing aids, advance the development of pediatric cancer treatments, and provide greater assistance and incentives to encourage additional competition for generic drugs.

Since this is a bipartisan compromise—and I want to stress that—as my colleague Mr. WALDEN said, it really is important and people should take note that this is a major piece of legislation that is being done on a bipartisan basis by our committee. But it does not address every issue that I would have liked. It also includes troublesome language prohibiting the FDA from making the investments the agency needs as part of future user fee agreements. It is important that the FDA maintain a work environment that allows the agency to recruit and retain the world's best and brightest. I am concerned that this final agreement preserves language advanced in the Senate bill that will make it difficult in the future for the FDA to make the investments needed to recruit personnel and meet performance goals set out in the user fee reauthorizations.

This is a concern, again, that was put in by the Senate that I hope we can address in the future. But I do want to stress, at the end of the day, that this final product represents all of the significant discussions and compromises that were made, and, of course, the legislation that is going to be effective is the result of compromise.

I am pleased that we are considering this in a very timely fashion, because, as I mentioned, we don't want the personnel who work at the FDA to be affected; and if we do this in a timely fashion, they won't have to worry about pink slips or their jobs.

Mr. Speaker, I strongly urge my colleagues to support H.R. 2430 so that we can continue to give the FDA the tools and resources it needs to continue doing the critical work of reviewing and improving lifesaving drugs and medical devices.

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

Mr. WALDEN. Mr. Speaker, I thank my colleague from New Jersey for his good work and kind comments on our legislation that we put together.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. BARTON), the former chairman of the full committee.

(Mr. BARTON asked and was given permission to revise and extend his remarks.)

Mr. BARTON. Mr. Speaker, I commend Chairman WALDEN and Ranking Member PALLONE, along with subcommittee Chairman BURGESS and subcommittee Ranking Member GREEN for their excellent leadership on this piece of legislation.

If you look at the front page of The Washington Post this morning, you will see on the left-hand column the story about a miracle living drug to help cure cancer in children that have leukemia.

In the legislation before us, as the chairman just pointed out, there is the RACE for Children Act, which was introduced by Congressmen MCCAUL, BUTTERFIELD, and MULLIN, and which I am a original cosponsor, that will make it possible to help children sooner.

This particular drug that is discussed on the front page of The Washington Post took decades to develop and has just now been approved.

How many thousands of children have died while that drug was being developed?

The legislation before us includes, as I said, the RACE for Children Act, which will make it possible to bring these innovative drugs to market much more quickly.

Mr. Speaker, I commend all the leaders and the members of the committee for this bipartisan piece of legislation, as Mr. PALLONE has just pointed out. I am proud to vote for it, and I encourage all Members of the House to do the same.

□ 1345

Mr. PALLONE. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. GENE GREEN), the ranking member of the Health Subcommittee.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise in support of H.R. 2430, the FDA Reauthorization Act of 2017.

For many months, we have worked on a bipartisan basis to negotiate and prepare for the four FDA user fee agreements for reauthorization, across party lines, and you are seeing that. That is why I am proud to be a member of the Energy and Commerce Committee. We will fight when we have to, but we also can work together on things that are really important to our country.

These programs must be reauthorized in a timely manner to avoid a meltdown of the medical product development pipeline. We have had great collaboration and strong bipartisan working relationships throughout the process, from the publication of the goals letters, to the hearings, and the markups in the Health Subcommittee, all the way through the unanimous vote out of the Energy and Commerce Committee last month.

Since the first PDUFA was established in 1992, Congress has created additional user fee programs for medical devices, generic drugs, and biosimilars. In this cycle, we see shortened review timelines and have given the FDA new tools to harness the latest science and streamline the review process.

FDARA would build on previous success by reauthorizing the user fees and make improvements in the review process like advancing the use of biomarkers and patient experience data. The bill includes additional provisions beyond the underlying agreements that are worthy of support.

To give some examples, it will promote generic drug development and competition, establish a category of over-the-counter hearing aids, crack down on counterfeit drugs, and foster innovation in medical imaging.

FDA approval is the global gold standard and reauthorizing the user fee programs will ensure the agency has the resources—particularly capable, qualified staffers—to fulfill this mission.

I look forward to working with my colleagues to establish a user fee program for over-the-counter products and reform the monograph systems once we have reauthorized the existing user fee programs that will soon expire.

I want to thank Ranking Member PALLONE, Chairman WALDEN, and the chair of the Health Subcommittee, Congressman BURGESS, for their work and commitment into timely user fee reauthorization.

I also want to thank the staff, Kim Trzeciak and John Stone, and my own staff, Kristen O'Neill, for the countless hours of work they did to get us to this place.

Mr. Speaker, I urge my colleagues to support H.R. 2430.

Mr. WALDEN. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BURGESS), chairman of the Subcommittee on Health.

Mr. BURGESS. Mr. Speaker, I thank the chairman for yielding me the time.

It is significant today to be here and be supporting H.R. 2430, the Food and Drug Administration Reauthorization Act of 2017.

The passage of this bill provides certainly the security to the scientists who are working even now in pursuit of better cures and, of course, hope for patients across the country who are awaiting better treatments of the diseases that are afflicting them.

By reauthorizing the Food and Drug Administration user fee program, we are ensuring that the Food and Drug Administration can continue to officially operate and approve new drugs for the market.

Upon becoming chairman of the Subcommittee on Health this year, I had the privilege of convening four separate legislative hearings on the policies that are included in H.R. 2430. In each of those hearings, we heard about the tremendous success of the user fee programs in expanding access to affordable medications, supporting biomedical innovation, and maintaining high standards at the FDA for safety, efficacy, and quality.

H.R. 2430 will build upon these successes and will also build upon the achievements that we achieved in the last Congress, in the 21st Century Cures Act. And now we can ensure that the FDA has resources necessary to get medical treatments and cures to patients and healthcare providers as quickly as possible.

This bill is an important step forward for our committee and for this Congress, and we continue to pursue meaningful improvements to the healthcare system.

Mr. Speaker, I thank Chairman WALDEN, Ranking Member GENE GREEN, Ranking Member PALLONE of the full committee, all members of the Energy and Commerce Committee, both subcommittee and full committee, who worked hard to improve the substance of this bill as it came through.

Clearly, I wish to thank the majority and minority staffs who worked so hard to bring this to fruition.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I rise in support of this legislation, and I, too, want to thank all of the Members and staff who were engaged in preparing this bill for a vote on the floor of the House.

I wanted to focus on two of the amendments that are included in the bill—I am grateful for that—that I sponsored.

First, it includes my amendment to create a pilot project to evaluate postmarket safety of medical devices. It also includes my amendment which states that Congress and Federal agencies need to work together to lower drug prices. Everyone has been impacted by rising costs of prescription drugs, which is why 60 percent of Americans believe addressing the cost of prescription drugs needs to be a top priority.

The drug pricing crisis cannot be attributed to a single bad actor or a few blockbuster drugs. A recent study found that 97 percent of widely used brand name drugs had a price increase that exceeded inflation.

This crisis requires a comprehensive solution that increases transparency; lowers prices for patients, Medicare, and Medicaid; and ensures that every American can get access to the drugs that they need.

It is time for Congress to get serious about lowering the cost of drugs for Americans, and I urge my colleagues to support this legislation.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. UPTON), the former chairman of the committee, and the leader of the 21st Century Cures Act legislation.

Mr. UPTON. Mr. Speaker, so this is a jobs bill. And those who know me know that I have a long record of supporting innovation when it comes to research and development of new drugs and devices.

That is why I was proud to help author the 21st Century Cures Act with my Democratic colleague DIANA DEGETTE. This bill broke down the barriers for research and development, put a greater focus on patient-centered care, and gave billions in resources to the National Institutes of Health.

President Obama signed our bill into law at the end of 2016. It marked a truly great victory for both patients and researchers across the country. And now that Cures is law, we have got to make sure that the FDA is able to handle the new breakthrough treatments in a timely and predictable fashion, all while still maintaining the highest levels of patient safety. That is why this agreement is so important.

My district in southwest Michigan has literally thousands of jobs on the line that are affected by this legislation, and whether it is on the drug side at Pfizer, or the device side at Stryker, or the generic side at Perrigo—all in my district—passing this legislation is vital to those good-paying local jobs, as well as to the patients who will benefit from the new therapies that get those products to market.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. Mr. Speaker, I thank the gentleman for yielding time and for his leadership on the committee.

Mr. Speaker, I rise in strong support of H.R. 2430, the FDA Reauthorization Act of 2017, which reauthorizes the FDA's user fee programs that are critical to drug development, the medical device approval process, and, most importantly, to the patients who will benefit from these advances.

While I support this critical bill overall, I want to highlight, in particular, sections 503 through 505, which is the RACE for Children Act that my friend MIKE MCCAUL, Congressman MIKE MCCAUL, and I introduced earlier this year. Scientific advances have shown that some childhood and adult cancers share the same molecular targets.

RACE, Mr. Speaker, will help facilitate the expeditious development of innovative and promising treatments for children living with cancer by providing the FDA new authority to require a pediatric investigation into an adult cancer drug if that drug uses molecular targeting and is relevant to the cancer.

I am grateful to Mr. WALDEN and Ranking Member PALLONE and their respective staffs for understanding the urgent need to enact the RACE for Children Act and for working with me, working with my staff, to see that it was included.

I would also like to highlight section 701 and 702, which is the text of a bill I introduced with Dr. BUCSHON to modernize and streamline FDA's medical device inspection process by moving to a risk-based inspection approach. The provision will allow FDA to better use its limited resources and improve patient safety by focusing on facilities that have the most potential to impact public health.

Finally, passage of the FDA Reauthorization Act of 2017 will send a strong signal to the administration that Congress values the critical importance of medical research and patient safety.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. LANCE), a very important member of our committee.

Mr. LANCE. Mr. Speaker, I congratulate the chairman, the ranking member of the full committee, and the chairman and the ranking member of the subcommittee for this important work.

I rise in strong support of the Food and Drug Administration Reauthorization Act. We need a strong FDA to make sure lifesaving medicines reach the market and that patients have the peace of mind of a safe regulatory process. This bill ensures the wheels of creation keep turning, and in no part of our Nation is this more important than New Jersey, one of the medicine chests of the world.

It means that patients here in the United States and hundreds of millions around the world have benefited from the genius of our biopharmaceutical and life science industries. Patient safety is always the critical priority, and I am pleased this legislation includes language I authored to crack down on counterfeit drugs that are flooding into the United States. Too many Americans are falling victim to knockoffs that have infiltrated the U.S. supply chain, and this legislation significantly changes that.

Disease knows no bounds and, one way or another, each of us is affected by disease. This work makes a difference in patients' lives and makes sure the system from idea to pharmacy is working.

Mr. Speaker, I am honored to support this product.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, at a time of hyperpartisanship when traditions of consensus are seldom upheld, I am pleased to see Congress continue its tradition of passing FDA user fee reauthorization with broad bipartisan support.

It is absolutely critical that the FDA continue to promote medical innovation and support public health. To do so, it must have consistent funding, which this bill helps assure. I am also so proud that this bill builds directly on the 21st Century Cures Act, which I coauthored with Representative FRED UPTON.

Consistent with Cures, the bill before us today ensures that both the patient's voice and evidence from clinical practice can be considered during drug development when it is appropriate. It also helps establish a process for the FDA to qualify so-called biomarkers, which will facilitate the development of future cutting-edge therapies.

By reinforcing these key provisions of the 21st Century Cures Act, I am fully confident that the bill will help deliver on our bipartisan promise to jump-start treatments for families and for patients with unmet needs.

Mr. Speaker, I also want to thank Chairman WALDEN and Ranking Member PALLONE for incorporating provisions into the bill that will deepen our understanding of the psychosocial impact of disease. These provisions are based on the bipartisan Patient Experience in Research Act which Representative LANCE and I coauthored.

As more is learned about the social and emotional effects of disease, we can deliver better outcomes for patients by improving medication adherence, tailoring treatment regimens, and enhancing participation in clinical trials.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Florida (Mr. BILIRAKIS), a very important member of our committee.

Mr. BILIRAKIS. Mr. Speaker, I rise today to urge the passage of the FDA Reauthorization Act. With this legislation, we can modernize the FDA and reduce the barriers to innovation and competition.

If America is going to lead the world in biomedical innovation, we need an FDA that can efficiently review and approve new drugs. The FDA must act with the same urgency that patients feel waiting for cures.

Importantly, this bill includes a bipartisan provision that I authored with my colleague KURT SCHRADER.

□ 1400

The provision uses free market policies to help spur the development of new generic drugs, increase competition, and combat high drug prices.

I am also pleased we are including in the RACE for Children Act an important provision to advance pediatric cancer research and development.

With today's bill, we have an opportunity to truly make a difference for our families, our friends, our neighbors, and the millions of Americans living with a deadly disease. Let's get this done.

Mr. PALLONE. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. Mr. Speaker, I thank the chairman of our committee, our ranking member, Dr. BURGESS, and Mr. GREEN.

Facilitating the approval of these drugs, having the FDA work in a safe and constructive way, and having a quicker turnaround time is all really good. It is really important. I thank them for their leadership. This is something that had to be done. It is going to benefit everyone.

I want to talk about another issue that we didn't address but we did debate, and that is the high cost of prescription drugs.

In this legislation, on the one hand, we are accommodating a reasonable request by the pharmaceutical industry for a fast and efficient approval process; but on the other hand, we are denying any relief to consumers who are getting absolutely hammered day in and day out with unjustified price increases because of the pricing power of the pharmaceutical industry.

Yes, they do do good things, life-extending and pain-relieving drugs, but that doesn't justify grinding consumers into the dust who can't afford the cost of these prescriptions, where it is just within reach that they can provide relief to their family.

We know how much pharmaceutical prices have been going up. It is hurting our employers, who are working hard to provide good healthcare to their employees. It is hurting taxpayers.

But every single one of us has met a constituent like a mom who is struggling with this choice of trying to afford something she can't afford or risk a loss she would never endure. I am talking about the EpiPen; $600 to get an EpiPen here in the United States.

Mylan makes that. They are a Netherlands-based company now. They moved over there for tax reasons. In the Netherlands, you can get it for $100. This isn't justified. The chairman, the ranking member, and I know this.

When ELIJAH CUMMINGS and I met with President Trump, he knows it. He talked about the rip-off pricing. He talked about the possibility of importation of safe drugs from Canada as a way of getting some price pressure on these companies.

We have got the committee that can address this. I would like us to do that.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. BUCSHON).

Mr. BUCSHON. Mr. Speaker, the FDA Reauthorization Act we are considering today provides the FDA the resources it needs to ensure innovative and lifesaving drugs and medical devices are brought to the market in a safe and expedient manner, while providing transparency and certainty to manufacturers.

Further, the device inspection and regulatory improvements title reflects language I introduced with Representatives BROOKS, PETERS, and BUTTERFIELD, which sets forth a risk-based approach to medical device establishment inspections and improves predictability for scheduled inspections, among other provisions.

Mr. Speaker, I urge my colleagues to support this legislation. I look forward to moving it through Congress and sending it to the President's desk.

Mr. PALLONE. Mr. Speaker, I yield 1 minute to the gentleman from Oregon (Mr. SCHRADER).

Mr. SCHRADER. Mr. Speaker, I rise in strong support of the FDA Reauthorization Act, FDARA as it is called.

It could not be more evident that the time has come for Congress to reckon with the growing problem of exorbitant drug prices. Every few months sees the headlines about another extreme price hike, as was just mentioned. Some unscrupulous pharmaceutical CEO buys the rights to produce drugs that have been on the market for decades, usually where there are no competitors, then, seemingly overnight, they raise the price astronomically.

In the case of Daraprim, a drug that is used by some transplant patients and people living with AIDS, the price went from $13.50 per pill to $750. That is outrageous, a price increase of 5,000 percent. For this drug and many others, the drugs have been off patent for ages and there is no generic competitor on the market.

Competition from generic drugs saves patients and the government billions of dollars on a weekly basis. Unfortunately, generic drug manufacturers who want to bring these markets to competition face a long approval process, steep costs, and uncertainty. This FDA act reckons with that.

It is time for Congress to act, also, on those unscrupulous providers. GUS BILIRAKIS and I introduced a bill providing competition to drive down those costs. We provide new incentives for generic drugs to come to market and reform the process.

I am in support of the bill.

Mr. WALDEN. Mr. Speaker, I want to commend my colleague from Oregon for his good work on this part of the bill.

Mr. Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. MULLIN).

Mr. MULLIN. Mr. Speaker, this spring in my district in Oklahoma, the McAlpin family of Tahlequah lost their 2-year-old son, Kai, to pediatric cancer. Kai's parents refer to Kai as Warrior Kai because he fought cancer every day with courage and dedication like a true warrior. Included in H.R. 2430 today is the RACE for Children Act, which aims to create new and better pediatric treatment options for warriors like Kai.

Currently, there are over 900 drugs in development to treat cancer in adults, while only a handful of drugs are being developed to fight cancer in children. Clearly, those statistics show that the law has not kept up with scientific innovation.

RACE can help deliver lifesaving treatments for pediatric cancer patients by updating the Pediatric Research Act. This bill requires all drug manufacturers to test a new drug in a pediatric population before applying it to children during cancer treatment. RACE for Children puts safety first and ensures that researchers use scientific evidence when declaring effectiveness of a drug before providing it to patients.

I am glad to see the RACE for Children Act included today, and I thank Chairman MCCAUL and Congressman BUTTERFIELD for their work on the bill. The fight of Warrior Kai continues with us.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentleman from Massachusetts (Mr. KENNEDY).

Mr. KENNEDY. Mr. Speaker, I thank Chairman WALDEN, Ranking Member PALLONE, Ranking Member GREEN, and Subcommittee Chairman BURGESS for their leadership in uniting our colleagues across the aisle on a bill that supports patients and the life sciences industry. This user fee bill is a testament to what can be achieved when we debate policies in the open and confront challenges together.

I would also like to specifically focus on one piece of the legislation, the Over-the-Counter Hearing Aid Act of 2017. A few weeks ago, a friend of mine wrote to me and shared her story of hearing loss. A 34-year-old lawyer, it nearly derailed her career by leaving her unable to argue cases in the courtroom. She continued by outlining the often overlooked side effects brought about by hearing loss—isolation, anxiety, depression, and memory loss—all compounded by prohibitive costs for hearing aids that aren't covered by Medicare or most private insurers. Faced with prices upwards of $5,000, many Americans are denied the relief and the treatment that they deserve.

With this bipartisan bill, we will not only spark innovation and competition, we will help our constituents in their communities, offices, factory floors, and even their own homes. I hope my colleagues will support this bill.

I want to thank Representative BLACKBURN for her tireless work in getting it across the finish line as well.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I rise today in strong support of the FDA Reauthorization Act, and I want to thank Chairman WALDEN and the other bipartisan leadership on the committee for bringing this bipartisan bill to the floor today.

As science and technology advances at a rapid rate, the potential for breakthroughs to treat and cure some of the worst diseases are truly within our reach; yet all too often, our laws and regulations are stuck in the past. That is why reauthorizing the Food and Drug Administration's user fee programs is so important.

This bipartisan bill builds off the important work we accomplished through the 21st Century Cures Act. It will help speed up the approval process for lifesaving drugs, foster greater competition, and bring down costs for patients. It will also help ensure America remains on the forefront of medical innovation and that good-paying jobs in the medical device industry remain here at home.

I urge my colleagues to support this bipartisan bill, and together we can offer a healthier future for our patients.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentleman from California (Mr. CÁRDENAS).

Mr. CÁRDENAS. Mr. Speaker, I rise today to speak in support of H.R. 2430, the FDA Reauthorization Act.

I also would like to thank the chairman and ranking member of the Energy and Commerce Committee for working so hard to get this important bill on the floor here today.

This reauthorization bill provides the FDA with the resources to complete an important and difficult job: ensuring timely and efficient drug review processes while maintaining rigorous scientific and safety standards to maintain the safety, efficacy, and security of drugs, biological products, medical devices, and therapies that Americans have access to today and tomorrow.

I am lucky to have been born and raised in this great country where we have access to the latest innovation in the life sciences sector. I wish my parents had been raised right here in this great, wonderful country so they may still be here today, so that they could enjoy time with their grandchildren if I have been so blessed to do so myself.

The FDA is seen as the gold standard around the world, and this bill keeps us right there, right at the top.

I am encouraged to see my colleagues working together to ensure that the FDA is able to continue to fulfill this responsibility, and I look forward to continue working to have this reauthorization passed out of Congress.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. COSTELLO), who is from the Philadelphia suburbs and is an important member of our committee.

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of the FDA Reauthorization Act, which is very important to our country and to Pennsylvania's Sixth Congressional District.

Many communities in my district are at the forefront of innovation in the life sciences industry, and this legislation will make sure our businesses remain competitive and on pace with public health needs.

This bill is critical to allowing us to continue our bipartisan work to reduce drug costs, to advance therapies that can save lives, and to develop safe and innovative treatments for patients and their families.

Finally, Mr. Speaker, it is important the public is aware that this is a bipartisan bill. There are some things that perhaps some Republicans would have liked to have seen in this bill that

didn't make their way in, and there are some things that perhaps some Democrats would have liked to have seen make their way into this bill that didn't. We found consensus and we worked together. It was a unanimous vote out of the Energy and Commerce Committee. I am proud to stand behind that, and this is a good day for America.

Mr. PALLONE. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Michigan (Mrs. DINGELL).

Mrs. DINGELL. Mr. Speaker, I rise in strong support of H.R. 2430, the FDA Reauthorization Act of 2017.

We all have loved ones, friends, and neighbors who are suffering from life-threatening diseases and illnesses and who want hope that that next generation treatment or therapy will still be available to them.

It is our shared responsibility to support the FDA as well as countless researchers and patient advocates across the country who are working to bring new cures to market. This critical, bipartisan legislation helps us achieve that important goal by reauthorizing user fee programs at FDA for 5 years.

I want to thank Chairman WALDEN, Ranking Member PALLONE, Chairman BURGESS, and Ranking Member GREEN for continuing the longstanding tradition on the Energy and Commerce Committee of advancing this legislation in a bipartisan manner. Our work together on this bill should be a model for how we can cooperate on other issues in the future, and it is good that we are passing this bill on the House floor well in advance of the September 30 deadline.

I also want to thank the committee for including provisions that I worked on with Mr. LANCE, Dr. BURGESS, and Mr. GREEN to enhance penalties for counterfeit and diverted drugs, and for including Mr. KENNEDY's over-the-counter hearing aid bill, which will go a long way to providing real relief to the 30 million Americans who suffer from hearing loss.

Hearing loss is a quality-of-life issue, plain and simple, and passage of today's legislation will help many receive the treatment that they need in a quick manner, while also ensuring safety.

It is a good bill that deserves our support.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Georgia (Mr. CARTER), who is the resident pharmacist on the committee.

Mr. CARTER of Georgia. Mr. Speaker, I rise today to speak in support of H.R. 2430, the FDA Reauthorization Act, because of its importance to our healthcare system and the millions of people who depend on it. The FDA Reauthorization Act is essential as we seek reforms to the way we develop new drugs and therapies and the ways in which we are able to get those to market.

Under this legislation, we are streamlining the approval process to maintain the provisions that make our market, while making changes to ensure new therapies aren't unnecessarily held up.

□ 1415

We have set benchmarks for reviews to ensure that the drug approval process is moving along and doesn't get bogged down by bureaucratic red tape. And most importantly, we are providing patients with a chance to pursue new and innovative drugs that can really make a difference in their life.

We have seen progress in the approval of rare disease drugs, helping millions who suffer from diseases that often have no treatment. With this bill, we can provide them with new opportunities.

Additionally, we will be able to see more generics entering the market, increasing competition and driving down costs for consumers.

I applaud Chairman WALDEN, Chairman BURGESS, and all of my colleagues on the committee for helping to get this essential legislation to the finish line.

Mr. WALDEN. Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. MCCAUL), chairman of the Homeland Security Committee and one of the authors of a portion of this bill that is really important for kids.

Mr. MCCAUL. Mr. Speaker, I thank Chairman WALDEN for including my bill, the Research to Accelerate Cures and Equity, or RACE, for Children Act, in this FDA reauthorization. I introduced the bill with my colleague, Mr. BUTTERFIELD, to strengthen the FDA's ability to require pediatric studies of cancer drugs during development.

Despite current programs in place to require similar studies, they have never been undertaken for cancer drugs. This bill will require a study into any cancer drug that uses ''molecular targeting,'' which attacks specific cancer cells rather than the part of the body where the cancer resides. By requiring these studies, doctors can determine whether a drug is safe and effective in children and, ultimately, provide accurate labeling for pediatric use.

I founded the Childhood Cancer Caucus when I first entered Congress to give a voice to the 15,000 children diagnosed with cancer every year and the hundreds of thousands of survivors who face a lifetime of medical challenges. Passing this bill will provide these children access to the treatments they deserve.

I thank all those involved for their tireless work in bringing this bill to the House floor. As my good friend, little Sadie Keller, who is battling leukemia as I speak, once said: ''Together, we can make a difference.''

To Sadie and all the children who are in the fight of their lives, I want you to know that today we are making a difference.

Mr. WALDEN. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. BIGGS), a passionate advocate for those who really need access to medications at the end stage of their lives.

Mr. BIGGS. Mr. Speaker, I thank the chairman for bringing this bill forward and also for granting me time to speak on an issue that I am passionate about, which is Right to Try.

I support the underlying bill and hope that we have a chance, soon, to consider the Right to Try bill, which has been worked on by myself, Senator JOHNSON, and Representative FITZPATRICK.

As many know, Right to Try would allow terminally ill patients who have no other options left to receive drugs that have passed the Food and Drug Administration's basic safety testing but which have not been fully approved.

In 2014, my home State of Arizona passed a similar Right to Try law with nearly 80 percent of the vote, due in large part to the heroic efforts of my late friend, Laura Knaperek, who was battling incurable cancer at the time.

Today, nearly 40 States have enacted Right to Try legislation. This is a bipartisan cause and one that has received strong support from the White House. I look forward to continuing to work with the chairman to find a path forward for Right to Try.

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

Mr. Speaker, as I said before, I am very proud of the fact that this bill is bipartisan, continuing a tradition of dealing with these FDA user fee and authorization bills on a bipartisan basis.

We worked long and hard to get this accomplished in a timely fashion, in particular, so that the personnel at the FDA are not threatened in any way. I am very hopeful that this will pass today, go over to the Senate and also pass there quickly, and be signed by the President soon.

Mr. Speaker, I urge all Members to support the bill, and I yield back the balance of my time.

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

Mr. Speaker, I encourage my colleagues to support this legislation. As I have said, it is a bipartisan bill. I think even more importantly than that, Mr. Speaker, this legislation will save lives. It will bring about quicker cures for those who need new medicines and medical devices.

This is the finest work that we can do in this body, working with those scientists and innovators in helping develop a system where they can get approvals and get new medicines to market that are safe and that will save lives. We are doing that today.

I want to thank the staff, who have been incredibly important in this effort and my colleagues on both sides of the aisle who worked together. We didn't get everything everybody wanted in this bill, but we got a bill that passed unanimously out of our committee and that I believe the Senate will take up

and adopt, as well, and we can move forward in such a positive direction for people that you heard about today from my colleagues.

Lives that are on the line can be saved by innovation. The quicker we get that innovation to the market, the more we can reduce costs and save lives.

Mr. Speaker, I call on my colleagues to support passage of this very important lifesaving legislation, and I yield back the balance of my time.

Ms. ESHOO. Mr. Speaker, I rise today in support of H.R. 2430, the FDA Reauthorization Act of 2017 to reauthorize four important user fee programs: the Prescription Drug User Fee Act, the Medical Device User Fee Act, the Generic Drug User Fee Act, and the Biosimilar User Fee Act. These critically important laws have improved patient access to important therapies and expedited the FDA's approval times while upholding the most rigorous standards for patient safety.

The Prescription Drug User Fee Act (PDUFA) was enacted in 1992 when drug review times were lagging and FDA simply couldn't keep up with the flood of new drug applications. Through user fees paid by applicants, PDUFA gave FDA the resources it needed to hire and support more staff. The program has been successful in reducing review-time backlogs and expediting safe and effective therapies to patients.

My legislation created the Medical Device User Fee Act (MDUFA), which was enacted in 2002 and has resulted in significant changes to the medical device industry and within the medical device center at the FDA. Through this user fee program, the device center has improved its efficiency and reduced the time it takes to bring effective medical devices to market. This legislation builds on the progress made in previous user fee agreements and will produce important developments for the medical device industry.

The Generic Drug User Fee Agreement (GDUFA) was enacted in 2012 and takes important steps to bring lower-priced drugs to the market more quickly for the American people. Finally, the Biosimilar User Fee Agreement (BsUFA), which was first enacted in 2012 through legislation I authored, is critical to supporting the nascent biosimilar industry and will lead to meaningful progress, breakthroughs and cures for the American people.

Previous user fee reauthorizations have included significant gains for pediatric populations. Before the Better Pharmaceuticals for Children Act (BPCA) and the Pediatric Research Equity Act (PREA), which I authored, the vast majority of drugs (more than 80 percent) used in children were used off-label, without data for their safety and efficacy. Today, that number has been reduced to 50 percent because of my legislation. Both programs were permanently reauthorized in 2012, and while this agreement includes important changes to BPCA and PREA, there remains a need for more meaningful improvements. This legislation lays important groundwork and provides the foundation for future progress.

Finally, I urge my colleagues in the Senate to take up this legislation swiftly. It's imperative that both houses of Congress pass this legislation and send it to the President in a timely manner for him to sign into law in order to provide essential resources to the FDA so they can continue to do their critical work.

Ms. MATSUI. Mr. Speaker, I rise today in support of H.R. 2430, the FDA user fee reauthorization bill that I worked on with my colleagues on the Energy & Commerce Committee.

Without Congress' swift action to reauthorize this bill, the FDA would not be able to conduct its critical work ensuring that our nation's drugs and devices are safe and effective.

Patients and families across the country battling diseases like Alzheimer's, cancer, multiple sclerosis (MS), and diabetes, rely on innovation to provide new life-saving and life-enhancing treatments and hopefully one day, cures. Without the FDA, we would not be able to ensure that those treatments and cures work and that they're safe.

To quote Dr. Jeff Allen of the Friends of Cancer Research, "for the people who currently depend on safe and effective medicines . . . for those who are holding strong for breakthroughs to come . . . and for every future patient . . . there isn't time to waste."

I urge my colleagues to support the passage of this bill.

Mrs. MIMI WALTERS of California. Mr. Speaker, I am pleased that the House is considering H.R. 2430, the FDA Reauthorization Act of 2017. I note that H.R. 2430 would provide the U.S. Food and Drug Administration (FDA) with new statutory authority to require the sponsor of an orphan-designated drug, which has certain similarities to an already approved drug, to demonstrate "clinical superiority" compared to the already approved drug as a condition of receiving seven years of market exclusivity.

This authority will limit the number of drugs that are automatically entitled to seven years of exclusivity, while maintaining incentives for the development of innovative treatments for rare diseases.

I also note that the bill would improve transparency of the FDA's execution of the Orphan Drug Act. Specifically, the bill directs the FDA to notify a sponsor in writing of any clinical superiority rationale on which the FDA relied in designating the sponsor's drug as an orphan drug. Further, it would require the FDA to publish its clinical superiority findings summaries for all drugs granted exclusivity based on a demonstration of clinical superiority.

I urge my colleagues to support the FDA Reauthorization Act of 2017.

The SPEAKER pro tempore (Mr. MURPHY of Pennsylvania). The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 2430, as amended.

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

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

Ordering the previous question on House Resolution 431;

Adopting House Resolution 431, if ordered; and

Suspending the rules and passing H.R. 1492.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 2810, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018, AND PROVIDING FOR CONSIDERATION OF H.R. 23, GAINING RESPONSIBILITY ON WATER ACT OF 2017

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 431) providing for consideration of the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, and providing for consideration of the bill (H.R. 23) to provide drought relief in the State of California, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 234, nays 183, not voting 16, as follows:

[Roll No. 347]

YEAS—234

Abraham	Cramer	Harper
Aderholt	Crawford	Harris
Allen	Culberson	Hartzler
Amash	Curbelo (FL)	Hensarling
Amodei	Davidson	Herrera Beutler
Arrington	Davis, Rodney	Hice, Jody B.
Babin	Denham	Higgins (LA)
Bacon	Dent	Hill
Banks (IN)	DeSantis	Holding
Barletta	DesJarlais	Hollingsworth
Barton	Diaz-Balart	Hudson
Bergman	Donovan	Huizenga
Biggs	Duffy	Hultgren
Bilirakis	Duncan (SC)	Hunter
Bishop (MI)	Duncan (TN)	Hurd
Bishop (UT)	Dunn	Issa
Black	Emmer	Jenkins (KS)
Blackburn	Estes (KS)	Jenkins (WV)
Blum	Farenthold	Johnson (LA)
Bost	Faso	Johnson (OH)
Brady (TX)	Ferguson	Jones
Brat	Fitzpatrick	Jordan
Bridenstine	Fleischmann	Joyce (OH)
Brooks (AL)	Flores	Katko
Brooks (IN)	Fortenberry	Kelly (MS)
Buchanan	Foxx	Kelly (PA)
Buck	Franks (AZ)	King (IA)
Budd	Frelinghuysen	King (NY)
Burgess	Gaetz	Kinzinger
Byrne	Gallagher	Knight
Calvert	Garrett	Kustoff (TN)
Carter (GA)	Gianforte	Labrador
Carter (TX)	Gibbs	LaHood
Chabot	Gohmert	LaMalfa
Cheney	Goodlatte	Lamborn
Coffman	Gosar	Lance
Cole	Gowdy	Latta
Collins (GA)	Granger	Lewis (MN)
Collins (NY)	Graves (GA)	LoBiondo
Comer	Graves (LA)	Long
Comstock	Graves (MO)	Loudermilk
Conaway	Griffith	Love
Cook	Grothman	Lucas
Costello (PA)	Handel	Luetkemeyer

MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—183

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—16

Barr
Bucshon
Costa
Crowley
Cummings
Guthrie
Johnson, Sam
Khanna
Lieu, Ted
Napolitano
Pelosi
Scalise
Schiff
Shea-Porter
Sires
Torres

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1444

Messrs. LOEBSACK and DAVID SCOTT of Georgia changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated against:

Mr. SCHIFF. Mr. Speaker, I was unavoidably detained. Had I been present, I would have voted "nay" on rollcall No. 347.

The SPEAKER pro tempore. The question is on the resolution.

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

RECORDED VOTE

Mr. HASTINGS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 187, not voting 14, as follows:

[Roll No. 348]

AYES—232

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Cheney
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Davis, Rodney
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Handel
Harper
Harris
Hartzler
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Jones
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOES—187

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Courtney
Crist
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gohmert
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly (IL)
Kennedy
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOT VOTING—14

Barletta
Barr
Costa
Crowley
Cummings
Guthrie
Hensarling
Johnson, Sam
Khanna
Lieu, Ted
Napolitano
Pelosi
Scalise
Shea-Porter

□ 1452

Mr. LOEBSACK changed his vote from ''aye'' to ''no.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY COMMITTEE ON RULES REGARDING AMENDMENT PROCESS FOR H.R. 806, OZONE STANDARDS IMPLEMENTATION ACT OF 2017, AND H.R. 2997, 21ST CENTURY AVIATION INNOVATION, REFORM, AND REAUTHORIZATION ACT

Mr. SESSIONS. Mr. Speaker, this morning the Rules Committee issued announcements outlining the amendment processes for two measures that will likely be before the Rules Committee next week.

An amendment deadline has been set for Monday, July 17, at 10 a.m., for H.R. 806, the Ozone Standards Implementation Act of 2017; and Monday, July 17, at noon, for H.R. 2997, the 21st Century AIRR Act.

The text of these measures is presently available on the Rules Committee website.

Feel free to contact me or my staff if we may provide any additional information.

MEDICAL CONTROLLED SUBSTANCES TRANSPORTATION ACT OF 2017

The SPEAKER pro tempore. Without objection, 5-minute will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1492) to amend the Controlled Substances Act to direct the Attorney General to register practitioners to transport controlled substances to States in which the practitioner is not registered under the Act for the purpose of administering the substances (under applicable State law) at locations other than principal places of business or professional practice, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 2, not voting 15, as follows:

[Roll No. 349]

YEAS—416

Abraham
Adams
Aderholt
Aguilar
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barragán
Barton
Bass
Beatty
Bera
Bergman
Beyer
Biggs
Bilirakis
Bishop (GA)
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Brown (MD)
Brownley (CA)
Buchanan
Buck
Bucshon
Budd
Burgess
Bustos
Butterfield
Byrne
Calvert
Capuano
Carbajal
Cárdenas
Carson (IN)
Carter (GA)
Carter (TX)
Cartwright
Castor (FL)
Castro (TX)
Chabot
Cheney
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Coffman
Cohen
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Connolly
Conyers
Cook
Cooper
Correa
Costello (PA)
Courtney
Cramer
Crawford
Crist
Cuellar
Culberson
Curbelo (FL)
Davis (CA)
Davis, Danny
Davis, Rodney
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Denham
Dent
DeSantis
DeSaulnier
DesJarlais
Deutch
Diaz-Balart
Dingell
Doggett
Donovan
Doyle, Michael F.
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Ellison
Emmer
Engel
Eshoo
Espaillat
Estes (KS)
Esty (CT)
Evans
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foster
Foxx
Frankel (FL)
Franks (AZ)
Frelinghuysen
Fudge
Gabbard
Gaetz
Gallagher
Gallego
Garamendi
Garrett
Gianforte
Gibbs
Gomez
Gonzalez (TX)
Goodlatte
Gosar
Gottheimer
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Green, Al
Green, Gene
Griffith
Grijalva
Grothman
Hanabusa
Handel
Harper
Harris
Hartzler
Hastings
Heck
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Higgins (NY)
Hill
Himes
Holding
Hollingsworth
Hoyer
Hudson
Huffman
Huizenga
Hultgren
Hunter
Hurd
Issa
Jackson Lee
Jayapal
Jeffries
Jenkins (KS)
Jenkins (WV)
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson, E. B.
Jones
Jordan
Joyce (OH)
Kaptur
Katko
Keating
Kelly (IL)
Kelly (MS)
Kelly (PA)
Kennedy
Kihuen
Kildee
Kilmer
Kind
King (IA)
King (NY)
Kinzinger
Knight
Krishnamoorthi
Kuster (NH)
Kustoff (TN)
Labrador
LaMalfa
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latta
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lewis (MN)
Lipinski
LoBiondo
Loebsack
Lofgren
Long
Loudermilk
Love
Lowenthal
Lowey
Lucas
Luetkemeyer
Lujan Grisham, M.
Luján, Ben Ray
Lynch
MacArthur
Maloney, Carolyn B.
Maloney, Sean
Marchant
Marino
Marshall
Mast
Matsui
McCarthy
McCaul
McClintock
McCollum
McEachin
McGovern
McHenry
McKinley
McMorris Rodgers
McNerney
McSally
Meadows
Meehan
Meeks
Meng
Messer
Mitchell
Moolenaar
Mooney (WV)
Moore
Moulton
Mullin
Murphy (FL)
Murphy (PA)
Nadler
Neal
Newhouse
Noem
Nolan
Norcross
Norman
Nunes
O'Halleran
O'Rourke
Olson
Palazzo
Pallone
Palmer
Panetta
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Perry
Peters
Peterson
Pingree
Pittenger
Pocan
Poe (TX)
Poliquin
Polis
Posey
Price (NC)
Quigley
Raskin
Ratcliffe
Reichert
Renacci
Rice (NY)
Rice (SC)
Richmond
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Rosen
Roskam
Ross
Rothfus
Rouzer
Roybal-Allard
Royce (CA)
Ruiz
Ruppersberger
Rush
Russell
Rutherford
Ryan (OH)
Sánchez
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell (AL)
Sherman
Shimkus
Shuster
Simpson
Sinema
Sires
Slaughter
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Smucker
Soto
Speier
Stefanik
Stewart
Stivers
Suozzi
Swalwell (CA)
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Titus
Tonko
Torres
Trott
Tsongas
Turner
Upton
Valadao
Vargas
Veasey
Vela
Velázquez
Visclosky
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Williams
Wilson (FL)
Wilson (SC)
Wittman
Womack
Woodall
Yarmuth
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NAYS—2

Gohmert
Massie

NOT VOTING—15

Barr
Costa
Crowley
Cummings
Davidson
Guthrie
Gutiérrez
Johnson, Sam
Khanna
LaHood
Lieu, Ted
Napolitano
Reed
Scalise
Shea-Porter

□ 1506

So (two-thirds being in the affirmative), the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 347, No. 348, and No. 349 due to my spouse's health situation in California. Had I been present, I would have voted ''nay'' on the Motion on Ordering the Previous Question on the Rule providing for consideration of both H.R. 23 and H.R. 2810. I would have also voted ''nay'' on H. Res. 431—Rule providing for consideration of both H.R. 23—Gaining Responsibility on Water Act of 2017 and H.R. 2810—National Defense Authorization Act for Fiscal Year 2018. I would have also voted ''yea'' on H.R. 1492—Medical Controlled Substances Transportation Act of 2017.

PERSONAL EXPLANATION

Mr. CROWLEY. Mr. Speaker, on July 12, 2017, due to a family commitment I was absent for recorded votes No. 347, No. 348, and No. 349. Had I been present, on rollcall No. 347, I would have voted ''no''; on rollcall No. 348, I would have voted ''no''; and on rollcall No. 349, I would have voted ''yes.''

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 additional motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the votes incur objection under clause 6 of rule XX.

Any record votes on the postponed questions will be taken later.

ENHANCING DETECTION OF HUMAN TRAFFICKING ACT

Mr. WALBERG. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2664) to direct the Secretary of Labor to train certain Department of Labor personnel how to effectively detect and assist law enforcement in preventing human trafficking during the course of their primary roles and responsibilities, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2664

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 ''Enhancing Detection of Human Trafficking Act''.

SEC. 2. DEFINITION OF HUMAN TRAFFICKING.

In this Act the term ''human trafficking'' means an act or practice described in paragraph (9) or (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).

SEC. 3. TRAINING FOR DEPARTMENT PERSONNEL TO IDENTIFY HUMAN TRAFFICKING.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Labor shall implement a program to—

(1) train and periodically retrain relevant personnel across the Department of Labor that the Secretary considers appropriate, how to effectively detect and assist law enforcement in preventing human trafficking during the course of their primary roles and responsibilities; and

(2) ensure that such personnel regularly receive current information on matters related to the detection of human trafficking, including information that becomes available outside of the Department's initial or periodic retraining schedule, to the extent relevant to their official duties and consistent with applicable information and privacy laws.

(b) TRAINING DESCRIBED.—The training referred to in subsection (a) may be conducted through in-class or virtual learning capabilities, and shall include—

(1) methods for identifying suspected victims of human trafficking and, where appropriate, perpetrators of human trafficking;

(2) training that is most appropriate for a particular location or environment in which the personnel receiving such training perform their official duties;

(3) other topics determined by the Secretary to be appropriate reflecting current trends and best practices for personnel in their particular location or professional environment;

(4) a clear course of action for referring potential cases of human trafficking to the Department of Justice and other appropriate authorities; and

(5) a post-training evaluation for personnel receiving the training.

SEC. 4. REPORT TO CONGRESS.

Not later than 1 year after the date of the enactment of this Act, and each year thereafter, the Secretary of Labor shall report to the appropriate congressional committees on the training provided to the personnel referred to in section 3(a), including—

(1) an evaluation of such training and the overall effectiveness of the program required by this Act;

(2) the number of cases referred by Department of Labor personnel in which human trafficking was suspected and the metrics used by the Department to accurately measure and track its response to instances of suspected human trafficking; and

(3) the number of Department of Labor employees who have completed such training as required by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. WALBERG) and the gentleman from the Northern Mariana Islands (Mr. SABLAN) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

GENERAL LEAVE

Mr. WALBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 2664.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

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

Mr. Speaker, I rise today in support of H.R. 2664, the Enhancing Detection of Human Trafficking Act.

Labor trafficking is the illegal exploitation of an individual for commercial gain. It knows no geological limits. It happens across our country and around the globe, including in my home State of Michigan.

Victims of labor trafficking are not a uniform group of people. Victims are young children, teenagers, men, and women.

In my home State of Michigan, the National Human Trafficking Hotline reported over 38 cases in 2016 involving labor trafficking. This is a 52 percent increase in the number of reported cases since 2015.

Globally, the International Labor Organization estimates there are 21 million people trapped in forced labor.

The growing number of human trafficking cases is alarming and more needs to be done to identify victims, catch traffickers, and end this form of modern-day slavery.

In the course of inspecting workplace safety and labor law compliance within the United States, Department of Labor employees often have a front line to view and to identify patterns of labor exploitation. Providing these employees with the proper training to detect and respond to the signs of human trafficking is an important part of the larger comprehensive effort to eradicate this unthinkable crime.

The Enhancing Detection of Human Trafficking Act would ensure the Department has a formal framework in place to detect trafficking and refer cases to law enforcement for prosecution.

Specifically, H.R. 2664 would:

Direct the Department of Labor to train appropriate staff on how to effectively detect instances of human trafficking;

Ensure personnel regularly receive information on current trends and best practices;

Allow flexible training options, including in-class and virtual learning options;

Establish a clear course of action for referring suspected instances of human trafficking to law enforcement; and

Require an evaluation and report to Congress on the implementation of the training and the metrics used to measure and track the agency's response to human trafficking.

Mr. Speaker, one of the biggest obstacles we face in the fight against human trafficking is awareness. H.R. 2664 will ensure Department of Labor employees have the right training so that they recognize and effectively respond to this modern-day slavery.

I also thank Ranking Member SABLAN for his bipartisan support and work on this issue.

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

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

Mr. Speaker, I rise today in support of H.R. 2664, a bill to assist the United States Department of Labor in identifying and preventing cases of human trafficking.

I thank Chairman WALBERG for his leadership on this issue and for introducing this legislation of which I am an original cosponsor. As chair and ranking member of the Subcommittee on Health, Employment, Labor, and Pensions of the Education and the Workforce Committee, Mr. WALBERG and I have found common ground on a number of important issues facing the American people, and human trafficking is one of them.

We may think that human trafficking is something that occurs in far-off countries. And, yes, according to the International Labor Organization, there are 21 million men, women, and children around the world who are currently subjected to forced labor. Unfortunately, however, the injustice of human trafficking happens right here at home in the United States as well.

Polaris, a nonprofit that operates the National Human Trafficking Resource Center hotline here in the United States received reports of over 8,000 cases of human trafficking in our country last year, an increase of 35 percent over the year before.

I have seen cases of this terrible scourge firsthand in my own district, the Northern Mariana Islands. A number of construction companies lured foreign workers to come to the Marianas with false promises and misrepresentations about pay and conditions.

The companies then withheld the employees' wages and confiscated their passports. The workers were subjected to horrible working conditions, crowded unsanitary barracks with barely enough food and water. They were forced to work in unsafe conditions, suffering serious injuries without access to adequate medical care. There was even a workplace fatality.

To their credit, the Department of Labor's OSHA and Wage and Hour divisions have worked to address these injustices, issuing fines and citations, recovering back wages. But we need to identify human traffickers and prevent cases like this before they happen.

That is the purpose of our bill, the Enhancing Detection of Human Trafficking Act. H.R. 2664 directs the Department of Labor to train appropriate Department staff on how to detect human trafficking, and ensure that these staff people get regular updates on how traffickers are adjusting to avoid detection.

□ 1515

Our bill establishes training for a clear course of action for referring cases of suspected human trafficking to the Department of Justice and other appropriate authorities so these offenders are prosecuted.

And the bill requires the Department to report back to Congress within a year on the progress that is being made because Congress needs to do more than simply enact programs with lofty goals. We also need to build in mechanisms to tell us whether our programs are working as intended.

Mr. Speaker, the Enhancing Detection of Human Trafficking Act will, I believe, give the Department of Labor the tools and resources it needs to combat human trafficking. I ask my colleagues to vote ''yes'' on this bill.

I would like to also thank the leadership of the House, especially Chairwoman VIRGINIA FOXX and Ranking Member BOBBY SCOTT of the Education and the Workforce Committee, for moving this bill to the floor. And again, I thank my friend, Chairman WALBERG, for his leadership in this important area of public policy.

I reserve the balance of my time.

Mr. WALBERG. Mr. Speaker, I am pleased to yield 4 minutes to the gentlewoman from North Carolina (Ms. FOXX), the distinguished chairman of the Education and the Workforce Committee.

Ms. FOXX. Mr. Speaker, I thank both of my colleagues for their leadership on H.R. 2664 and bringing this important matter to the attention of the House.

I rise to express my strong support for this bill, and to commend, again, my colleagues for making a difference in the fight to end modern slavery.

Over the past few years, we have only begun to comprehend the horrors of human trafficking and how it established a foothold in this country. Thanks to the vigilance of faith-based groups, humanitarians across the globe, and the courage of survivors, we are learning more about the tactics and loopholes human traffickers exploit to prey on the most vulnerable among us.

Children are often the ones most vulnerable to exploitation. It is estimated that one in six endangered runaways are likely victims of this horrific crime. Earlier this year, with the leadership of Representatives Guthrie and Courtney, the House passed the Improving Support for Missing and Exploited Children Act.

That bipartisan legislation supports the critical efforts of the National Center for Missing & Exploited Children. It includes positive reforms to encourage new and innovative ways to recover and protect missing and exploited children, including those who are victims of trafficking. We need to do everything possible to ensure this vital work will continue, and that is what H.R. 1808 was all about.

But this is an issue that demands our ongoing attention. More solutions are needed, and that is why we are here today, to build on the bipartisan work we have already accomplished.

The Department of Labor has a unique vantage point for spotting violations in workplaces that can be telltale signs of modern slavery and labor exploitation. This bill equips DOL personnel to form partnerships with law enforcement to detect and address signs of human trafficking in America's workplaces.

Mr. Speaker, if we can shed light in any corner where this evil may lurk, we must.

Again, I commend Mr. WALBERG's leadership on this issue and Mr. SABLAN for working with him so passionately. I am proud that the Committee on Education and the Workforce could do its part to support their work and bring this bill to the floor.

I urge all Members to vote in favor of the Enhancing Detection of Human Trafficking Act.

Mr. SABLAN. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. BASS).

Ms. BASS. Mr. Speaker, I rise today in support of H.R. 2664, the Enhancing Detection of Human Trafficking Act, a bill to assist the U.S. Department of Labor in identifying and preventing cases of human trafficking.

Human trafficking is a global and domestic threat to basic human rights and humanity as we know it. However, the injustice of human trafficking is not just a global program. Human rights abuses are happening right here in the United States every day and in every region across the country.

Polaris, a nonprofit that operates the National Human Trafficking Resource Center hotline here in the U.S. received reports of over 8,000 cases of human trafficking in our country last year, an increase of 35 percent over the year before.

Government agencies must continue to work together to identify and eradicate all cases of human trafficking. We can and must do better to prevent cases of abuse before they happen. That is the purpose of this bill, the Enhancing Detection of Human Trafficking Act.

H.R. 2664 directs the Department of Labor to train appropriate Department staff on how to detect human trafficking and ensure that all personnel at the Department of Labor are provided with regular screening tools to identify and detect trafficking activity.

This bill establishes training for a clear course of action, including referring cases of suspected human trafficking to the Department of Justice and other appropriate authorities to properly investigate and prosecute offenders.

This bill also requires the Department of Labor to report back to Congress within a year on the progress that is being made by such efforts.

Mr. Speaker, the Enhancing Detection of Human Trafficking Act supports current efforts to combat human trafficking by providing the Department of Labor the tools and resources it needs to identify and properly respond to human rights abuses.

I ask my colleagues for a vote in favor of this bill.

Mr. WALBERG. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Pennsylvania (Mr. COSTELLO).

Mr. COSTELLO of Pennsylvania. Mr. Speaker, I rise today in support of H.R. 2664, the Enhancing Detection of Human Trafficking Act.

We all know human trafficking is a serious problem all over the world, but it is not a distant concept. It exists in communities all across this country. Last year, in Pennsylvania alone, there were over 150 human trafficking cases reported, and labor trafficking was the second highest type of trafficking in the Commonwealth. We should and must do all that we can to combat this disgusting activity.

This legislation before us now would help train Department of Labor inspectors to identify patterns and circumstances surrounding this abuse so that they can assist law enforcement in recognizing and stopping labor exploitation. A significant component of the fight against human trafficking is knowing where it exists, and this legislation is an important step forward.

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

Mr. WALBERG. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Speaker, I thank Chairman WALBERG for his invitation to join him on the floor today to discuss combating human trafficking and in support of the Enhancing Detection of Human Trafficking Act.

When people hear the term ''human trafficking,'' they often think of faraway places, or perhaps even movie

plots. But, unfortunately, human trafficking is a horrible 21st century problem here in the United States.

We have to do all we can to help combat the scourge of human trafficking, and this measure is a strong addition to the actions already taken here in the House, and I commend the chairman, Ranking Member SABLAN, and also the full committee chair, Ms. FOXX, and Ranking Member SCOTT for their leadership on this issue.

Making sure Department of Labor employees can identify these practices will be another tool to work against these terrible crimes. We need workforce law violation investigators to be on the lookout for patterns of human trafficking and labor exploitation, and this bill will make it happen.

Since 2007, the National Human Trafficking Hotline has received nearly 150,000 reports of trafficking here in the United States. The majority of these victims are women and children forced into heinous situations. They need our help. I urge all my colleagues to join me in supporting this measure and to continue to do all we can to combat human trafficking.

Mr. SABLAN. Mr. Speaker, I have no further speakers, and I urge all my colleagues to please support, vote ''aye'' on H.R. 2664.

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

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

Mr. Speaker, each year millions of men, women, and children are trafficked around the world, including in the United States. It is important that we combat this epidemic.

The Enhancing Detection of Human Trafficking Act is truly a bipartisan bill that will ensure that those who are in the field have knowledge, skills, and tools that they need to identify instances of human trafficking, assist victims, and properly refer cases so perpetrators can be brought to justice.

I would like to reiterate my appreciation to Representative SABLAN for his support and work on this important issue. This is truly a bipartisan issue. It is an American issue. It is a human issue.

I urge my colleagues to vote in favor of H.R. 2664, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. WALBERG) that the House suspend the rules and pass the bill, H.R. 2664.

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.

EMPOWERING LAW ENFORCEMENT TO FIGHT SEX TRAFFICKING DEMAND ACT

Mr. GOODLATTE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2480) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include an additional permissible use of amounts provided as grants under the Byrne JAG program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2480

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 ''Empowering Law Enforcement to Fight Sex Trafficking Demand Act''.

SEC. 2. ADDITIONAL AUTHORIZED USE OF BYRNE JAG FUNDS.

Section 501(a)(1) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3751(a)(1)) is amended by adding at the end the following:

''(I) Programs to combat human trafficking (including programs to reduce the demand for trafficked persons).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. GOODLATTE) and the gentlewoman from Texas (Ms. JACKSON LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. GOODLATTE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on H.R. 2480, currently under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

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

Today, Mr. Speaker, we continue our battle against the scourge of human trafficking with H.R. 2480, the Empowering Law Enforcement to Fight Sex Trafficking Demand Act. This bill, introduced by our colleague, Congresswoman HARTZLER of Missouri, adds antihuman trafficking efforts as an allowable use for funds under the Byrne JAG program, the Justice Department's flagship grant program for State and local governments and law enforcement. It specifies that the JAG funds may be used for demand reduction operations.

Mr. Speaker, there is no question that the fight against human trafficking starts at the local level. It infects every community, and our local officials and law enforcement are on the front lines in this battle. They are in the best position to assess how to address this issue in their communities and how to use these taxpayer dollars.

As part of any comprehensive approach in combating trafficking, local government and law enforcement must address what many call the demand issue; that is, going after those who are buying young victims off the street and, very often, off the internet. This is simple economics applied to a horrific crime.

Human trafficking is driven by the demand for commercial sex, and this is costing victims their sense of worth and their dignity. By deterring demand, traffickers will have fewer buyers and may abandon their illegal and horrifyingly reprehensible activity.

These demand reduction operations and programs are most often carried out at the local level, and it is important to ensure local governments have the tools they need to prevent this destructive crime by deterring people from buying victims.

□ 1530

We cannot tolerate sex trafficking and must be able to act swiftly to combat this horrific crime. H.R. 2480 ensures our communities will be able to do just that.

Mr. Speaker, I want to thank Congresswoman HARTZLER for introducing this legislation, and I urge my colleagues to support her bill.

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

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

Mr. Speaker, let me thank the chairman and ranking member of the Judiciary Committee for the work that we have done in a bipartisan manner on human trafficking, sex trafficking. Let me thank the gentlewoman, the sponsor, and the cosponsor, Mr. CLAY, for their leadership on this legislation and for recognizing that we must give direction, as Members of the United States Congress, to how grants are to be utilized. This is a very, very important initiative to be able to help our law enforcement.

Let me give you the real life of some of those who have been sex-trafficked.

The life of Esperanza: She was waiting for a cousin outside her high school in Mexico one day when a strange man drove up in a car and forced her inside with him and sped way. At that moment, Esperanza had, in effect, become a sex slave. ''He beat me; he raped me,'' she told CNN.

A few times, she tried to escape and failed to escape. The gentleman, the person, the perpetrator, the heinous man, Poncho, now 47, always tracked her down and then beat her again.

Eventually, Esperanza realized she was pregnant. Three months later, she said Poncho drove her across the Mexican/U.S. border and on to Houston, Texas, where he forced her to work in a cantina called La Costenita.

This is a story that reads inside Houston's sex trade. I am a Representative of the congressional district in Houston where we have recognized that it is one of the hot spots of the sex trade.

But I do want to acknowledge that law enforcement, a sheriff, the police chief, the mayor, the head of the city, local government, and county government have all come together, Members of Congress, faith organizations, and recognized and made a resistant stance

to stand against this sex trade. In fact, I want to applaud them for recognizing the plight of Esperanza.

I want to, with enthusiasm, support a bill that would amend the omnibus Crime Control and Safe Streets Act of 1968 to include an additional permissible use of amounts provided as grants under the Edward Byrne Memorial Justice Assistance Grant, also known as the Byrne JAG Program, to combat human trafficking, sex trafficking, including programs to reduce the demand for trafficked persons.

The legislation was introduced by Mrs. HARTZLER and joined by her colleague, Mr. CLAY. I am glad to be a cosponsor, as are members of the Judiciary Committee and others.

Sadly, sex trafficking, like labor trafficking, is a modern-day form of slavery. It is slavery. The epidemic of this abhorrent practice of sex trafficking continues.

First, sex trafficking occurs nationwide, and the data from the National Human Trafficking Hotline shows that reports of human trafficking were almost doubled, from 372 reported cases in 2012 to 670 reported cases in 2016, with sex trafficking accounting for more than 75 percent of all human trafficking.

Let me be very clear that sex trafficking is easy. It is very profitable because, unfortunately, you use the vulnerable victim over and over again.

Take Esperanza. She was waiting to go to high school. She became pregnant. You would think there would be some form of mercy, but she was forced to be used again, to be sex-trafficked again, and to find herself in a cantina in Houston, Texas, all the way from Mexico.

''I really wanted to speak up, to ask the police for help,'' Esperanza said, but she got caught up by the threats he would make against the little baby girl that she was now raising.

After waiting for this horrific nightmare to end, Esperanza eventually was rescued in a raid of that cantina that I remember very well, thanks to the bravery and steadfast approach of Houston's finest, like Agent Steven Roskey, a native Houstonian, then, believe it or not, with the Texas Alcoholic Beverage Commission that was really going after the cantina for liquor violations. But he was astute and he was law enforcement. Esperanza's prayers were answered.

And so, thankfully, although traumatized, Esperanza survived the horrors of sex trafficking, human trafficking. But not all victims are as lucky as that. Esperanza, who fell victim to human trafficking, should absolutely not be treated as a criminal for her involvement.

Mr. Speaker, I include the CNN article on Esperanza in the RECORD.

[From CNN, Aug. 12, 2016]

INSIDE HOUSTON'S SEX SLAVE TRADE

(By Thom Patterson)

(CNN) Esperanza was waiting for her cousins outside her high school in Mexico one day, when a strange man drove up in a car, forced her inside with him and sped away. At that moment, Esperanza had in effect become a sex slave.

''He beat and raped me,'' she told CNN's ''The Hunt with John Walsh.''

She said the man—who called himself Poncho—brought her to a madam who showed Esperanza how to charge clients and how to use a condom.

A few times Esperanza tried—and failed—to escape, but she said Poncho, now age 47, always tracked her down, and then beat her.

Eventually, Esperanza realized she was pregnant. Three months later, she said Poncho drove her across the Mexican-US border and on to Houston, Texas, where he forced her to work in a cantina called La Costenita.

She gave birth to a baby girl, but Poncho took the infant away as insurance that Esperanza would keep working as a sex slave and wouldn't escape.

''I really wanted to speak up, to ask the police for help,'' Esperanza said. ''But I got caught up by the threats he would make towards my daughter. I didn't want anything to happen to her.''

Esperanza—whose real name is being withheld for her protection—had become just like the more than 19,000 sex trafficking cases reported in the US since 2007, according to the National Human Trafficking Resource Center.

The site says more than 2,600 sex trafficking cases have been reported in the US this year alone, most of them in California. Texas ranks as the nation's number-two sex trafficking state, on the website.

For the uninitiated, it's hard to imagine that thousands of young people—overwhelmingly women—have been kidnapped in Mexico or elsewhere and taken against their will to the United States, where they serve as sex slaves.

''I thought human trafficking was just this crime that happens in third world countries. Until I started to look into my city,'' said Rachel Alvarez, a human trafficking case worker for the Houston YMCA.

Texas authorities first met Esperanza when they raided La Costenita in 2010.

''Her initial demeanor was just kind of stoic,'' remembered Steve Roskey, who took part in the raid when he was an agent with the Texas Alcoholic Beverage Commission. ''But then, all of a sudden, we noticed tears start running down her face. She started telling us her story: how she got here, what she was forced to do.''

When she told police that her pimp, a man named Alfonso Diaz-Juarez who also went by ''Poncho,'' was holding her daughter, authorities sprang into action.

''We knocked on Poncho's family members' houses, we knocked on his friends' houses,'' Roskey said. ''It irritated the family and friends so much that (Diaz-Juarez) eventually dropped off the child to a cousin, and at about 3 o'clock in the morning, we got a phone call. The child was safe.''

But Diaz-Juarez was nowhere to be found.

Pimps will often lure women from Mexico across the border to the US by promising them better lives, perhaps a better job, Alvarez said. These pimps may get help from people the women already know and trust, like a neighbor.

Once they're kidnapped, these women are no longer viewed as people in the eyes of their handlers. They've been reduced to a commodity that can be bought and sold repeatedly in an open market. In the United States, Houston has become one of those markets.

''People see Houston as a hub for human trafficking because of its proximity to the border,'' said FBI special agent Suzanne Bradley. ''It also has access to the I–10 highway corridor, which goes across the country, so if they're smuggling people in and trying to get them into human trafficking in other areas of the country, it's very easy to get them on that I–10 route and disperse them throughout the country.''

After the kidnapped women are brought into the US, the beatings begin as a way to keep them from trying to escape. Their captors threaten to hurt family members. Pimps use fear to keep their sex slaves in bondage.

''Poncho was one of the most violent pimps I've come across in the 11 years I've worked human trafficking,'' said Edwin Chapuseaux, a former investigator with the Harris County Sheriffs Office. ''He did a lot of brutal things, bordering into torture, to make the girls do what he wanted.''

A former sex slave we'll call ''Laura'' said Poncho knew her ''mother's name, her address, everything. He would threaten me, tell me if I talked to anyone that he would hurt my family.''

A pimp would have a lot to lose if a girl walked out the door.

''If a pimp has, let's say, four or five girls, and each one is making him, you know, $2,000, $3,000 a week, do the math, tax-free,'' said Chapuseaux. That works out to a maximum of $780,000 per year.

Laura recalls one night when she counted 70 women working. ''The usual was 30 men. We each had to tend to 30 clients a night.''

For years federal and local authorities had been gathering evidence against a huge Houston-area sex trafficking network led by Raquel Medeles Hortencia-Arguello.

The woman everyone knew as ''Tencha'' owned a brothel called Las Palmas that offered minor-aged girls to customers who would pay up to $500 an hour, according to the FBI.

Coincidentally, as a cautionary move, Tencha had distanced herself from Las Palmas by leasing it to Diaz-Juarez.

When police found out, they arrested him on a previous warrant.

Diaz-Juarez pleaded guilty in a deal with prosecutors that led to his release several months later. Poncho was back on the loose.

Authorities continued to gather evidence in the big sex trafficking case.

''We realized early on that we had potential financial crimes, money laundering involved in the case, so we got the [Internal Revenue Service] involved in it,'' said Bradley. The IRS began following the money, reviewing bank statements, locating assets.

''We did an estimate on how much she made from the room rental, entrance fee, and the condoms for the whole entire period she was operating Las Palmas and that estimated to be about $12.5 million,'' said IRS Special Agent Lucy Tan.

When it was time for police to move in and raid Las Palmas, 13 people were arrested. Diaz-Juarez wasn't among them. But Tencha was.

Twelve pleaded guilty.

Prosecutors charged Tencha with one count of conspiracy to commit sex trafficking, one count of conspiracy to harbor aliens, three counts of money laundering and one count of conspiracy to money launder.

Tencha pleaded not guilty.

When Tencha began crying in front of the judge, saying she was innocent and she had no idea what was going on, it stirred something inside the freed women who once worked for her.

They began to get angry.

One by one they decided to take the stand and testify against their former captor.

''You didn't have to speak Spanish to see how much pain they had over what had been done to them, and what they had to do,'' remembered Bradley. ''You could just see it in their face, hear it in their voice.''

Ultimately, the jury found Tencha guilty and the judge sentenced her to life in prison.

Despite the legal victory against Tencha, authorities are disturbed by the fact that Diaz-Juarez remains free.

''It's very important to get Poncho arrested and prosecuted, because he will not stop doing what he does until he is arrested and put behind bars,'' said Chapuseaux.

Laura, who still fears Poncho, admits she'll ''feel safer when he is captured. There aren't any words to describe what a terrible person he is.''

Ms. JACKSON LEE. Mr. Speaker, second, we must provide our law enforcement with the necessary tools to fight the epidemic.

I would like to thank Agent Roskey, our fervent Houston Police Chief Art Acevedo, and chiefs before him for their entire effort and collaboration. Houston law enforcement has been working diligently, but they have limited funds.

To be able to use the Byrne grants in this effective way to save one more life, to stop another little girl from detouring from high school involuntarily and then be steered off, become pregnant, and no mercy given, driven to another country to continue to be utilized, abused, victimized, beaten, I think this legislation clearly speaks to the millions of little girls and boys who are not in line but apt to be victims from all over the world coming to the United States, finding themselves in hot points, victimized, and maybe even tragically losing their life.

Mr. Speaker, I rise today to discuss H.R. 2480, the ''Empowering Law Enforcement to Fight Sex Trafficking Demand Act of 2017.''

This bill would amend the Omnibus Crime Control and Safe Streets Act of 1968 to include an additional permissible use of amounts provided as grants under the Edward Byrne Memorial Justice Assistance Grant Program, also known as the Byrne JAG Program, to combat human trafficking (including programs to reduce the demand for trafficked persons).

This legislation was introduced by Representative VICKY HARTZLER (R–MO) on May 17, 2017 and I am proud to be a Co-Sponsor in this step forward to addressing concerns about sex trafficking in our cities.

Sadly, Sex Trafficking, like labor trafficking, is a modern-day form of slavery that includes U.S. citizens, foreign nationals, women, men and children as victims equally.

The epidemic of this abhorrent practice of sex trafficking is growing, which makes the need for consideration of all measures to help law enforcement prevent these crimes from occurring even more imperative.

First, sex trafficking occurs nationwide, and data from the National Human Trafficking Hotline show that reports of human trafficking cases have almost doubled in most states, including Texas, from 372 reported cases in 2012 to 670 reported cases in 2016; with sex trafficking accounting for more than 75% of all human trafficking cases reported.

Too often, thousands of young people—overwhelmingly women—have been kidnapped around the world and taken against their will to the United States, where they serve as sex slaves and become victims of these horrendous crimes—especially children—whom are afraid to seek help from law enforcement because of the risk that they will be treated as criminals rather than the victims they undoubtedly are.

Take Esperanza for example. She was waiting for her cousins outside of her high school in Mexico one day, when a strange man drove up in a car, forced her inside with him and sped away. At that moment, Esperanza had in effect become a sex slave.

Esperanza was an innocent child when she first became a victim of sex trafficking. Her 47 year old trafficker brought her to a madam at a Cantina, who taught her how to have sex with adult men for profit, and the trafficker would beat and rape this young child whenever she tried to escape.

Eventually Esperanza became pregnant and was driven across the Mexico-U.S. border onto Houston, Texas my congressional district, where her baby was taken by her perpetrator as insurance, in order to force Esperanza into his world of sex slave trade.

Like so many children living the daily nightmare of human trafficking, Esperanza was terrified to tell anyone what was occurring. ''I really wanted to speak up, to ask the police for help,'' Esperanza said. ''But I got caught up by the threats he would make towards my daughter. I didn't want anything to happen to her.''

After waiting for this horrific nightmare to end, Esperanza eventually was rescued in a raid of the Cantina, thanks to the bravery and steadfast approach of Houston's finest, like Agent Steve Roskey, a native Houstonian, then with the Texas Alcoholic Beverage Commission in Houston.

Esperanza's prayers were answered because once she started telling Agent Roskey and the other Houston officers her story of how she got here, what she was forced to do, the identification of her trafficker and the taking of her baby, Houston's finest and Agent Roskey immediately started knocking on the perpetrator's family members' houses, knocked on his friends' houses, and after the family and friends became irritated, they eventually dropped off the child to a cousin. The child was safe.

Thankfully, although traumatized, Esperanza survived the horrors of human trafficking but not all victims are as fortunate because there are many sad stories laced in this practice, which is why these unfortunate victims, like Esperanza, who fall prey to human trafficking, should absolutely not be treated as criminals for their involvement in these sex, and labor acts.

Second, we must provide our law enforcement with the necessary tools to fight this epidemic. I would like to thank Agent Steve Roskey, our fervent Houston Police Chief, Art Acevedo, his entire department, and various other entities for all the hard work they are doing daily to combat this epidemic in sex trafficking.

Houston's law enforcement are working diligently to take our city back from the grips of those who seek to perpetuate this appalling practice of sex trafficking.

Like Houston, law enforcement everywhere are fighting mightily oftentimes, with limited funds to crush the glaring statistics reported across this country by the National Human Trafficking Hotline.

Hence we must provide them with meaningful resources to make this goal a reality, and ensure that victims are not penalized for the illegal enterprise of the traffickers that exploit them.

This is why we must empower our law enforcements everywhere, through the Byrne JAG Program, to fight the demand for sex trafficking by supporting this bill.

Finally, we understand it is already possible for state and local jurisdictions to use JAG Grant Program funding to combat human trafficking, including demand reduction, under the current purpose areas.

However, I support adding an additional purpose area for these grants that emphasizes the need to fund initiatives that target and fight human trafficking, as proposed under this bill.

H.R. 2480 will ensure that state and local law enforcement agencies have the funds needed to implement more programs to combat human trafficking such as that which occurred at the Cantina in Esperanza's case and all the trafficked victims rescued there that day.

The addition of this purpose area would allow state and local jurisdictions to target and penalize buyers who drive the demand for sex acts, human trafficking, and sexual exploitation; including the demand for sex trafficking involving children.

An example of a project that could be funded by the addition of this purpose area is training for a multi-jurisdictional task force to conduct proactive stings on buyers in an effort to combat human trafficking, like the Cantina raid in my home district in Houston.

Accordingly, I urge my colleagues to support this measure.

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

Mr. GOODLATTE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Missouri (Mrs. HARTZLER), the chief sponsor of this legislation.

Mrs. HARTZLER. Mr. Speaker, I rise today to ask for support for H.R. 2480, the Empowering Law Enforcement to Fight Sex Trafficking Demand Act.

I would like to thank Chairman GOODLATTE and Ranking Member CONYERS for their support, as well as Congresswoman KAREN BASS, Congressman STEVE CHABOT, and Congressman WILLIAM LACY CLAY from Missouri, my friend, who have all co-led this effort with me.

The Empowering Law Enforcement to Fight Sex Trafficking Demand Act expands the authority of the Edward Byrne Justice Assistance Grants Program, or Byrne JAG, to enable law enforcement agencies to compete for Federal funding specifically to develop and execute sex trafficking demand reduction programs. Adding this provision provides State and local agencies more flexibility in balancing precious resources to address sex trafficking.

Today, when many Americans hear the term ''sex trafficking,'' they might envision a young woman in Eastern Europe being abducted or a far-away brothel in Thailand. While both of these instances, sadly, happen, Americans must realize that sex trafficking happens in thousands of neighborhoods and cities all across our great country.

As recently as May, in the city of Springfield, Missouri, there were two

young girls, ages 13 and 14, that were recently rescued. Those two innocent girls were locked in a neighborhood home and forced to do drugs and engage in sexual acts for money. After some heroic police work, the man responsible was caught, but not before he robbed these two young girls of their innocence and confined them to years of mental torment.

This type of event occurs all too often and serves as a stark reminder that this horrendous crime can occur anywhere. It is a domestic problem that we cannot ignore.

Since 2007, the National Human Trafficking Hotline has reported 22,191 sex trafficking cases in the United States, and countless cases remain unreported.

According to leading researchers and law enforcement agencies, one of the primary causes of sex trafficking is consumer-level demand for commercial sex. Sex traffickers have discovered that illicit support of commercial sex is a lucrative business. In 2014, the Urban Institute estimated that the underground sex economy ranged from $39.9 million in Denver, Colorado, to $290 million in Atlanta, Georgia.

Despite the fact that demand is the ultimate cause of commercial sexual exploitation of women and children, buyers are frequently overlooked as offenders in crimes of domestic sex trafficking. Recently, leaders in the law enforcement community have discovered that the only effective practices for combating sex trafficking are those that include combating demand for commercial sex.

There are two primary ways to directly influence actual and potential buyers of commercial sex, and these are termed ''demand reduction programs.'' They are: education of actual and potential buyers of commercial sex, and law enforcement interventions aimed at deterring those who might buy sex and punishing those who do.

Many law enforcement agencies execute demand reduction programs, such as reverse sting operations, john schools, and community education. However, resource limitations preclude them from expanding these efforts. This bill provides law enforcement expanded funding opportunities to support demand reduction efforts.

This is a huge step in the right direction because the Byrne JAG grant is the cornerstone Federal crime-fighting program, enabling communities to target resources to their most pressing local needs.

Byrne JAG's hallmark is its flexibility; thus, States and localities are able to deploy Byrne JAG funding against their most pressing public safety challenges, such as sex trafficking. This allows communities to design complete programs, fill gaps, leverage other resources, and work across city, county, and State lines.

The crime of sex trafficking rips through the fabric of our communities and our country. We as Members of Congress must shed light on this horrendous epidemic and provide our law enforcement agencies with adequate resources to attack this problem at its source. H.R. 2480 will do that. It is a bipartisan solution to a nationwide problem.

Mr. Speaker, I ask my colleagues to support this effort.

Ms. JACKSON LEE. Mr. Speaker, I yield 3 minutes to the distinguish gentlewoman from California (Ms. BASS), a member of the Judiciary Committee Subcommittee on Crime, Terrorism, Homeland Security, and Investigations, who has a long history of dealing with the vulnerable children, children who have been in the foster care system, and a leading voice on the issue of sex and human trafficking.

Ms. BASS. Mr. Speaker, I rise in support of H.R. 2480, the Empowering Law Enforcement to Fight Sex Trafficking Demand Act, a simple but powerful bill that will amend the Byrne JAG Grant Program to include funding initiatives aimed at disrupting and reducing the demand for sex trafficking.

As we know, dismantling the multifaceted web of sex trafficking requires collaborative and comprehensive action at every level of government. I am pleased to join Representative HARTZLER and so many of my colleagues as we continue to address this problem.

In conjunction with a number of bills introduced this Congress to strengthen and reauthorize the Trafficking Victims Protection Act, H.R. 2480 acknowledges that a comprehensive approach to eliminate sex trafficking necessarily requires the inclusion of demand reduction efforts. Specifically, this bill provides support to State and local jurisdictions working to eliminate sex trafficking by expanding the designated use of Byrne JAG funding to include the express purpose of combating sex trafficking demand.

It is important that we support concrete and effective measures in furtherance of demand reduction as a critical component of law enforcement. Yet in nearly every State across the country, especially when it comes to underage youth, the buyers of sex tend to be treated as johns. When we are looking at underage girls, anybody that is purchasing sex should be viewed as a child molester.

Just as we are beginning to see the need to acknowledge the shift in how we see and respond to victims of sex trafficking—most of whom are minors, 59 percent of all reported cases in 2016 per Polaris National Hotline, and nearly all of them having involvement in the child welfare system, 86 percent as reported in the 2016 National Center for Missing & Exploited Children—there must be a paradigm shift in how we see and respond to those engaged in the illicit buying of women and children for sex.

□ 1545

Sex trafficking reduction programs under this bill would support enhanced efforts to arrest and prosecute these offenders. This bill would further help jurisdictions implement and facilitate necessary training programs designed to help law enforcement understand, identify, and appropriately respond fundamentally to those who buy and perpetrate sex trafficking.

Just as law enforcement must make critical efforts in distinguishing and identifying victims in need of services from petty criminals, so, too, must efforts be made to identify and prosecute dangerous and predatory sex offenders. Thus, State and local justice systems would be eligible to receive Byrne JAG money to support innovative advancements in developing and acquiring cutting-edge technology.

For example, H.R. 2480 would support the use of programs like Spotlight, a web-based tool used by over 4,000 law enforcement agencies in the U.S. and Canada to enable them to collaborate across jurisdictions for streamlined tracking of child sex trafficking victims.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. JACKSON LEE. Mr. Speaker, I yield an additional 1 minute to the gentlewoman from California.

Ms. BASS. Mr. Speaker, over the past year, reports showed that Spotlight identified, on average, five kids per day, and that law enforcement using Spotlight daily are seeing a 60 percent time savings in their investigative process.

For these reasons, I urge my colleagues to support this bipartisan bill and the need to invest in comprehensive measures to prevent and attack sex trafficking demands.

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

Ms. JACKSON LEE. Mr. Speaker, I yield 3 minutes to the gentleman from Missouri (Mr. CLAY), a colleague of the sponsor of the bill, Mrs. HARTZLER from Missouri. I thank him for his leadership on the issues of sex trafficking and human trafficking.

Mr. CLAY. Mr. Speaker, I thank the gentlewoman from Texas for yielding.

I rise today as an original cosponsor of H.R. 2480, the Empowering Law Enforcement to Fight Sex Trafficking Demand Act, along with my friend and distinguished colleague from Missouri, Congresswoman HARTZLER, and other colleagues.

This bipartisan act aims to provide local law enforcement with additional tools to fight the heinous epidemic of sex trafficking by expanding the authority of the vital Byrne Justice Assistance Grant act to enable law enforcement agencies to compete for Federal funding, specifically to develop and implement sex trafficking demand reduction programs.

Our legislation would also add an additional provision for Byrne JAG funding to allow State and local agencies more flexibility in prioritizing precious resources to combat domestic sex trafficking. The trafficking of mostly

young people for the purposes of sexual exploitation is a form of 21st century slavery that is pervasive around the world, around this country, and even in my home State of Missouri, as we heard earlier.

Sadly, because of my district's central location and easy access to cross-country interstates and modes of transportation, the St. Louis area is one of the top 20 markets for the horrific and inhuman crime. Most of the victims are minor children, and some of them have been kidnapped, beaten, and deceived by organized criminal enterprises who are exploiting their bodies for profit.

But the sick and the inhuman practice could not continue without steady demand, and reducing that market is exactly the purpose of this important bill.

According to a recent report by the National Human Trafficking Resource Center, this multibillion dollar slavery system victimizes over 20 million young people worldwide, with at least 1½ million of those victims in North America. Yet, last year in the United States, only about 5,000 cases were actually reported, leaving tens of thousands of other victims in the shadows with no protection, no help, and no hope.

As reported in the February 23, 2016 edition of The Atlantic magazine:

> According to the United Nations' Office on Drugs and Crime, sexual exploitation is the most commonly identified form of forced labor worldwide. And as a whole, human trafficking is a lucrative industry that, around the globe, rakes in at least $150 billion.
>
> But it is unclear whether the numbers are an accurate representation of the problem, because many cases are not reported, according to Monique Villa, the CEO of the Thomson Reuters Foundation, which works to combat human trafficking.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. JACKSON LEE. Mr. Speaker, I yield an additional 30 seconds to the gentleman from Missouri.

Mr. CLAY. Mr. Speaker, the article continues on:

> The problem with human trafficking is that, of course, the victims are silenced. We don't have good data about it. You don't know how many slaves there are around the world.
>
> Traffickers also play into the narrative by telling victims who are exploited for sex that they are offenders, threatening to call the police and report them for prostitution if they push back. This makes sex trafficking particularly challenging because victims might be fearful of going to law enforcement and being charged with a crime.

Mr. Speaker, I urge Members to support this legislation.

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

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

Let me thank the sponsor of this bill for her leadership. I am delighted to work with her as a cosponsor. And the speakers on the outside who are cosponsors, I thank them for their important contribution.

I simply want to take this time to close and to say to all of us: Don't forget the Esperanzas—plural—and their little boys as well, who are sex trafficked. Let us not forget them.

The addition of this purpose area added to the Byrne grants would allow States and local jurisdictions to target and penalize buyers who drive the demand for sex acts, human trafficking, and sexual exploitation, including demand for sex trafficking involving children. An example of a project that could be funded by the addition of this purpose area is training for a multijurisdictional task force to conduct proactive stings on buyers in an effort to combat human trafficking, just like what was done at the cantina raid in my home community in Houston.

The Texas Alcoholic Beverage Commission officer was one of those who helped bring this cantina, this substitute for sex trafficking kingpin down, and saved Esperanza.

Accordingly, I urge my colleagues to support this legislation, and I yield back the balance of my time.

Mr. GOODLATTE. Mr. Speaker, I yield myself the balance of my time to thank Members on both sides of the aisle for their hard work on this, especially the gentlewoman from Missouri (Mrs. HARTZLER) for taking the lead on this, also the gentleman from Missouri (Mr. CLAY), as well as the ranking member of the full Judiciary Committee, Mr. CONYERS; and of the subcommittee, Ms. JACKSON LEE; and the subcommittee chair, Mr. SENSENBRENNER.

Mr. Speaker, I urge all of my colleagues to support this very important legislation that will help direct important resources to State and local governments to reduce demand for sex trafficking, and help to maybe protect and save a few young people and other people from this horrible crime.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. GOODLATTE) that the House suspend the rules and pass the bill, H.R. 2480.

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.

FREDERICK DOUGLASS TRAFFICKING VICTIMS PREVENTION AND PROTECTION REAUTHORIZATION ACT OF 2017

Mr. ROYCE of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2200) to reauthorize the Trafficking Victims Protection Act of 2000, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2200

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 ''Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—COMBATING TRAFFICKING IN PERSONS IN THE UNITED STATES

Subtitle A—Programs To Support Victims and Persons Vulnerable to Human Trafficking

Sec. 101. Grants to assist in the recognition of trafficking.
Sec. 102. Preventing future trafficking in the United States through receipt of complaints abroad.
Sec. 103. Modification to grants for victims services.

Subtitle B—Governmental Efforts To Prevent Human Trafficking

Sec. 111. Required training to prevent human trafficking for certain contracting air carriers.
Sec. 112. Priority for use of funds for lodging expenses at accommodations lacking certain policies relating to child sexual exploitation.
Sec. 113. Ensuring United States procurement does not fund human trafficking.
Sec. 114. Training course on human trafficking and Government contracting.
Sec. 115. Modifications to the advisory council on human trafficking.
Sec. 116. Sense of Congress on strengthening Federal efforts to reduce demand.
Sec. 117. Sense of Congress on the senior policy operating group.

Subtitle C—Preventing Trafficking in Persons in the United States

Sec. 121. Demand reduction strategies in the United States.
Sec. 122. Designation of a labor prosecutor to enhance State and local efforts to combat trafficking in persons.
Sec. 123. Preventing human trafficking in foreign missions and diplomatic households.
Sec. 124. Ensuring that traffickers help pay for care for victims.

Subtitle D—Monitoring Child, Forced, and Slave Labor

Sec. 131. Sense of Congress.
Sec. 132. Report on the enforcement of section 307 of the Tariff Act of 1930.
Sec. 133. Modification to list of child-made and slavery-made goods.

TITLE II—FIGHTING HUMAN TRAFFICKING ABROAD

Subtitle A—Efforts To Combat Trafficking

Sec. 201. Including the Secretary of the Treasury and the United States Trade Representative as a member of the interagency task force to monitor and combat trafficking.
Sec. 202. Encouraging countries to maintain and share data on human trafficking efforts.
Sec. 203. Appropriate listing of governments involved in human trafficking.
Sec. 204. Requirements for strategies to prevent trafficking.

Sec. 205. Expansion of Department of State rewards program.
Sec. 206. Briefing on countries with primarily migrant workforces.
Sec. 207. Report on recipients of funding from the United States Agency for International Development.
Subtitle B—Child Soldier Prevention Act of 2017
Sec. 211. Findings.
Sec. 212. Amendments to the Child Soldiers Prevention Act of 2008.
TITLE III—AUTHORIZATION OF APPROPRIATIONS
Sec. 301. Authorization of appropriations under the Trafficking Victims Protection Act of 2000.
Sec. 302. Authorization of appropriations under the Trafficking Victims Protection Reauthorization Act of 2005.
Sec. 303. Authorization of appropriations for enhancing efforts to combat the trafficking of children.
Sec. 304. Authorization of appropriations under the International Megan's Law.
Sec. 305. Authorization of appropriations for airport personnel training to identify and report human trafficking victims.

TITLE I—COMBATING TRAFFICKING IN PERSONS IN THE UNITED STATES

Subtitle A—Programs To Support Victims and Persons Vulnerable to Human Trafficking

SEC. 101. GRANTS TO ASSIST IN THE RECOGNITION OF TRAFFICKING.

(a) GRANTS TO ASSIST IN RECOGNITION OF TRAFFICKING.—Section 106(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104(b)) is amended—

(1) by striking ''The President'' and inserting the following:

''(1) IN GENERAL.—The President''; and

(2) by adding at the end the following:

''(2) GRANTS TO ASSIST IN THE RECOGNITION OF TRAFFICKING.—

''(A) IN GENERAL.—The Secretary of Health and Human Services may award grants to local educational agencies, in partnership with a nonprofit, nongovernmental agency, to establish, expand, and support programs—

''(i) to educate school staff to recognize and respond to signs of labor trafficking and sex trafficking; and

''(ii) to provide age-appropriate information to students on how to avoid becoming victims of labor trafficking and sex trafficking.

''(B) PROGRAM REQUIREMENTS.—Amounts awarded under this paragraph shall be used for—

''(i) education on—

''(I) how to avoid becoming victims of labor trafficking and sex trafficking;

''(II) indicators that an individual is a victim or potential victim of labor trafficking or sex trafficking;

''(III) options and procedures for referring such an individual, as appropriate, to information on such trafficking and services available for victims of such trafficking;

''(IV) reporting requirements and procedures in accordance with applicable Federal and State law; and

''(V) how to carry out activities authorized under subparagraph (A)(ii); and

''(ii) a plan, developed and implemented in consultation with local law enforcement agencies, to ensure the safety of school staff and students reporting such trafficking.

''(C) PRIORITY.—In awarding grants under this paragraph, the Secretary shall give priority to local educational agencies serving a high-intensity child sex trafficking area.

''(D) DEFINITIONS.—In this paragraph:

''(i) ESEA TERMS.—The terms 'elementary school', 'local educational agency', 'other staff', and 'secondary school' have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

''(ii) HIGH-INTENSITY CHILD SEX TRAFFICKING AREA.—The term 'high-intensity child sex trafficking area' means a metropolitan area designated by the Director of the Federal Bureau of Investigation as a high-intensity child prostitution area.

''(iii) LABOR TRAFFICKING.—The term 'labor trafficking' means conduct described in section 103(9)(B) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)(B)).

''(iv) SCHOOL STAFF.—The term 'school staff' means teachers, nurses, school leaders and administrators, and other staff at elementary schools and secondary schools.

''(v) SEX TRAFFICKING.—The term 'sex trafficking' means the conduct described in section 103(9)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)(A)).''.

(b) INCLUSION IN AUTHORIZATION OF APPROPRIATIONS.—Section 113(b)(1) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110(b)(1)) is amended by striking ''section 107(b)'' and inserting ''sections 106(b) and 107(b)''.

SEC. 102. PREVENTING FUTURE TRAFFICKING IN THE UNITED STATES THROUGH RECEIPT OF COMPLAINTS ABROAD.

(a) IN GENERAL.—The Secretary of State shall ensure that each diplomatic or consular post or other mission designates an employee to be responsible for receiving information from any person who was a victim of a severe form of trafficking in persons (as such term is defined in section 103(14) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(14))) while present in the United States, or any person who has information regarding such a victim.

(b) PROVISION OF INFORMATION.—Any information received pursuant to subsection (a) shall be transmitted to the Department of Justice, the Department of Labor, the Department of Homeland Security, and to any other relevant Federal agency for appropriate response. The Attorney General, the Secretary of Labor, and the head of any other such relevant Federal agency shall establish a process to address any actions to be taken in response to such information.

(c) ASSISTANCE FROM FOREIGN GOVERNMENTS.—The employee designated for receiving information pursuant to subsection (a) should coordinate with foreign governments or civil society organizations in the countries of origin of victims of severe forms of trafficking in persons, with the permission of and without compromising the safety of such victims, to ensure that such victims receive any additional support available.

SEC. 103. MODIFICATION TO GRANTS FOR VICTIMS SERVICES.

Section 107(b)(2)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(b)(2)(A)) is amended by striking ''programs for'' and all that follows and inserting the following: ''programs for victims of human trafficking, including programs that provide trauma-informed care or long-term housing options to such victims who are—

''(i) between the ages of 12 and 24 and who are homeless, in foster care, or involved in the criminal justice system;

''(ii) transitioning out of the foster care system; or

''(iii) women or girls in underserved populations.''.

Subtitle B—Governmental Efforts To Prevent Human Trafficking

SEC. 111. REQUIRED TRAINING TO PREVENT HUMAN TRAFFICKING FOR CERTAIN CONTRACTING AIR CARRIERS.

(a) IN GENERAL.—Section 40118 of title 49, United States Code, is amended by adding at the end the following:

''(g) TRAINING REQUIREMENTS.—The Administrator of General Services shall ensure that any contract entered into for provision of air transportation with a domestic carrier under this section requires that the contracting air carrier provides to the Administrator of General Services, the Secretary of Transportation, the Administrator of the Transportation Security Administration, and the Commissioner of U.S. Customs and Border Protection an annual report regarding—

''(1) the number of personnel trained in the detection and reporting of potential human trafficking (as described in paragraphs (9) and (10) of section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102)), including the training required under section 44734(a)(4);

''(2) the number of notifications of potential human trafficking victims received from staff or other passengers; and

''(3) whether the air carrier notified the National Human Trafficking Hotline or law enforcement at the relevant airport of the potential human trafficking victim for each such notification of potential human trafficking, and if so, when the notification was made.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply to any contract entered into after the date of enactment of this Act.

(c) EXCEPTION.—The amendment made by subsection (a) shall not apply to any contract entered into by the Secretary of Defense.

SEC. 112. PRIORITY FOR USE OF FUNDS FOR LODGING EXPENSES AT ACCOMMODATIONS LACKING CERTAIN POLICIES RELATING TO CHILD SEXUAL EXPLOITATION.

(a) IN GENERAL.—Subchapter I of chapter 57 of title 5, United States Code, is amended by adding at the end the following:

''§ 5713. Priority for use of funds for lodging expenses at accommodations lacking certain policies relating to child sexual exploitation.

''(a) IN GENERAL.—For the purpose of making payments under this chapter for lodging expenses each agency shall ensure that, to the extent practicable and within the United States, any commercial-lodging room nights for employees of that agency are booked in a preferred place of accommodation.

''(b) PREFERRED PLACE OF ACCOMMODATION DEFINED.—In this section, 'preferred place of accommodation' means a commercial place of accommodation that—

''(1) has a zero-tolerance policy in place regarding the sexual exploitation of children (as described in section 103(9)(A) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)(A))) within the accommodation;

''(2) has procedures in place to identify and report any such exploitation to the appropriate authorities;

''(3) makes training materials available to all employees to prevent such exploitation;

''(4) has trained all employees annually on the identification of possible cases of such exploitation and procedures to report suspected abuse to the appropriate authorities;

''(5) protects employees who report suspected cases of such exploitation according to the protocol identified in training; and

''(6) keeps records of the number of suspected cases of such exploitation, including

the reasons for suspicion, title of employee who reported the suspicion, and where the report was made.

''(c) REGULATIONS REQUIRED.—The Administrator of General Services shall—

''(1) maintain a list of each preferred place of accommodation; and

''(2) issue such regulations as are necessary to carry out this section.''.

(b) CONFORMING AMENDMENT.—The table of sections for subchapter I of chapter 57 of title 5, United States Code, is amended by adding at the end the following new item:

''5713. Priority for use of funds for lodging expenses at accommodations lacking certain policies relating to child sexual exploitation.''.

SEC. 113. ENSURING UNITED STATES PROCUREMENT DOES NOT FUND HUMAN TRAFFICKING.

Section 106 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7104) is amended by adding at the end the following new subsection:

''(k) AGENCY ACTION TO PREVENT FUNDING OF HUMAN TRAFFICKING.—

''(1) IN GENERAL.—The Secretary of State, Secretary of Labor, Administrator of the United States Agency for International Development, and Director of the Office of Management and Budget shall each submit to the Administrator of General Services (who shall submit the reports to the appropriate congressional committees), at the end of each fiscal year, a report that includes each of the following:

''(A) The name and contact information of the individual within the agency's office of legal counsel or office of acquisition policy who is responsible for overseeing the implementation of subsection (g) of this section, title XVII of the National Defense Authorization Act for Fiscal Year 2013 (22 U.S.C. 7104a et seq.), and any related regulation in the Federal Acquisition Regulation (including the Federal Acquisition Regulation; Ending Trafficking in Persons (48 C.F.R. Parts 1, 2, 9, 12, 22, 42, and 52)).

''(B) Agency action to ensure contractors are educated on the applicable laws and regulations listed in subparagraph (A).

''(C) Agency action to ensure the acquisition workforce and agency officials understand implementation of the laws and regulations listed in subparagraph (A), including best practices for—

''(i) ensuring compliance with such laws and regulations;

''(ii) assessing the serious, repeated, willful, or pervasive nature of any violation of such laws or regulations; and

''(iii) evaluating steps contractors have taken to correct any such violation.

''(D) The number of contracts containing language referring to the laws and regulations listed in subparagraph (A) and the number of contracts that did not contain any language referring to the laws and regulations listed in subparagraph (A).

''(E) The number of allegations of severe forms of trafficking in persons received and the source type of the allegation (contractor, subcontractor, employee of contractor or subcontractor, or an individual outside of the contract).

''(F) The number of such allegations investigated by the agency, a summary of any findings of such investigation, and any improvements recommended by the agency to prevent such conduct from recurring.

''(G) The number of such allegations referred to the Attorney General for prosecution under section 3271 of title 18, United States Code, and the outcomes of such referrals.

''(H) Any remedial action taken as a result of such investigation, including whether—

''(i) a contractor or subcontractor (at any tier) was debarred or suspended due to a violation of a law or regulation relating to severe forms of trafficking in persons; or

''(ii) a contract was terminated pursuant to subsection (g) as a result of such violation.

''(I) Any other assistance offered to agency contractors to ensure compliance with a law or regulation relating to severe forms of trafficking in persons.

''(J) Any interagency meetings or data sharing regarding suspended or disbarred contractors or subcontractors (at any tier) for severe forms of trafficking in persons.

''(K) Any contract with a contractor or subcontractor (at any tier) located outside the United States and the country location for each such contractor or subcontractor.

''(2) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term 'appropriate congressional committees' means—

''(A) the Committee on Foreign Affairs, the Committee on Armed Services, the Committee on Education and the Workforce, the Committee on the Judiciary, and the Committee on Oversight and Government Reform of the House of Representatives; and

''(B) the Committee on Foreign Relations, the Committee on Armed Services, the Committee on the Judiciary, and the Committee on Health, Education, Labor, and Pensions of the Senate.''.

SEC. 114. TRAINING COURSE ON HUMAN TRAFFICKING AND GOVERNMENT CONTRACTING.

Any curriculum (including any continuing education curriculum) for the acquisition workforce used by the Federal Acquisition Institute established under section 1201 of title 41, United States Code, shall include at least one course, which shall be at least 30 minutes, on the law and regulations relating to human trafficking and Government contracting.

SEC. 115. MODIFICATIONS TO THE ADVISORY COUNCIL ON HUMAN TRAFFICKING.

Section 115 of the Justice for Victims of Trafficking Act of 2015 (Public Law 114–22; 129 Stat. 243) is amended—

(1) in subsection (f)(2), to read as follows:

''(2) shall receive travel expenses, including per diem in lieu of subsistence, in accordance with the applicable provisions under subchapter I of chapter 57 of title 5, United States Code.''; and

(2) in subsection (h), by striking ''2020'' and inserting ''2021''.

SEC. 116. SENSE OF CONGRESS ON STRENGTHENING FEDERAL EFFORTS TO REDUCE DEMAND.

It is the sense of Congress that—

(1) all Federal anti-trafficking training (including training under section 114(c) of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044g(c)) and under section 107(c)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7105(c)(4))) provided to Federal judges, prosecutors, and State and local law enforcement officials should—

(A) explain the circumstances under which sex buyers are considered parties to the crime of trafficking;

(B) provide best practices for arresting or prosecuting buyers of illegal sex acts as a form of sex trafficking prevention; and

(C) specify that any comprehensive approach to eliminating sex and labor trafficking must include a demand reduction component; and

(2) any request for proposals for grants or cooperative agreement opportunities issued by the Attorney General with respect to the prevention of trafficking should include specific language with respect to demand reduction.

SEC. 117. SENSE OF CONGRESS ON THE SENIOR POLICY OPERATING GROUP.

It is the sense of Congress that the Senior Policy Operating Group established under section 105(g) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(g)) should create a working group to examine the role of demand reduction, both domestically and internationally, in achieving the purposes of the Justice for Victims of Trafficking Act (Public Law 114–22; 129 Stat. 227) and Trafficking Victims Protection Act of 2000 (22 U.S.C. 7101 et seq.).

Subtitle C—Preventing Trafficking in Persons in the United States

SEC. 121. DEMAND REDUCTION STRATEGIES IN THE UNITED STATES.

(a) DEPARTMENT OF JUSTICE TASK FORCE.—Section 105(d)(7) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(d)(7)) is amended—

(1) in subparagraph (Q)(vii), by striking ''and'' at the end;

(2) in subparagraph (R), by striking the period at the end and inserting ''; and''; and

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

''(S) tactics and strategies employed by human trafficking task forces sponsored by the Department of Justice to reduce demand for trafficking victims.''.

(b) REPORT ON STATE ENFORCEMENT.—Section 114(e)(1)(A) of the Justice for Victims of Trafficking Act of 2015 (42 U.S.C. 14044g(e)(1)(A)) is amended—

(1) by inserting '', noting the number of covered offenders'' after ''covered offense'' in each place it occurs;

(2) in the matter preceding clause (i), by striking ''rates'' and inserting ''number'';

(3) in clause (i), by striking ''arrest'' and inserting ''arrests'';

(4) in clause (ii), by striking ''prosecution'' and inserting ''prosecutions''; and

(5) in clause (iii), by striking ''conviction'' and inserting ''convictions''.

SEC. 122. DESIGNATION OF A LABOR PROSECUTOR TO ENHANCE STATE AND LOCAL EFFORTS TO COMBAT TRAFFICKING IN PERSONS.

Section 204(a)(1) of the Trafficking Victims Protection Reauthorization Act of 2005 is amended—

(1) in subparagraph (D), by striking ''and'' at the end;

(2) in subparagraph (E), by striking the period at the end and inserting ''; and''; and

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

''(F) where appropriate, to designate at least one prosecutor for cases of severe forms of trafficking in persons (as such term is defined in section 103(9) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102(9)).''.

SEC. 123. PREVENTING HUMAN TRAFFICKING IN FOREIGN MISSIONS AND DIPLOMATIC HOUSEHOLDS.

Subsection (a) of section 203 of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1375c) is amended—

(1) in paragraph (2)—

(A) by striking ''for such period as the Secretary determines necessary'' and inserting ''for the period of at least one year or longer if the Secretary determines a longer period is necessary''; and

(B) by striking ''the Secretary determines that there is'' and all that follows until the end of the paragraph and inserting ''there is an unpaid default judgement directly or indirectly related to human trafficking against the employer or a family member accredited by the embassy, the employer or family member has refused to agree to a voluntary interview with United States law enforcement, or the diplomatic mission or international organization hosting the employer

or family member has refused to waive immunity in a human trafficking case brought by the United States Government or to agree to prosecute the case in the country that accredited the employer or family member.''; and

(2) in paragraph (3)—

(A) by striking ''is in place''; and

(B) by inserting '', as applicable, the default judgment has been resolved, the employer or family member has agreed to meet with United States law enforcement, the diplomatic mission or international organization hosting the employer or family member has waived immunity for the employer or family member or agreed to prosecute the case in the country that accredited the employer or family member, or the diplomatic mission or international organization hosting the employer or family member has in place'' after ''appropriate congressional committees that''.

SEC. 124. ENSURING THAT TRAFFICKERS HELP PAY FOR CARE FOR VICTIMS.

Section 3014(a) of title 18, United States Code, is amended by striking ''2019'' and inserting ''2021''.

Subtitle D—Monitoring Child, Forced, and Slave Labor

SEC. 131. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) foreign assistance that addresses poverty alleviation and humanitarian disasters reduces the vulnerability of men, women, and children to human trafficking and is a crucial part of the response of the United States to modern-day slavery;

(2) the Deputy Under Secretary of the Bureau of International Labor Affairs of the Department of Labor and the grant programs administered by the Deputy Under Secretary play a critical role in preventing and protecting children from the worst forms of child labor, including situations of trafficking, and in reducing the vulnerabilities of men and women to situations of forced labor and trafficking; and

(3) the Secretary of Labor also plays a critical role in helping other Federal departments and agencies to prevent goods made with forced and child labor from entering the United States by consulting with such departments and agencies to reduce forced and child labor internationally and ensuring that products made by forced labor and child labor in violation of international standards are not imported into the United States.

SEC. 132. REPORT ON THE ENFORCEMENT OF SECTION 307 OF THE TARIFF ACT OF 1930.

(a) IN GENERAL.—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit to the committees listed in subsection (b) a report describing any obstacles or challenges to enforcing section 307 of the Tariff Act of 1930 (19 U.S.C. 1307).

(b) COMMITTEES.—The committees listed in this subsection are—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Energy and Commerce, the Committee on the Judiciary, and the Committee on Ways and Means of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Health, Education, Labor, and Pensions, the Committee on Commerce, Science, and Transportation, the Committee on the Judiciary, and the Committee on Finance of the Senate.

(c) REQUIREMENTS.—The report required under subsection (a) shall—

(1) describe the role and best practices of private-sector employers in the United States in complying with the provisions of section 307 of the Tariff Act of 1930;

(2) describe any efforts or programs undertaken by relevant Federal, State, or local government agencies to encourage employers, directly or indirectly, to comply with such provisions;

(3) describe the roles of the relevant Federal departments and agencies in overseeing and regulating such provisions, and the oversight and enforcement mechanisms used by such departments or agencies;

(4) provide concrete, actual case studies or examples of how such provisions are enforced;

(5) identify the number of petitions received and cases initiated (whether by petition or otherwise) or investigated by each relevant Federal department or agency charged with implementing and enforcing such provisions, as well as the dates petitions were received or investigations were initiated, and their current statuses;

(6) identify any enforcement actions, including, but not limited to, the issuance of Withhold Release Orders, the detention of shipments, the issuance of civil penalties, and the formal charging with criminal charges relating to the forced labor scheme, taken as a result of these petitions and investigations by type of action, date of action, commodity, and country of origin in the past 10 years;

(7) with respect to any relevant petition filed during the 10-year period prior to the date of the enactment of this Act with the relevant Federal departments and agencies tasked with implementing such provisions, list the specific products, country of origin, manufacturer, importer, end-user or retailer, and outcomes of any investigation;

(8) identify any gaps that may exist in enforcement of such provisions;

(9) describe the engagement of the relevant Federal departments and agencies with stakeholders, including the engagement of importers, forced labor experts, and nongovernmental organizations; and

(10) based on the information required by paragraphs (1) through (9), identify any regulatory obstacles or challenges to enforcement of such provisions and provide recommendations for actions that could be taken by the relevant Federal departments and agencies to overcome these obstacles.

SEC. 133. MODIFICATION TO LIST OF CHILD-MADE AND SLAVERY-MADE GOODS.

(a) IN GENERAL.—Section 105(b)(2)(C) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7112(b)(2)(C)) is amended by inserting '', including, to the extent practicable, goods that are produced with inputs that are produced with forced labor or child labor'' after ''international standards''.

(b) INCLUSION IN AUTHORIZATION OF APPROPRIATIONS.—Amounts appropriated pursuant to the authorization of appropriations under section 113(f) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110(f)), as amended by section 301(a) of this Act, are authorized to be made available to carry out the purposes described in section 105(b)(2) of the Trafficking Victims Protection Reauthorization Act of 2005 (22 U.S.C. 7112(b)(2)), as amended by subsection (a).

TITLE II—FIGHTING HUMAN TRAFFICKING ABROAD

Subtitle A—Efforts To Combat Trafficking

SEC. 201. INCLUDING THE SECRETARY OF THE TREASURY AND THE UNITED STATES TRADE REPRESENTATIVE AS A MEMBER OF THE INTERAGENCY TASK FORCE TO MONITOR AND COMBAT TRAFFICKING.

Section 105(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7103(b)) is amended by inserting ''the Secretary of the Treasury, the United States Trade Representative,'' after ''the Secretary of Education,''.

SEC. 202. ENCOURAGING COUNTRIES TO MAINTAIN AND SHARE DATA ON HUMAN TRAFFICKING EFFORTS.

Paragraphs (1) and (7) of section 108(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7106(b)(1) and (b)(7)) are each amended by striking the final sentence of such paragraphs.

SEC. 203. APPROPRIATE LISTING OF GOVERNMENTS INVOLVED IN HUMAN TRAFFICKING.

Subsection (b) of section 110 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) is amended as follows:

(1) In paragraph (1)—

(A) in subparagraph (C)—

(i) by striking ''and whose governments do not'' and inserting the following: ''and whose governments—

''(i) do not''; and

(ii) by adding at the end the following new clauses:

''(ii) tolerate trafficking in government-funded programs; or

''(iii) have a government-supported practice of—

''(I) trafficking;

''(II) facilitating the use of forced labor (such as in agriculture, forestry, mining, or construction);

''(III) permitting sexual slavery in government camps, compounds, or outposts; or

''(IV) employing child soldiers;'';

(B) in subparagraph (F), by striking ''and'' at the end;

(C) in subparagraph (G), by striking the period at the end and inserting ''; and''; and

(D) by adding at the end the following:

''(H) for each country included in a different list than the country had been placed in the previous annual report, a detailed explanation of how the concrete actions (or lack of such actions) undertaken by the country during the previous reporting period contributed to such change, including a clear linkage between such actions and the minimum standards enumerated in section 108.''.

(2) In paragraph (2)—

(A) in subparagraph (A)(iii)—

(i) in subclause (I)—

(I) by inserting ''and the country is not taking steps commensurate with the size of the trafficking problem'' before the semicolon at the end; and

(II) by adding ''or'' at the end;

(ii) in subclause (II), by striking ''; or'' and inserting a period; and

(iii) by striking subclause (III);

(B) in subparagraph (B), by striking ''the last annual report'' and inserting ''April 1 of the previous year'';

(C) in subparagraph (D)—

(i) in clause (i), by striking ''the date of the enactment of this subparagraph,'' and all that follows and inserting—

''the date of the enactment of this subparagraph—

''(I) shall be included on the list of countries described in paragraph (1)(C); and

''(II) shall be required to meet the requirements specified in paragraph (1)(B) before the country may be removed from the list of countries described in paragraph (1)(C).'';

(ii) in clause (ii)—

(I) by striking ''2 years'' and inserting ''1 year'';

(II) in subclause (II), by striking ''and'';

(III) in subclause (III), by striking the period at the end and inserting ''; and''; and

(IV) by adding at the end the following:

''(IV) the country has taken concrete actions to implement the principal recommendations of the most recent annual report on trafficking in persons with respect to that country.''; and

(iii) by adding at the end the following:

''(iii) WRITTEN PLAN.—The Secretary of State shall endeavor to work with each country that receives a waiver under clause (ii) and with civil society organizations in each country to draft and implement a written plan described in such clause.'';

(D) in subparagraph (E)—

(i) by striking ''through (III)'' and inserting ''through (IV)''; and

(ii) by striking ''shall provide'' and all that follows and inserting the following: ''shall provide, on a publicly available website maintained by the Department of State—

''(i) a detailed description of the credible evidence supporting such determination;

''(ii) the written plan submitted by the country under subparagraph (D)(ii)(I); and

''(iii) supporting documentation providing credible evidence of—

''(I) each concrete action by the country to bring itself into compliance with the minimum standards for the elimination of trafficking, including copies of relevant laws or regulations adopted or modified; and

''(II) any actions taken by that country to enforce the minimum standards for the elimination of trafficking, as appropriate.''.

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

''(F) SPECIAL RULE FOR CERTAIN COUNTRIES ON SPECIAL WATCH LIST THAT ARE DOWNGRADED AND REINSTATED ON SPECIAL WATCH LIST.—Notwithstanding subparagraphs (D) and (E), a country that—

''(i) was included on the special watch list described in subparagraph (A) for—

''(I) two consecutive years after the date of the enactment of subparagraph (D); and

''(II) any additional years after such date of enactment by reason of the President exercising the waiver authority under clause (ii) of subparagraph (D); and

''(ii) was subsequently included on the list of countries described in paragraph (1)(C),

may not thereafter be included on the special watch list described in subparagraph (A) for more than 1 consecutive year.''.

(3) In paragraph (3)—

(A) in subparagraph (B), by striking ''and'' at the end;

(B) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

''(D) the extent to which the government of the country is devoting sufficient budgetary resources—

''(i) to investigate and prosecute acts of severe trafficking in persons;

''(ii) to convict and sentence persons responsible for such acts; and

''(iii) to obtain restitution for victims of human trafficking;

''(E) the extent to which the government of the country is devoting sufficient budgetary resources—

''(i) to protect and rehabilitate victims of trafficking in persons; and

''(ii) to prevent trafficking in persons;

''(F) the extent to which the government of the country has consulted with domestic and international civil society organizations to improve the provision of services to victims of trafficking in persons; and

''(G) whether—

''(i) government officials participate in or facilitate forced labor and human trafficking; and

''(ii) the government maintains policies that provide incentives for or otherwise support the participation in or facilitation of forced labor and human trafficking by officials at any level of government.''.

(4) By adding at the end the following:

''(4) SPECIAL RULE FOR CHANGES IN CERTAIN DETERMINATIONS.—Not later than 90 days after the submission of each annual report under paragraph (1), the Secretary of State shall submit a detailed description of the credible evidence supporting a change in listing of a country, accompanied by copies of documents providing such evidence, as appropriate, to the appropriate congressional committees not later than 90 days after the submission of that report if—

''(A) a country is included on a list of countries described in paragraph (1)(C) in an annual report submitted in calendar year 2015 or in any calendar year thereafter; and

''(B) in the annual report submitted in the next calendar year, the country is listed on a list of countries described in paragraph (1)(B).

''(5) WRITTEN PLAN.—The Secretary of State shall endeavor to work with each country that has been listed pursuant to paragraph (1)(C) in the most recent annual report and civil society organizations to draft and implement the written plan described in paragraph (2)(D)(ii).

''(6) DEFINITIONS.—In this subsection:

''(A) CONCRETE ACTIONS.—The term 'concrete actions' means any of the following actions that demonstrably improve the condition of a substantial number of victims of human trafficking and persons vulnerable to human trafficking:

''(i) Enforcement actions taken.

''(ii) Investigations actively underway.

''(iii) Prosecutions conducted.

''(iv) Convictions attained.

''(v) Training provided.

''(vi) Programs and partnerships actively underway.

''(vii) Victim services offered, including immigration services and restitution.

''(viii) The amount of money the government in question has committed to the actions described in clauses (i) through (vii).

''(ix) An assessment of the impact of such actions on the prevalence of human trafficking in the country.

''(B) CREDIBLE EVIDENCE.—The term 'credible evidence' means information relied upon by the Department of State to make determinations relating to the provisions set forth in this division, including—

''(i) reports by the Department of State;

''(ii) reports of other Federal agencies, including the Department of Labor's List of Goods Produced by Child Labor or Forced Labor and List of Products Produced by Forced Labor or Indentured Child Labor;

''(iii) documentation provided by a foreign country, including copies of relevant laws, regulations, policies adopted or modified, enforcement actions taken and judicial proceedings, training conducted, consultations conducted, programs and partnerships launched, and services provided;

''(iv) materials developed by civil society organizations;

''(v) information from survivors of human trafficking, vulnerable persons, and whistleblowers;

''(vi) all relevant media and academic reports that, in light of reason and common sense, are worthy of belief; and

''(vii) information developed by multilateral institutions.''.

SEC. 204. REQUIREMENTS FOR STRATEGIES TO PREVENT TRAFFICKING.

(a) REPORT ON NEW PRACTICES TO COMBAT TRAFFICKING.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, and annually thereafter for 7 years, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development, shall submit to the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate a report—

(A) describing any practices adopted by the Department or the Agency to better combat trafficking in persons, in accordance with the report submitted under section 101(b)(4) of the Trafficking Victims Protection Reauthorization Act of 2005, in order to reduce the risk of trafficking in post-conflict or post-disaster areas; or

(B) if no such practices have been adopted, including a strategy to reduce the risk of trafficking in such areas.

(2) PUBLIC AVAILABILITY.—Each report submitted under paragraph (1) shall be posted on a publicly available internet website of the Department of State.

(b) CHILD PROTECTION STRATEGIES IN WATCH LIST COUNTRIES.—The Administrator of the United States Agency for International Development shall incorporate into the relevant country development cooperation strategy for each country on the special watch list described in section 110(b)(2)(A) or the list described in section 110(b)(1)(C) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)(2)(A) and (b)(1)(C)), as amended by section 203 of this Act, strategies for the protection of children and the reduction of the risk of trafficking.

SEC. 205. EXPANSION OF DEPARTMENT OF STATE REWARDS PROGRAM.

Paragraph (5) of section 36(k) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(k)) is amended—

(1) in the matter preceding subparagraph (A), by striking ''means'';

(2) by redesignating subparagraphs (A) and (B) as clauses (i) and (ii), respectively, and moving such clauses, as so redesignated, two ems to the right;

(3) by inserting before clause (i), as so redesignated, the following:

''(A) means—'';

(4) in clause (ii), as so redesignated, by striking the period at the end and inserting ''; and''; and

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

''(B) includes severe forms of trafficking in persons, as such term is defined in section 103 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7102).''.

SEC. 206. BRIEFING ON COUNTRIES WITH PRIMARILY MIGRANT WORKFORCES.

Not later than 30 days after the date of the enactment of this Act, the Secretary of State shall provide to the Committee on Foreign Affairs and the Committee on the Judiciary of the House and the Committee on Foreign Relations and the Committee on the Judiciary of the Senate a briefing that includes, with respect to each country that has a domestic workforce of which more than 80 percent are third-country nationals, each of the following:

(1) An assessment of the progress made by the government of such country toward implementing the recommendations with respect to such country contained in the most recent ''Trafficking in Persons Report'' submitted by the Secretary under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)), as amended by section 203 of this Act.

(2) A description of the efforts made by the United States to ensure that any domestic worker brought into the United States by an official of such country is not a victim of trafficking.

SEC. 207. REPORT ON RECIPIENTS OF FUNDING FROM THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

Not later than 90 days after the date of the enactment of this Act, and by October 1 of each of the following 4 years, the Administrator of the United States Agency for International Development shall submit to the Committee on Foreign Affairs and the Committee on Appropriations of the House and the Committee on Foreign Relations and the

Committee on Appropriations of the Senate a report describing, with respect to the prior fiscal year—

(1) each obligation or expenditure of Federal funds by the Agency for the purpose of combating human trafficking and forced labor; and

(2) with respect to each such obligation or expenditure, the program, project, activity, primary recipient, and any sub-grantees or sub-contractors.

Subtitle B—Child Soldier Prevention Act of 2017

SEC. 211. FINDINGS.

Congress finds the following:

(1) The recruitment or use of children in armed conflict is unacceptable for any government or government-supported entity receiving United States assistance.

(2) The recruitment or use of children in armed conflict, including direct combat, support roles, and sexual slavery, occurred during 2015–2016 in Afghanistan, South Sudan, Sudan, Burma, the Democratic Republic of the Congo, Iraq, Nigeria, Rwanda, Somalia, Syria, and Yemen.

(3) Entities of the Government of Afghanistan, particularly the Afghan Local Police and Afghan National Police, continue to recruit children to serve as combatants or as servants, including as sex slaves.

(4) Police forces of the Government of Afghanistan participate in counterterrorism operations, direct and indirect combat, security operations, fight alongside regular armies, and are targeted for violence by the Taliban as well as by other opposition groups.

(5) In February 2016, a 10-year-old boy was assassinated by the Taliban after he had been publically honored by Afghan local police forces for his assistance in combat operations against the Taliban.

(6) Recruitment and use of children in armed conflict by government forces has continued in 2016 in South Sudan with the return to hostilities.

(7) At least 650 children have been recruited and used in armed conflict in South Sudan in 2016, and at least 16,000 have been recruited since that country's civil war began in 2013.

SEC. 212. AMENDMENTS TO THE CHILD SOLDIERS PREVENTION ACT OF 2008.

(a) DEFINITIONS.—Section 402(2)(A) of the Child Soldiers Prevention Act of 2008 (22 U.S.C. 2370c(2)(A)) is amended by inserting '', police, or other security forces'' after ''governmental armed forces'' each place it appears.

(b) PROHIBITION.—Section 404 of the Child Soldiers Prevention Act of 2008 (22 U.S.C. 2370c–1) is amended—

(1) in subsection (a)—

(A) by inserting '', police, or other security forces'' after ''governmental armed forces''; and

(B) by striking ''recruit and use child soldiers'' and inserting ''recruit or use child soldiers'';

(2) by amending subsection (b)(2) to read as follows:

''(2) NOTIFICATION.—

''(A) IN GENERAL.—Not later than 45 days after the date of submission of each report required under section 110(b) of the Trafficking Victims Protection Act of 2000, the Secretary of State shall formally notify each government included in the list required under paragraph (1) that such government is so included.

''(B) CONGRESSIONAL NOTIFICATION.—As soon as practicable after making all of the notifications required under subparagraph (A) with respect to a report, the Secretary of State shall notify the appropriate congressional committees that the requirements of subparagraph (A) have been met.'';

(3) in subsection (c)(1), by adding at the end before the period the following: ''and certifies to the appropriate congressional committees that the government of such country is taking effective and continuing steps to address the problem of child soldiers''; and

(4) in subsection (e)(1), by striking ''to a country'' and all that follows through ''subsection (a)'' and inserting ''under section 541 of the Foreign Assistance Act of 1961 (22 U.S.C. 2347) through the Defense Institute for International Legal Studies or the Center for Civil-Military Relations at the Naval Post-Graduate School, and may provide nonlethal supplies (as defined in section 2557(d)(1)(B) of title 10), to a country subject to the prohibition under subsection (a)''.

(c) REPORTS.—Section 405 of the Child Soldiers Prevention Act of 2008 (22 U.S.C. 2370c–2) is amended—

(1) in subsection (c)—

(A) in the matter preceding paragraph (1), by striking '', during any of the 5 years following the date of the enactment of this Act,'';

(B) by redesignating paragraphs (2) through (4) as paragraphs (3) through (5), respectively;

(C) by inserting after paragraph (1) the following:

''(2) a description and the amount of any assistance withheld under this title pursuant to the application to those countries of the prohibition in section 404(a);''; and

(D) in paragraph (5) (as so redesignated), by inserting ''and the amount'' after ''a description''; and

(2) by adding at the end the following:

''(d) INFORMATION TO BE INCLUDED IN ANNUAL TRAFFICKING IN PERSONS REPORT.—If a country is notified pursuant to section 404(b)(2), or a waiver is granted pursuant to section 404(c)(1), the Secretary of State shall include in each report required under section 110(b) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7107(b)) the information required to be included in the annual report to Congress under paragraphs (1) through (5) of subsection (c) of this section.''.

TITLE III—AUTHORIZATION OF APPROPRIATIONS

SEC. 301. AUTHORIZATION OF APPROPRIATIONS UNDER THE TRAFFICKING VICTIMS PROTECTION ACT OF 2000.

(a) IN GENERAL.—Section 113 of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7110) is amended by striking ''2017'' each place it appears and inserting ''2021''.

(b) HUMAN SMUGGLING AND TRAFFICKING CENTER.—Section 112A(b)(4) of the Trafficking Victims Protection Act of 2000 (22 U.S.C. 7109a(b)(4)) is amended by striking ''2017'' and inserting ''2021''.

SEC. 302. AUTHORIZATION OF APPROPRIATIONS UNDER THE TRAFFICKING VICTIMS PROTECTION REAUTHORIZATION ACT OF 2005.

(a) IN GENERAL.—Section 201(c)(2) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044(c)(2)) is amended by striking ''2017'' and inserting ''2021''.

(b) ASSISTANCE PROGRAMS FOR CERTAIN PERSONS SUBJECT TO TRAFFICKING.—

(1) IN GENERAL.—Section 202(i) of the Trafficking Victims Protection Reauthorization Act of 2005 is amended by striking ''2017'' and inserting ''2021''.

(2) REPEAL OF SUNSET.—Section 1241 of the Violence Against Women Reauthorization Act of 2013 (Public Law 113–4; 127 Stat. 149) is amended—

(A) by striking subsection (b); and

(B) by striking ''(a) IN GENERAL.—Section 202'' and inserting ''Section 202''.

(c) CHILD TRAFFICKING DETERRENCE PROGRAM.—Section 203(i) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044b) is amended by striking ''2020'' and inserting ''2021''.

(d) ENHANCING STATE AND LOCAL EFFORTS.—Section 204(e) of the Trafficking Victims Protection Reauthorization Act of 2005 (42 U.S.C. 14044c(e)) is amended by striking ''2017'' and inserting ''2021''.

SEC. 303. AUTHORIZATION OF APPROPRIATIONS FOR ENHANCING EFFORTS TO COMBAT THE TRAFFICKING OF CHILDREN.

Section 235(c)(6)(F) of the William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008 (8 U.S.C. 1232(c)(6)(F)) is amended—

(1) in the matter preceding clause (i), by inserting ''of Health'' after ''Secretary''; and

(2) in clause (ii), by striking ''and 2017'' and inserting ''through 2021''.

SEC. 304. AUTHORIZATION OF APPROPRIATIONS UNDER THE INTERNATIONAL MEGAN'S LAW.

Section 11 of the International Megan's Law to Prevent Child Exploitation and Other Sexual Crimes Through Advanced Notification of Traveling Sex Offenders (42 U.S.C. 16935h) is amended by striking ''and 2018'' and inserting ''through 2021''.

SEC. 305. AUTHORIZATION OF APPROPRIATIONS FOR AIRPORT PERSONNEL TRAINING TO IDENTIFY AND REPORT HUMAN TRAFFICKING VICTIMS.

There is authorized to be appropriated to the Commissioner of U.S. Customs and Border Protection $250,000 for each of fiscal years 2017 through 2021 to expand outreach and live on-site anti-trafficking training for airport and airline personnel.

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. ROYCE of California. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material in the RECORD.

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

There was no objection.

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the right word for the type of slavery we see today, the type of human trafficking that is slavery, is to focus on the fact that this is indentured servitude. This is human slavery, and traffickers around the world increasingly exploit over a million individuals—I am talking about women and children—in sex trafficking for commercial gain.

According to credible estimates, if we add to that those who are engaged in forced labor, that number that are actually enslaved is some 20 million. It is a coercive, multibillion-dollar industry that destroys families, destroys communities, strengthens brutal criminal networks, and tramples human dignity.

This plague is really global. It is not limited to the developing world. At a regular meeting of the Human Trafficking Congressional Advisory Committee I set up in southern California

nearly 4 years ago, I have met with brave survivors who endured forced labor and commercial sexual exploitation in my home State of California.

I think of Angela Guanzon locked into her abusive workplace, sleeping on the hallway floor. I think of Carissa Phelps being sold on the streets of Fresno at the age of 12 by a very violent pimp.

Meeting them and having them testify showed me and many others that the horror of trafficking lies not in statistics, but in stolen lives. In the words of the great abolitionist, Frederick Douglass, enslavement is such an affront to human conscience that, in his words, '' . . . to expose it, is to kill it. Slavery is one of those monsters of darkness to whom the light of truth is death.''

Exposing the harsh reality of human trafficking to international daylight is a central tenet of the legislation here that we are reauthorizing today.

□ 1600

In the late 1990s, under the leadership of Congressman CHRIS SMITH, the author of today's bill, the Foreign Affairs Committee initiated the Trafficking Victims Protection Act, which became law in 2000. That law created the annual Trafficking in Persons Report and the country tier rankings that put the issue on the radar screens of world governments for the first time and every year thereafter.

I was proud to have supported that legislation. It created the possibility of sanctions against the worst offenders. It also established law enforcement and other domestic initiatives to combat trafficking within the United States, which have been refined in the multiple reauthorizations that have followed.

The law has produced notable successes. More than 120 countries, in fact, have now enacted antitrafficking laws, and many are improving their prosecution and conviction of those who are involved in trafficking. Countless lives have been improved and have been saved as a result.

In the TIP Report released 2 weeks ago, 27 countries were upgraded to a higher tier, and that is progress. But sustained pressure and scrutiny are needed. Enacting a law is not the same thing as enforcing it, and, unfortunately, 21 countries slipped to a lower tier in last year's report.

I am proud to be an original cosponsor of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act, which continues and updates our fight against human trafficking. It extends until 2021 the current authorizations for our international and domestic programs, which expire at the end of September. It also contains multiple reforms and refinements to U.S. programs, and it strengthens the annual TIP Report and tier rankings.

I am pleased that this bill incorporates the text of a bill of mine, H.R. 1625, the TARGET Act, which I introduced earlier this year and the House passed in March. This important provision turns the tables on international traffickers by authorizing the State Department to offer and publicize bounties for their arrest and for their conviction.

I again want to thank the gentleman from New Jersey (Mr. SMITH) and the gentlewoman from California (Ms. BASS) for introducing this strong, bipartisan bill. I also want to thank the other seven committees of referral for the input and assistance they provided on the portions of the bill within their jurisdiction.

H.R. 2200 is a critical contribution to the cause of human freedom and the cause of human dignity. It deserves our unanimous support.

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

COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, July 10, 2017.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, House Armed Services Committee, Washington, DC.

DEAR CHAIRMAN THORNBERRY: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

COMMITTEE ON ARMED SERVICES,
HOUSE OF REPRESENTATIVES,
Washington, DC, July 12, 2017.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to you concerning H.R. 2200, the ''Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017.'' There are certain provisions in the bill which fall within the Rule X jurisdiction of the Committee on Armed Services.

In the interest of permitting your committee to proceed expeditiously to floor consideration of this important legislation, I am willing to waive this committee's further consideration of H.R. 2200. I do so with the understanding that by waiving consideration of the bill, the Committee on Armed Services does not waive any future jurisdictional claim over the subject matters contained in the legislation which fall within its Rule X jurisdiction.

Please place a copy of this letter and your response acknowledging our jurisdictional interest 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,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, July 10, 2017.

Hon. VIRGINIA FOXX,
Chairwoman, House Committee on Education and the Workforce, Washington, DC.

DEAR CHAIRWOMAN FOXX: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON EDUCATION AND THE WORKFORCE,
Washington, DC, July 12, 2017.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017. Thank you for consulting with the Committee on Education and the Workforce with regard to H.R. 2200 on those matters within the Committee's jurisdiction.

In the interest of expediting the House's consideration of H.R. 2200, the Committee on Education and the Workforce will forgo further consideration of this bill. However, I do so only with the understanding this procedural route will not be construed to prejudice my committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request you include our exchange of letters on this matter in the Congressional Record during consideration of this bill on the House Floor. Thank you for your attention to these matters.

Sincerely,

VIRGINIA FOXX,
Chairwoman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, July 10, 2017.

Hon. GREG WALDEN,
Chairman, Committee on Energy and Commerce, Washington, DC.

DEAR CHAIRMAN WALDEN: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, July 12, 2017.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: I write in regard to H.R. 2200, Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act 2017, which was referred in addition to the Committee on Energy and Commerce. I wanted to notify you that the Committee will forgo action on the bill so that it may proceed expeditiously to the House floor for consideration.

The Committee on Energy and Commerce takes this action with our mutual understanding that by foregoing consideration of H.R. 2200, the Committee does not waive any jurisdiction over the subject matter contained in this or similar legislation and will be appropriately consulted and involved as this or similar legislation moves forward to address any remaining issues within the Committee's jurisdiction. The Committee also reserves the right to seek appointment of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate your response confirming this understanding with respect to H.R. 2020 and ask that a copy of our exchange of letters on this matter be included in your committee's report on the legislation or the Congressional Record during its consideration on the House floor.

Sincerely,

GREG WALDEN.
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, July 10, 2017.

Hon. BOB GOODLATTE,
Chairman, Committee on the Judiciary, Washington, DC.

DEAR CHAIRMAN GOODLATTE: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, July 12, 2017.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: I write with respect to H.R. 2200, the ''Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act.'' As a result of your having consulted with us on provisions within H.R. 2200 that fall within the Rule X jurisdiction of the Committee on the Judiciary, I forego any further consideration of this bill so that it may proceed expeditiously to the House floor for consideration.

The Judiciary Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2200 at this time, we do not waive any jurisdiction over subject matter contained in this or similar legislation and that our committee will be appropriately consulted and involved as this bill or similar legislation moves forward so that we may address any remaining issues in our jurisdiction. Our committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation and asks that you support any such request.

I would appreciate a response to this letter confirming this understanding with respect to H.R. 2200 and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of the bill.

Sincerely,

BOB GOODLATTE,
Chairman.

COMMITTEE ON FOREIGN AFFAIRS,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 24, 2017.

Hon. JASON CHAFFETZ,
Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR CHAIRMAN CHAFFETZ: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES,
Washington, DC, May 22, 2017.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017. As you know, the Committee on Foreign Affairs received an original referral and the Committee on Oversight and Government Reform a secondary referral when the bill was introduced on April 27, 2017. I recognize and appreciate your desire to bring this legislation before the House of Representatives in an expeditious manner, and accordingly, the Committee on Oversight and Government Reform will forego action on the bill.

The Committee takes this action with our mutual understanding that by foregoing consideration of H.R. 2200 at this time, we do not waive any jurisdiction over the subject matter contained in this or similar legislation. Further, I request your support for the appointment of conferees from the Committee on Oversight and Government Reform during any House-Senate conference convened on this or related legislation.

Finally, I would ask that a copy of our exchange of letters on this matter be included in any bill report filed by the Committee on Foreign Affairs, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Sincerely,

JASON CHAFFETZ,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, May 19, 2017.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for working with the Foreign Affairs Committee on mutually agreeable text edits, and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, May 19, 2017.

Hon. ED ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: I write concerning H.R. 2200, the ''Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017.'' This legislation includes matters that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite Floor consideration of H.R. 2200, the Committee on Transportation and Infrastructure will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. It is also conditional on our mutually agreed to changes to the text of the bill. I appreciate you working with us on the bill and request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest in the Congressional Record during House Floor consideration of the bill. I look forward to working with the Committee on Foreign Affairs as the bill moves through the legislative process.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC, May 16, 2017.

Hon. KEVIN BRADY,
Chairman, Committee on Ways and Means Washington, DC.

DEAR CHAIRMAN BRADY: Thank you for consulting with the Foreign Affairs Committee and agreeing to be discharged from further consideration of H.R. 2200, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017, so that the bill may proceed expeditiously to the House floor.

I agree that your forgoing further action on this measure does not in any way diminish or alter the jurisdiction of your committee, or prejudice its jurisdictional prerogatives on this resolution or similar legislation in the future. I would support your effort to seek appointment of an appropriate number of conferees from your committee to any House-Senate conference on this legislation.

I will seek to place our letters on H.R. 2200 into the Congressional Record during floor consideration of the bill. I appreciate your cooperation regarding this legislation and look forward to continuing to work together as this measure moves through the legislative process.

Sincerely,

EDWARD R. ROYCE,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON WAYS AND MEANS,
Washington, DC, May 16, 2017.

Hon. EDWARD R. ROYCE,
Chairman, Committee on Foreign Affairs, Washington, DC.

DEAR CHAIRMAN ROYCE: I am writing with respect to H.R. 2200, the ''Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017,'' on which the Committee on Ways and Means was granted an additional referral.

As a result of your having consulted with us on provisions in H.R. 2200 that fall within the Rule X jurisdiction of the Committee on Ways and Means, I agree to waive formal consideration of this bill so that it may move expeditiously to the floor. The Committee on Ways and Means takes this action with the mutual understanding that we do not waive any jurisdiction over the subject matter contained in this or similar legislation, and the Committee will be appropriately consulted and involved as the bill or similar legislation moves forward so that we may address any remaining issues that fall within our jurisdiction. The Committee also reserves the right to seek appointment of an appropriate number of conferees to any House-Senate conference involving this or similar legislation, and requests your support for such request.

Finally, I would appreciate your response to this letter confirming this understanding, and would ask that a copy of our exchange of letters on this matter be included in the Congressional Record during floor consideration of H.R. 2200.

Sincerely,

KEVIN BRADY,
Chairman.

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

Mr. Speaker, I rise today in support of H.R. 2200, a bill to reauthorize $130 million in currently appropriated funds in order to continue, over the next 4 years, critical and necessary work to fight sex and labor trafficking. This bill builds upon the remarkable work of the original Trafficking Victims Protection Act of 2000, the cornerstone of Federal human trafficking legislation.

I want to thank my colleagues Chairman ROYCE and especially Chairman CHRIS SMITH for his pioneering leadership.

Despite great strides and the tremendous progress we have made in exposing and beginning to understand the complexities and growing obstacles of human trafficking, we still have much to do.

I am particularly thankful for the inclusion of my language in section 103, which provides a modification to grants for victims services in order to provide a necessary focus on young victims in the child welfare system. Specifically, this section will amend the Trafficking Victims Protection Act to address a key reason children and women have difficulty leaving their exploiter: the lack of housing. They have nowhere to go.

As with all antitrafficking measures, I am particularly concerned about what we are doing to combat the devastating epidemic of young girls in the foster care system falling prey to child exploitation and sex trafficking. The average age of a girl entering into sex trafficking is 12 years old.

In 2016, an estimated one out of six endangered runaways reported to the National Center for Missing & Exploited Children were likely child sex trafficking victims. Of these reported victims, 86 percent were in the care of social services or foster care when they ran.

One seasoned detective in Los Angeles recently reported during a demonstration on law enforcement technology used to identify victims that every single girl he has ever encountered through sex trafficking or commercially exploited sex activity has been in the child welfare system.

It cannot be overstated that the purpose of the child welfare system is to protect children who are abused or neglected. It is our responsibility to make sure these children do not fall between the cracks. It is devastating to know that we have failed many of them.

Just as if one of our own children in our family went missing, a child that is under the care of the government that goes missing demands our most aggressive response and effort to find, save, and protect them.

Our most urgent priority should be disrupting the child welfare-to-trafficking pipeline and finding better, more effective ways to meet the critical needs of this vulnerable population. In particular, as we continue to tackle child sex trafficking in the United States, it is imperative that we provide a special focus on the immediate and long-term housing needs of at-risk foster youth. Young girls and disconnected youth have particular and sensitive needs as trafficking victims.

Current funding for housing and shelter for victims of child sex trafficking is insufficient to meet the growing demand for youth services, especially young foster girls exploited through their emotional and financial vulnerabilities. At every level of government, we have an urgent responsibility to shut down pathways for child sex trafficking and to invest in critical housing needs for vulnerable youth and girls. This responsibility includes supporting and adopting H.R. 2200.

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

Mr. ROYCE of California. Mr. Speaker, I yield 5 minutes to the gentleman from New Jersey (Mr. SMITH). He is the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, Global Human Rights, and International Organizations, and, of course, he is the author of the original Trafficking Victims Protection Act. He is also the author of this bill today.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the distinguished chairman ED ROYCE for yielding. I thank him for his leadership on trafficking, for this bill in particular, for the markup, and for all of the assistance he provided. I also thank ELIOT ENGEL, our ranking member. I thank them from the bottom of my heart.

I want to thank KAREN BASS, the lead Democrat on the bill, for her exceptional leadership and her collaboration on this legislation.

I want to thank Speaker RYAN and Majority Leader MCCARTHY. I have to say—and I have been working on human trafficking since about 1995, chaired probably more than 30 hearings and written four laws—I have never seen such a deep commitment to fighting trafficking and protecting victims

than our leadership. It is unparalleled and it is inspired.

KEVIN MCCARTHY helped ensure timely consideration. There are eight committees of referral. Sometimes that is a death knell for any bill. It is so hard to secure agreements and vote them out. Well, each of those chairmen and their staffs worked diligently and in good faith. At the end of the day, the leadership was there. They had our back on the legislation.

I want to thank Chairman ROYCE, again, for his extraordinary leadership as well.

Mr. Speaker, ever since the Trafficking Victims Protection Act of 2000 became law in 2000, combating human trafficking has been a major priority in the United States and, indeed, globally.

Over the last 17 years, police and civil society organizations—many of them faith based—have identified and rescued more than 250,000 victims worldwide. Some put that number at close to 300,000. Prosecution of traffickers in the U.S. has increased by more than 500 percent, but, frankly, our task is far from accomplished.

The International Labor Organization suggests that nearly 21 million people in the world today are enslaved, most of them women and children. That is unconscionable. Every human life is of infinite value. We have a duty to protect the weakest and most vulnerable from harm.

The Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017 is comprehensive. It is bipartisan, and it is designed to strengthen, expand, and create new initiatives to protect victims, prosecute traffickers, and prevent this cruelty and exploitation from happening in the first place.

Title I of the bill focuses on combating trafficking in the United States. Title II focuses on the world. Title III authorizes appropriations of more than half a billion dollars over 4 years, including reauthorization of the TVPA of 2000.

The legislation, Mr. Speaker, is named in honor of the incomparable Frederick Douglass on the eve of his 200th birthday. Born a slave in 1818, he escaped when he was 20 and heroically dedicated his entire life to abolishing slavery and, after emancipation, to ending the Jim Crow laws in order to achieve full equality for African-American citizens. A gifted orator, author, editor, statesman, and Republican, he died in 1895.

Human trafficking, Mr. Speaker, is modern-day slavery that needs a Herculean effort to eradicate.

Among its numerous provisions and one that is of special interest to the Frederick Douglass Family Initiative—and we worked very closely with them on this—it authorizes HHS grant money to ''establish, expand, and support programs'' to provide age appropriate information to students all across America to avoid becoming victims of sex and labor trafficking as well as to educate school staff to recognize and respond to signs of trafficking.

It adopts a number of best practices, like for example making sure that when government employees book rooms, that we utilize hotels where they have initiated efforts and sponsored training to eradicate child sex trafficking. We do the same thing with airlines. The flight attendants—Delta is a classic example—once trained, can spot trafficking in progress, inform the pilot, and when that plane lands or jet lands, ensure that if there is a situation, there is an arrest of the traffickers and a rescue of the woman or children who are being trafficked.

We will now try, to the best of our ability, to hold the airlines to account. There needs to be reporting. It is already the law that they should provide this training. Now we want to ensure that training actually happens.

Chairman ROYCE talked about the TIP Report. Just a couple weeks ago, Secretary Tillerson announced the 2017 TIP Report. It is a voluminous and very accurate report about what is happening in 190 countries around the world, including the United States. Those countries that are designated Tier 3, egregious violator, are subject to sanctions.

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

Mr. ROYCE of California. Mr. Speaker, I yield an additional 2 minutes to the gentleman.

Mr. SMITH of New Jersey. Mr. Speaker, I just want to commend the Trump administration for finally holding China to account as a Tier 3 violator. A worst offender.

The pending bill makes a number of important reforms to the TIP Report and how it is prepared. My hope is that we will have an even better, more accurate, and more effective effort at holding countries to account.

Again, this legislation applies to the United States for labor and sex trafficking as well as to the world. Again, I do want to thank all those who have been involved in it.

Let me just say we worked on this bill for well over a year with ATEST; Polaris; IJM; World Vision; United; Humanity; ECPAT; United States Conference of Catholic Bishops; Shared Hope International; CATW; Ambassador Swanee Hunt; the National Center for Missing & Exploited Children, which provided valuable insight; and others. They were all very much a part of our effort.

I also want to thank critical staff, including Luke Murray and Kelly Dixon, from the Majority Leader's Office, who are outstanding—they get the job done, and they ask all the right questions about substance and process and helped us along—Doug Anderson, counsel of the House Committee on Foreign Affairs; Mary Noonan; my chief of staff, Piero Tozzi; Allison Hollabaugh; Krystal Williams, KAREN BASS' staff member; and so many others on the committees that also made such a huge difference in enabling us to get this through all the committees to the floor today.

I urge my colleagues to pass the bill.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), who is the ranking member on the Crime, Terrorism, Homeland Security, and Investigations Subcommittee of the Judiciary Committee.

Ms. JACKSON LEE. Mr. Speaker, let me thank the authors of the legislation, Mr. SMITH and Ms. BASS, for their leadership, and thank Chairman ROYCE for again reemphasizing the importance of this in terms of all committees, including the number of committees that have been noted.

Let me thank the cosponsors for acknowledging as well, Frederick Douglass. It is right that he was born in slavery, but he reminded us that there is no power without struggle, and there will have to be a struggle to end sex trafficking and human trafficking.

Mr. Speaker, I am reminded of the 1990s, when I met my first real modern-day slaves on the border of Bangladesh, where we were seeing women fleeing who had been trafficked and who had been utilized sexually. Their parents had sold them out of desperation.

□ 1615

They were actual true slaves who were fleeing to the border of Bangladesh. That is a startling and stark recognition that in the 1990s, and now in the 21st century, slavery still exists.

I am delighted to be an original cosponsor of this legislation and to have worked on these issues, and to acknowledge the commemoration of Mr. Douglass' 200th birthday.

So I am grateful for the $130 million in current funds appropriated to ensure a robust response to fight human trafficking; again, to do this at home and abroad; and to acknowledge the alliance to end slavery and trafficking at the National Center for Missing & Exploited Children, who are supporting this.

The bill would also provide human services grants, opportunities to be used for educating children and staff in U.S. schools about human trafficking. Of course, it would help my own center in Houston, the Center to End Trafficking and Exploitation of Children, or CETEC. I thank them for their great work. It is the only center of its kind in Texas established to combat minor sex trafficking. In addition, this important bill helps many others.

Let me conclude by simply saying that I support the idea of holding airlines accountable. We have been working with them. Homeland Security has been working with them. The flight attendants want to be engaged. All of us should be engaged in fighting sex trafficking.

Mr. Speaker, I ask for support of the bill.

Mr. ROYCE of California. Mr. Speaker, I yield 2 minutes to the gentleman

from Ohio (Mr. CHABOT), a senior member of the Committee on Foreign Affairs.

Mr. CHABOT. Mr. Speaker, I rise today in strong support of H.R. 2200, H.R. 2480, and H.R. 2664, three overwhelmingly bipartisan bills curbing and combating modern-day slavery at home and abroad.

I want to particularly thank Chairman ROYCE, as well as Chairman SMITH and the gentlewoman from California, Ms. BASS, the ranking member, all who have been leaders in this area for quite some time now, and we appreciate that very much.

As a parent, a grandparent now, and as a former teacher, I know that education empowers children. These bills on the floor today ensure that we are doing our utmost to allow every child across the globe the opportunity to reach their highest potential. That is why I introduced the bipartisan H.R. 2408, Protecting Girls' Access to Education Act, earlier this year, along with my Democratic colleague, ROBIN KELLY.

By providing access to safe primary and secondary education, our bill aims to offer educational opportunities to the approximately 62 million girls globally who are not in school. There are 62 million girls who are not in school.

Similarly, these three bills, and the one that we are discussing right now on the floor today, are aimed at eradicating human trafficking and should improve every girl's chances for a quality education and a more peaceful and stable life, both in the United States and abroad.

Unfortunately, there are young girls and women here in this country who are vulnerable in the greatest country on the face of the Earth. Obviously, the problem is much worse across the globe.

I want to thank all colleagues on both sides of the aisle for truly working in a bipartisan fashion to at least get a handle on one of the toughest things that we face globally, and that is child trafficking, human trafficking, and a whole range of issues along this line.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Hawaii (Ms. GABBARD).

Ms. GABBARD. Mr. Speaker, too often we hear about human trafficking and sex slavery. It is often dismissed as a crime that only happens ''over there''—overseas or in a foreign country.

The Global Slavery Index estimated that nearly 46 million people across 167 countries were victims of human trafficking in 2016. This problem is very real. But here at home, it is also a problem, where we have children and young people who are forced or coerced into sex work and hard labor in our communities all across the country.

As America's gateway to Asia, my home State of Hawaii sees an unprecedented number of people taken from their homes to be exploited here on our shores. In 2010, the FBI freed 400 Thai nationals from a Hawaii farm, the largest human trafficking case in our modern history.

In Hawaii, I know personally of girls as young as 11 and 13 years old who were recruited from schools, malls, beaches, and other places, and exploited by traffickers. While every State, including Hawaii, has passed legislation to ban trafficking and classify it as a felony, clearly stronger, further action is needed to combat this modern, international slave trade.

This bill, the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act, will do many things, including expanding programs to help educators recognize and respond to signs of human trafficking in minors to try to prevent this abuse and support local law enforcement as they identify prosecutors who will focus on cases involving sex and slave trafficking.

I strongly support this legislation and urge my colleagues to vote ''yes'' to give these innocent men, women, and children a chance for safe, proactive, and healthy lives in our communities.

Mr. ROYCE of California. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Ohio (Mrs. BEATTY).

Mrs. BEATTY. Mr. Speaker, I thank my colleague, Congresswoman KAREN BASS of California, for her relentless work, and also my colleagues on the other side of the aisle, including Congressman CHRIS SMITH, for working on this.

Mr. Speaker, today is a historic day. I stand on the U.S. House floor to advocate for the passage of the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act.

I have had many meetings with Kenneth Morris, Frederick Douglass' great-great-great-grandson on this issue, sharing with him my work on my bill, H.R. 246, from the last Congress, which improves the response of victims of child sex trafficking. I am committed to ending human trafficking and to ensuring that this bill honoring Frederick Douglass' legacy becomes a law.

The Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act puts $130 million in funding for the prevention, protection, and, yes, prosecution of human trafficking. This investment is so needed, Mr. Speaker, because victims of human trafficking often live in the shadows of society. That is why it is up to all of us and why it is a bipartisan bill.

This legislation makes an investment in education. We have heard what it does with airports and what it does if you have survivors and government working together.

So let me end by reminding all of us that, in the words of Frederick Douglass, if we talk about protecting our children and preventing human sex trafficking, he would say, as he has said, ''It is easier to build strong children'' than to repair a broken system.

Let us talk about protection. These young girls and boys are sometimes held by invisible chains. We are here today to remove those chains.

Mr. ROYCE of California. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL of Florida. Mr. Speaker, I also give my thanks to Mr. ROYCE; Mr. SMITH; and my colleague, Ms. BASS, for their leadership. I am very proud to be part of this bipartisan act to stop what we call modern-day slavery of men, women, and children.

Human trafficking is a global crisis of epic proportions. After drug trafficking, it is the number two criminal enterprise on Earth. Yes, it happens right here in our own backyard.

Recently, I met Shandra. She is a mother; a college graduate; and formerly a banker in Indonesia, until a financial crisis hit. Looking for a better life for her family, she came legally to the United States, taking what she thought was a job in the hospitality industry. The minute she landed in the United States of America, her hopes turned into a living hell. It is hard to put what happened to her in words.

Shandra's new employer held her by force. With threats of violence, he drugged her and sold her into prostitution day after day, for years. Finally, after multiple attempts to escape, she actually climbed through a bathroom window and went to safety.

Mr. Speaker, shockingly, as we speak here in this room today, there are millions of innocent victims like Shandra who are held in some form of cruel servitude. Our effort today will save lives and prevent horrific suffering. I am proud to be part of these efforts.

Mr. ROYCE of California. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. CAROLYN B. MALONEY).

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I thank my colleague and friend for yielding, and I thank her for her extraordinary leadership. I would like to be associated with her comments describing this horrific crime.

Human trafficking outpaces drugs and guns as the world's fastest growing and most prosperous criminal activity. But unlike guns and drugs, which can only be sold once, in trafficking, the human body is sold over and over and over again until it kills the person.

I very strongly support the ending of this modern-day slavery through the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act. I have worked closely with Representative SMITH since 1995,

Representative POE, Representative WAGNER, and others, to combat this despicable crime.

This legislation, first passed in 2000, revolutionized U.S. efforts against trafficking here and abroad. It included language I offered targeting traffic on the demand side, which is very important and key to punishing the real criminals here: pimps, johns, and traffickers who buy and sell their victims.

This legislation makes improvements to programs and policies that combat trafficking here and around the world. It helps law enforcement in their efforts to prosecute, which is growing. It improves professional training to identify potential trafficking victims and provides services to enable survivors to rebuild their lives with dignity.

Perpetrators of modern-day slavery are profiting to the tune of $150 billion a year. We need a coordinated, comprehensive approach to stop it.

I urge all of my colleagues to vote ''yes.'' This bill saves lives. It is important. I am thrilled to be part of the effort to combat human trafficking in our world.

Mr. ROYCE of California. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Speaker, I thank my colleagues, CHRIS SMITH and KAREN BASS, for spearheading this important bill and for really putting tremendous energy into it.

Mr. Speaker, far too often, it is our children who fall victim to the horror of human trafficking. As you have heard this afternoon, we must do everything that we can to stop this injustice.

Often it has been said of human trafficking that it is hiding in plain sight. Advocates and survivors are always telling me that it is important to punish traffickers, but we also need to focus on prevention.

The reauthorization of the Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act strengthens what we need in this holistic approach. It includes my bill, the Empowering Educators to Prevent Trafficking Act. This language in the bill creates a training program that I think you have heard about that empowers educators to spot the signs of trafficking and, in turn, teach their students how to protect themselves from becoming victims.

With the passage of this bill, our schools can join the resistance in the fight against trafficking. Armed with knowledge, students and teachers can join the battle lines against the injustice of modern-day slavery.

I want to thank all those who have participated in this bill, and I urge my colleagues to support it.

□ 1630

Mr. ROYCE of California. Mr. Speaker, I continue to reserve the balance of my time.

Ms. BASS. Mr. Speaker, I thank the author of this important legislation, Mr. CHRIS SMITH; and I thank Chairman ROYCE for bringing it to the floor. I support this bill and I encourage my colleagues to do so as well.

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

Mr. ROYCE of California. Mr. Speaker, I yield myself such time as I may consume.

I would just mention, Mr. Speaker, that 20 years ago, human trafficking was unknown, I think, to most Americans and there was little public awareness of the severity of what we are calling here today modern-day slavery.

Seventeen years ago, Congress led on this issue by passing the Trafficking Victims Protection Act. We had very strong bipartisan support, and the rankings, the sanctions, the programs created by that law have been instrumental in building the momentum and awareness that exists out there today. And with each reauthorization, those laws have been fine-tuned, they have been strengthened. This bill continues that tradition. It is time to recommit ourselves to this noble fight against slave-like labor and sexual exploitation of underage children.

I have asked some of the victims why it is that so many of these criminal gangs move from drug running and other kinds of activity into this kind of behavior, and part of the response is: Because, you know, in a drug war, a gang member can get himself killed, but it is a lot easier to exploit a 14-year-old underage girl, it is a lot easier to be in that kind of business than it is in the more dangerous business.

We have got to overcompensate for this reality by passing legislation which allows these additional tools to be used to close down these criminal syndicates and to create real deterrence for those gang members who consider going into this line of work.

So I thank Mr. SMITH, Congresswoman KAREN BASS, and all my fellow cosponsors on this bill. It deserves our strong support.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. ROYCE) that the House suspend the rules and pass the bill, H.R. 2200, as amended.

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

A motion to reconsider was laid on the table.

GAINING RESPONSIBILITY ON WATER ACT OF 2017

GENERAL LEAVE

Mr. MCCLINTOCK. Mr. 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. 23.

The SPEAKER pro tempore (Mr. VALADAO). Is there objection to the request of the gentleman from California?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 431 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. 23.

The Chair appoints the gentleman from Pennsylvania (Mr. PERRY) to preside over the Committee of the Whole.

□ 1634

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 23) to provide drought relief in the State of California, and for other purposes, with Mr. PERRY in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. MCCLINTOCK) and the gentleman from California (Mr. HUFFMAN) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, in California, 5 years of historic drought caused billions of dollars of damage to our economy, destroyed tens of thousands of jobs, and brought many communities within just months of literally running out of water, all because we couldn't store water from the wet years to assure plenty in the drought years.

Then back to back with this historic drought, we have just had one of the wettest winters on record. Massive torrents of water threatened entire communities on its way to be wasted in the Pacific Ocean, all because of the very same problem: we have few reservoirs to store this superabundance of water for the next drought.

Even before the drought, massive water diversions required by a growing tangle of laws and regulations had created devastating economic hardship in California's fertile Central Valley. Those same policies forced us to release what precious little water we had remaining behind our dams to adjust river temperatures for fish.

For three Congresses now, the House has acted to fix this folly. Today, H.R. 23, the GROW Act, by Congressman DAVID VALADAO, addresses the policy, regulatory, and administrative failures that have mismanaged our water supplies across the West.

The GROW Act includes both short-term and long-term provisions aimed at restoring water reliability and certainty to cities and farms. It includes seven titles that expand water storage, improve infrastructure, protect water rights, and create more abundant and reliable water resources to benefit both communities and the environment.

The GROW Act gives Federal agencies the tools they need to help safeguard communities from the hardship of future droughts. It codifies the historic Bay-Delta accord that provided an equitable balance between human and environmental needs and guaranteed the reliability and predictability of our water supplies.

It strengthens northern California area-of-origin water rights and prevents the Federal Government from demanding that people give up their water rights in order to operate on Federal land.

It streamlines the endlessly time-consuming and cost-prohibitive environmental permitting that is blocking new reservoir construction by coordinating Federal agencies and requiring transparency of the science behind its decisions.

It requires completion of studies for five new reservoirs that have dragged on for decades.

In the past, we have heard three objections from opponents. The first is it will decimate salmon fisheries. On the contrary, it saves those fisheries where the environmental policies of the past 40 years have utterly failed to protect them.

The GROW Act targets the nonnative predators that are responsible for 90 percent of salmon losses as the smolts try to make their way to the ocean. It encourages the use of fish hatcheries to assure that salmon populations will increase dramatically in future years.

The second objection is that it will preempt State water rights laws. Read section 302 of the bill. ''The Secretary of the Interior is directed, in operation of the Central Valley Project, to adhere to California's water rights laws governing water rights priorities . . .''

It goes on to say that diversions ''shall not be undertaken in a manner that alters the water rights priorities established by California law.''

It does have provisions necessary to codify the Bay-Delta agreement and combat invasive predators, but this doesn't set a precedent for other States. California is unique among the States in the fact that it operates with a coordinated operating agreement that combines the Federal Central Valley Project and the California State water projects and runs them as a unified system. This was at the request of California and with its consent.

The third objection is that it rewards powerful agricultural interests at the expense of consumers. This is nonsense. An average consumer uses roughly 100 gallons a day to wash the dishes, water the lawn, everything else we do in our daily lives. But when you purchase a cheeseburger, you have just consumed 750 gallons of water because that is what it takes to grow the ingredients in that cheeseburger. Buy a pair of jeans, you have just used 1,800 gallons of water.

The fact is that all of this water benefits consumers and the tens of thousands of farm workers and others who provide for their families from this water.

Droughts are nature's fault. Water shortages are our fault. They are a choice we made a generation ago when we chose to neglect our infrastructure and mismanage our water resources. It has led to increasingly severe water shortages, spiraling utility and grocery bills, and economic stagnation. The GROW Act chooses a brighter future of abundance and prosperity that can begin today with our vote.

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

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, so much for regular order. The bill before us today has not received a hearing in committee where witnesses could have testified about its effects. It has not gone through the markup process so that the committee of jurisdiction could actually debate and offer amendments to improve it.

Moreover, we are about to vote on a bill with several provisions that no one has ever seen before last Wednesday, aside from a small group of Republican offices and special interests that have been working on the bill.

Now, this closed-door process not only ignores the changing conditions of drought in California and how the State has already been adapting to meet water conservation needs, but it also ignores all of California's water provisions that were included, albeit at the last minute, in the WIIN Act last year, which is now Federal law.

There has been no discussion, no hearing, no way to know how the provisions of this bill that overlap with the enacted law will actually be implemented by the Trump administration. This is legislating blind, and it is a bad idea.

On some level, I do understand my Republican colleagues' fear of regular order on this bill. The more sunlight and public scrutiny that this bill gets, the uglier it looks. Make no mistake, if enacted, this bill will hurt a lot of people.

This bill takes water away from fishermen, from tribes, the environment, Delta farmers, and others in order to redistribute it primarily to a small group of some of the Nation's biggest and most politically connected agribusiness interests.

My Republican colleagues often talk about States' rights, yet this bill repeatedly overrides State laws over the objection of that State. I am talking, of course, about California.

A letter of opposition to H.R. 23 recently came from Governor Jerry Brown, sent to the speaker of the house in the California Congressional Delegation attesting to this. Governor Brown writes: ''This bill overrides California water law, ignoring our State's prerogative to oversee our waters. Commandeering our laws for purposes defined in Washington is not right.''

This assault on California law and its values are why both California Senator DIANNE FEINSTEIN and Senator KAMALA HARRIS oppose this bill as well.

Now, here are just a few examples of the sections in this bill that preempt State law. Section 108(d) begins with the words ''California law is preempted'' on page 21, paragraph 3. That section goes on to remove State protections for certain fisheries.

Section 113 of the bill preempts California law that requires the restoration of California's second longest river and that river's native salmon runs.

Section 108 of the bill tells the State of California that it is barred from managing the State's water in any way that would ''protect, enhance, or restore . . . any public trust value.'' In other words, the broader public interest can't be considered by the State when it is managing the water that belongs to the people of California.

Additionally, this bill eliminates existing fishery protections, which could put many of California's native fisheries and the thousands of jobs they support on a path to extinction. That means that this is more than just a California problem, because fishing communities in Oregon and Washington also depend on California salmon runs.

There was a recent UC Davis report that found that if present trends continue, many of California's salmon runs are on a path to extinction in the decades ahead. This bill would hasten that prediction into reality.

This is not just an environmental impact. It is a human one as well. We have heard from fishermen who are struggling to pay their mortgages, boats are being scrapped because owners can't pay mooring fees, homes are being repossessed. We have heard about the struggles of small-business owners running restaurants, hotels, and other retail and service businesses. We have also heard from Indian Country, like the Hoopa Valley Tribe that I represent, and others about the danger that this bill poses to tribal fisheries, to tribal water, fishing, property, and other rights.

□ 1645

Rather than simply picking winners and losers, as this destructive bill does, Congress should be working together to grow water supplies for everyone without violating Tribal responsibilities or overriding State sovereignty. Congress could be supporting a range of modern water technologies like reuse, desalination, water use efficiency, storm water capture, and groundwater storage and remediation. These are the tools that have increased California's water supplies in recent years and are making our State more drought resilient, but this bill does none of that.

These are not controversial suggestions working on these modern water supply tools; in fact, it was the reclamation commissioner for President George W. Bush who described the water that we could tap through reuse as the next great river of the American

West. We should be focusing on those kind of noncontroversial consensus solutions.

I urge my colleagues to vote ''no'' on this bill, and I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. NUNES), who has been a leader on this issue for more than two decades.

Mr. NUNES. Mr. Chairman, I thank Mr. MCCLINTOCK for yielding me the time and for his kind words.

Mr. Chairman, I am not going to respond to the other side of the aisle because some things that are said on this floor are so ridiculous that they don't deserve a response. So I just want to talk today, Mr. Chairman, about the facts that we face in the San Joaquin Valley.

So in the southern and central San Joaquin Valley, we have about 3 million acres of farm ground, land that is the most fertile farmland in the world—not just in the United States, in the world. We are in danger of losing about a third of that farmland largely because the leftwing government in California has overreached so far that they are now taking away people's private property rights.

So I want to talk first about our water shortage. So this is the shortage of water that we have in the valley. So it is about 2.6 million acre feet are what we need on average to farm all of the land that we have historically farmed in our area.

Now, these are farms that provide food for not only the people of the United States and all over the world but also for the families that work on these farms.

So we hear a lot about drought, and we have had supposedly a severe drought, and it was no question a severe drought, but what the left continues to not want to talk about is all the water that gets dumped out into the ocean every year. So just from October of last year to just a couple days ago, 46 million acre feet of water have gone out to the ocean. So if you go back to the chart I just had, we are only short 2.6 million acre feet. So of the water that has flown into the delta in the middle of California, 92 percent of that water has gone out to the ocean, and it has been wasted.

Now, some on the other side of the aisle, they continually talk about global warming, and they continually talk about how the oceans are rising. Well, if you believe the oceans are rising, why would you want more water to flow out into the ocean? I don't understand that.

So this is about a million acres of farmland that is going to come out of production if we don't do anything about it. About 1 million acres over the next decade will begin to come out of production. In fact, some this year is already out of production because none of the water was moved early enough so that it could get to farms in time.

So even though we have flooding—so this picture was taken just a couple days ago—this is water spilling over the top of the dam that is going to go all the way out into the ocean and be wasted, for an ocean that supposedly is rising because of global warming. So this is happening because, as Mr. MCCLINTOCK said, we are not building water storage projects.

So what this bill does is it reverts back to what the Founding Fathers of our State built, mostly Democrats, by the way. It was Democrats working with the Republicans who built this water system in California. So if we take the existing water system that we have, we add to that four or five facilities, like Mr. MCCLINTOCK is talking about, all the land gets farmed, all the species get saved, everybody goes to work.

What you will not hear from the left, and this is very disturbing, I only picked the least disturbing of all the pictures, but I think it is important for people here in Washington and all over the United States to understand this, this is just one family of many of thousands of families where their homes actually ran out of water. So this picture is not from Africa, it is not from somewhere in Southeast Asia. This is a picture from my area, from my district, from the central and southern San Joaquin Valley. These are people who are out of water.

So the left always talks about wanting to protect people, wanting people to be able to work, yet we have people with no water in their homes, and yet they are willing to see 92 percent of the water flush right out by the Golden Gate Bridge and be wasted for an ocean that supposedly is filling up.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

We often hear about water that flows through the estuary of California's Bay-Delta system, we hear that sometimes described as wasted. There are some inconvenient facts that we have to bring up when that happens, like the fact that almost all of that water that flows out through the estuary is to prevent salt water intrusion so that the State and Federal water pumps aren't sending salty water to millions of Californians. That wouldn't work. In fact, if we shut down all of that outflow that my colleague just mentioned, that is exactly what you would see: massive salt water intrusion and a shutdown of the State and Federal water projects.

There is also incredible value in the water that flows through that estuary for downstream communities and farmers and senior water right holders, and others who have depended on it for decades. No one understands that better than my colleague who represents some of those communities in the estuary, in the delta, MIKE THOMPSON.

Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. Mr. Chairman, I rise in opposition to this bill, and I rise on behalf of the fishermen, the landowners, the delta and north-of-delta farmers, the conservationists, the sportsmen, coastal communities, the counties in my district, and the water users across our State that will be harmed by this bill.

This is a disappointing effort to take care of the San Joaquin Valley's massive agro businesses at the expense of everyone else.

More times than I can count, I have stood on this floor with many of my colleagues from California to explain that our State's water system is complicated. It is because there are hundreds of stakeholders. There are decades of rules, laws, and court cases from every level of government and industry that regulate the delivery of water to users across our State.

Once again, this body is proposing to end-run that delicate balance to benefit one interest. That is wrong.

Once again, we are gutting Federal protections for fish and wildlife that support our State's $3.5 billion hunting and angling industry and our $1.5 billion salmon industry.

Once again, we are preempting California laws and regulations, telling States across America that we are okay with the Federal Government undermining State and local experts from coast to coast, but this time they are going further.

This bill isn't just about water anymore. It is about giving contractors a pass on their obligations to be good stewards of the resources they are using in the Central Valley of California; it is about reneging on this body's commitment to the restoration of wildlife and habitat that have suffered the consequences of water management plans that already put them last; it is about cutting stakeholders out of the picture and determining winners and losers in Federal statute; taking a blunt ax to our State's water system over the objections of our Governor, both of our Senators, and many of our colleagues in the House. This is wrong for California.

It won't alleviate water shortages, but it will kill jobs, and it will ruin drinking water for millions.

We need real solutions that are based on sound science and that work for everyone. This bill is not that solution. It is bad for California's economy, bad for our State sovereignty, and bad for our environment. I urge my colleagues to vote ''no.''

Mr. MCCLINTOCK. Mr. Chairman, I yield 4 minutes to the gentleman from California (Mr. VALADAO), the author of this legislation.

Mr. VALADAO. Mr. Chairman, the first slide that I wanted to present here is one that I think is very important when we talk about water going out into the ocean.

The first bar there, the dark blue one, is how much water was flowing through the estuary this past year.

The second bar is actually a little bit of an exaggeration. If we took every

single reservoir that we propose in this bill, multiplied it by ten—ten times the amount of storage that we are proposing—we still wouldn't use all that water. There would still be quite a bit of water flowing out into the ocean. So multiply every single project times ten, and we still don't use up all the water.

So there was a lot of water wasted this year alone that we had the opportunity to capture if this bill had been presented earlier or passed into law, and we had the opportunity to actually make a difference.

Why does that make a difference to so many folks? It makes a difference because the Central Valley is very important to the country. We feed the Nation. When you look at all the different commodities, and this is just a small sample, we produce over 400 different commodities, and a lot of these, a big majority, some of them as much as 99 percent of the different commodities that go through.

So everyone sitting at home around the country should pay attention, because this affects their food supply. Even here in the Capitol, when you make yourself a salad at the salad bar, those salads, all those different products are produced mostly in the Central Valley, and so that is why this legislation is so important.

The reason why it is important to my farmers to get this done, even in a year like this, where we had a 200 percent rainfall, with the amount of water that was flowing through that was, again, in my opinion, wasted, they didn't find out until it was too late. Planning decisions need to be made over at the beginning of this when the rain is coming down and they know that the water is there, not in March or in April, because the opportunity has passed.

Farmers are very optimistic people. They put stuff in the ground, cover it with dirt, and hope that it will grow so they can feed the world, but having them wait until April to make those decisions to plant those commodities and create those jobs is just way too late.

Now, this is the one that I think is the most important. This is Mendota, California. This is a farm worker. This is what happens when we allow water to flow out into the ocean that is wasted. People are living in shantytowns. These are people who want to work and people who want to feed the world, people who want to provide for their own families, and not wait for a check from the government. They just want to know when they are getting their water so that they can start to produce crops and feed the world, but this, because of the policies through Washington, D.C., is what we end up with.

Now all the folks who represent parts of my community in different ways, whether it is the water district, city, city councils, county governments, they have all sent in letters in support.

I include in the RECORD a list of all the folks who sent in letters in support of the legislation.

GROUPS SUPPORTING H.R. 23

Agricultural Retailers Association; ASV Wines; Blue Diamond Growers; California Cattlemen's Association; California Citrus Mutual; California Farm Bureau Federation; California Fresh Fruit Association; California Poultry Federation; California Water Alliance; City of Arvin; City of Atwater; City of Avenal; City of Clovis; City of Coalinga; City of Corcoran; City of Delano; City of Dinuba; City of Exeter; City of Farmersville; City of Firebaugh.

City of Fowler; City of Fresno; City of Hanford; City of Huron; City of Kerman; City of Kingsburg; City of Lemoore; City of Lindsay; City of McFarland; City of Mendota; City of Orange Cove; City of Parlier; City of Porterville; City of Reedley; City of San Joaquin; City of Sanger; City of Selma; City of Shafter; City of Tulare; City of Visalia; City of Wasco; City of Woodlake; Coalinga Chamber of Commerce; Corcoran Chamber of Commerce; Delano Chamber of Commerce.

Fresno Association of Realtors; Fresno Chamber of Commerce; Fresno County Board of Supervisors; Fresno County Farm Bureau; Fresno Economic Opportunities Commission; Fresno State; Friant Water Authority; Giumarra Vineyards; Gravelly Ford Water District; Greater Bakersfield Chamber of Commerce; Greater Reedley Chamber of Commerce; Hanford Chamber of Commerce; Kaweah Delta Water Conservation District; Kerman Chamber of Commerce; Kern County Board of Supervisors.

Kern County EDC; Kern County Farm Bureau; Kern County Hispanic Chamber of Commerce; Kern County Water Agency; Kern Ridge Growers, LLC; Kings County Board of Realtors; Kings County Board of Supervisors; Kings County Farm Bureau; Kings County Sheriff's Department; Kings River Conservation District/Water Association; Lakeside Irrigation Water District; Lemoore Chamber of Commerce; Madera County Farm Bureau; Merced County Farm Bureau.

Munger Farms; Municipal Water District of Orange County; National Milk Producers Federation; Nickel Family, LLC; Premier Valley Realty; San Joaquin River Exchange Contractors; San Joaquin Valley Water Infrastructure; Authority; Shafter Chamber of Commerce; South Valley Water Association.

Sunview Vineyards; Tipton Community Council; Tulare Chamber of Commerce; Tulare County Association of Governments; Tulare County Association of Realtors; Tulare County Board of Supervisors; Tulare County Farm Bureau; Tule River Association; Western Growers; Westlands Water District

Mr. VALADAO. Mr. Chairman, I think we need to have good, sound policy. I think it is time for the Governor and our Senators to play a role in this as well.

This bill has been passed. We have gotten some things passed, and I know that my friend across the aisle mentioned that earlier, but even after the WIIN Act was passed into law, we still had a delay in decisions made, because our farmers had no clue that they were getting their water.

So we have to pass legislation like this, this bill right here, and this is what can be helpful for us in the Central Valley in California and the Nation as a whole.

Mr. HUFFMAN. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Chairman, I thank my colleague for yielding.

Mr. Chairman, I rise in strong opposition to H.R. 23. Yet, again, it seems that instead of addressing the issues underlying California's water supply, some of my colleagues are more interested in fanning the flames of century-old water disputes.

The city of Sacramento, which I represent, sits at the confluence of two major rivers, the Sacramento and the American. Because there is no such thing as an average water year in California, living under the threat of drought and flood has become a way of life for Sacramento residents.

We are working with the Army Corps to invest billions of dollars in flood protection, and we are collaborating with the Bureau of Reclamation to build a groundwater bank and a water recycling facility to increase access to drinking water.

Congress should explore real solutions to drought challenges, as the Sacramento region is doing.

In the short term, we must be efficient about fixing leaks and waste while also continuing conservation efforts.

In the long-term, we should be taking advantage of new technologies to monitor our water use and making investments in wastewater cycling in above- and below-ground water storage.

Last Congress, I introduced a commonsense bill that removed barriers to wastewater cycling projects, making it possible for them to move forward more quickly and efficiently with Federal support. It ultimately became law. Yet instead of debating these types of solutions, we are wasting time on a bill that does not solve our underlying water supply problem.

□ 1700

I grew up on a farm in the Central Valley. My father, my uncles, and my grandfather were farmers. We raised peaches, plums, nectarines, and grapes. I recall living and understanding what water means to us, so I do understand the value and sensitivities about water.

Now, in the Sacramento region, where I now represent, we have tried to take a balanced approach, working to protect the environment while providing water for our farms and our cities.

It is misleading to claim that H.R. 23 will solve our drought problems. This legislation only prioritizes certain regions or industries instead of taking the comprehensive approach we need.

And by giving the Federal Government power to dictate the best uses of the State's water, H.R. 23 sets a disastrous precedent for other States across the country that should raise alarm on both sides of the aisle.

The bill we are discussing today undermines a State's autonomy. Ultimately, I am concerned that this bill will weaken environmental protections for the Sacramento-San Joaquin delta, and harm our State's ability to manage its own water.

That is why I join my district and the State of California in strongly opposing this bill. We cannot afford to

give up California's right to control its own water future. We must focus on an all-of-the-above strategy that puts us on the path to a sustainable water supply while protecting our environment.

Mr. Chairman, I strongly urge my colleagues to reject this legislation.

Mr. MCCLINTOCK. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from California (Mr. ROYCE).

Mr. ROYCE of California. Mr. Chairman, the reason we are here today has to do with the drought in California that, frankly, could have been solved had we been allowed to move forward with the storage that we need. Because the process now is one of watching the rains come, watch the water run out to the ocean, and we do not have the ability to block the red tape that prevents us from building the storage that would hold that water so that we can use it during the drought.

What was the consequence of us not being able to address that? And why is it so important that we pass the GROW Act here that DAVID VALADAO from the Central Valley has introduced?

Well, the consequences were one of having thousands of jobs disappear. The consequences were having dead crops plowed under in hundreds of thousands of acres of farmland that had been left idle. The consequences were that billions of dollars were lost in the State. And, frankly, the State of California produces 400 commodities that are one-third of the country's vegetables. It is two-thirds of this country's fruit. It is two-thirds of the nuts produced. The industry brings in $47 billion. When this happens, the consequences are felt by the farmers and by the people across California, by those thrown out of their jobs.

This is an incredibly important industry not only in California, but for the entire country. So, for years, we haven't gotten the water we paid for or contracted for.

But not to let us go forward with the additional storage and to put roadblocks in front of that, to absolutely block commonsense solutions, this has got to stop. This is why this legislation needs to be made into law.

Mr. HUFFMAN. Mr. Chairman, just to clarify, our environmental laws are not preventing new dams from being built. In fact, the Bureau of Reclamation, the GAO, and the Congressional Research Service have looked at this and haven't been able to identify a single—nor my colleagues across the aisle have been able to identify a single dam project that somehow was blocked because of environmental laws.

What has been stopping many of them—not all, but many of them—has been the financing challenge because many of these projects just don't make a lot of sense. It is important to realize that projects that do make sense have moved forward. They have secured financing. They haven't needed special shortcuts from the environmental laws. And they have happened, projects like Diamond Valley, projects like Los Vaqueros, probably the coming expansion of Los Vaqueros.

Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chairman, I thank the gentleman for yielding to me.

We, in the San Joaquin Valley, know that where food grows, water flows. That is not just a saying; that is the truth. It takes water to grow the food that we rely on to sustain ourselves.

Luckily, this year, we have been blessed with an abundance of rain and snow on the mountains—a record year. However, it is only because of the wettest year in California's historical record that the agricultural heartland of California, a place where half of our Nation's fruits and vegetables are grown, is, this year, free from drought.

Only 1 year ago, over 83 percent of California was in a moderate drought or worse. We know that the next drought is sure to come, threatening valley families and farm communities. It is either feast or famine. We measure water on 10-year averages. That is why we need solutions that solve this long-term challenge.

I commend Congressman VALADAO for continuing this effort. As I noted in a letter I wrote to him in February, though, I have concerns that this legislation, without some improvements, will fail to be that long-term solution that the valley and our State so desperately needs. This solution must be, at the end of the day, multifaceted, must not pick winners and losers, as California water policies in the past have so frequently done, to the detriment of both the agricultural economy, which we have felt, and California's ecosystems. Sadly, some of the provisions within this legislation, in my opinion, I think fail to meet this test.

Language within titles 1 and 3 would pose threats to the wetlands of Grasslands Ecological Area, the largest wetlands west of the Mississippi, a vital component of the Pacific Flyway, in an area that contributes nearly $73 million a year alone to Merced County, which I represent.

Section 106 would drastically cut collections to the Central Valley Project Restoration Fund, which pays for refuge water conveyance—that is very important—and that would transfer oversight of the fund to other water users. It would also, I think, supersede State laws in some areas that, frankly, over the experience I have had, in many years, will create more problems than it solves.

In addition to these concerns, I know from having worked on water solutions for over 30 years that both here and in Sacramento, the only path to legislative success is through bipartisan, bicameral action, as we experienced in December with the passage of the WIIN Act that, by the way, authorized four reservoirs that was contained in the WIIN Act that Senator FEINSTEIN and I and Republicans in the House worked on together in a very constructive way.

So, as always, I stand ready to work with my colleagues in both the House and the Senate on a bipartisan basis to improve this legislation and get solutions to fix California's broken water system to the President's desk.

I support moving this legislation forward to the Senate. But let's be clear, this is a work in progress, and much more work remains for this legislation, I think, to be successful.

Mr. MCCLINTOCK. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California (Mr. CALVERT), the dean of the Republican delegation to the House.

Mr. CALVERT. Mr. Chairman, I thank the gentleman for yielding.

Last winter, two miracles occurred 3,000 miles apart. Here in Washington, our Nation's Capital, Republicans and Democrats came together and passed a significant water bill that was signed into law. Back in California, we saw massive amounts of rainfall that came down in our drought-stricken State, quickly filling our depleted reservoirs.

But I think we can actually take another big step forward by passing H.R. 23, the GROW Act. This bill before us provides even more long-term water solutions for California by expediting the consideration of feasibility studies for water storage projects that have languished for periods of time that are longer than it took to actually build the Hoover Dam. The GROW Act also includes provisions that are critical to the Bay-Delta operations and help improve water reliability.

Last year, Mr. Chairman, you heard a lot of doomsday predictions from certain groups that said the language we passed would push threatened species towards extinction. That did not happen. Today you hear a lot of the same talk. But solutions to H.R. 23 are common sense and will bring reliability to the water supply of California.

Mr. Chairman, I encourage a ''yes'' vote.

Mr. HUFFMAN. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. MCNERNEY).

Mr. MCNERNEY. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, we see this bill every Congress. That is, every 2 years we fight this thing out.

Let's talk about what it would do. It would weaken the Endangered Species Act—that has been a target of the Republican Party for decades. It will benefit one region while harming another. It will make a few people very wealthy. It will likely cause additional drainage problems for the Westlands and other water districts. It will cause ocean salt water to come farther inland in the California delta, poisoning farmland, destroying marinas, disrupting water supplies for cities along the delta, basically destroying the delta as we now know it. It will use precious limited water to plant evermore thirsty orchards in the desert. And it may expedite the creation of new dams with weakened environmental control.

So let's look at what it won't do. It won't create any new water.

So why do we have to go through this every 2 years?

It is good political theater for some colleagues, but it is not going to get through the Senate.

But all may not be lost. Here is a novel suggestion: work across party lines, work across northern versus southern California lines, and come to a compromise that will actually create new water and take all stakeholder interests into account.

We need to take a holistic approach.

It means actually funding recycling and above- and below-ground water storage that makes environmental sense. It means capturing stormwater, early leak detection, data collection, efficiency, and conservation. It is all of these things, all of which can be done in a cost-effective way that prepares us for the long-term.

There are countless recharge, recycling, desalinization projects, as well as other storage projects that are ready to go and could create or save enough water for thousands of families in California.

Instead of considering a bill that wastes water and that California opposes, we should be discussing how to most efficiently utilize the rain and snowpack we have, which can be done while protecting the environment.

Let's oppose this bill and start working on legislation that can be signed into law and benefit everyone.

Mr. MCCLINTOCK. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. GOSAR), the chairman of the bipartisan Western Caucus.

Mr. GOSAR. Mr. Chairman, I rise today in strong support of H.R. 23, legislation sponsored by my good friend and Western Caucus member, DAVID VALADAO.

For years, Western communities have suffered as a result of frivolous lawsuits, inefficient policies, and burdensome regulations that have prevented adoption of commonsense water solutions. These factors, coupled with a lack of rainfall, exacerbated a manmade drought that lasted for 5 years.

Rather than capturing precious water supplies, failed government policies that refused to put Americans first allowed billions of gallons to be funneled into the San Francisco Bay and Pacific Ocean. These deliberate diversions killed thousands of jobs, harmed our country's food supply, and led to local unemployment levels as high as 40 percent.

Today we have an opportunity to right these wrongs by passing the GROW Act, legislation that is supported by approximately 100 different cities, agriculture groups, water associations, irrigation districts, local chambers of commerce, and businesses throughout the country.

Most of the major provisions in this bill have been passed by this body numerous times. In fact, we have been working to enact similar legislation for nearly 5 years.

For example, title V includes Western Caucus member TOM MCCLINTOCK's Water Supply Permitting Coordination Act, an excellent bill that will streamline the permitting process for important water storage projects.

Title VI includes Western Caucus member DAN NEWHOUSE's Bureau of Reclamation Water Project Streamlining Act, much-needed legislation that will result in increased storage of surface water.

Title VII includes Western Caucus Vice Chairman TIPTON's Water Rights Protection Act, an essential bill that protects private water rights from Federal takings.

I strongly support these titles and the underlying bill. It is far past time that we put our communities, families, and America first.

H.R. 23 addresses previous policy failures and adopts worthwhile water policies that will benefit future generations.

Mr. Chairman, I thank the gentleman from California for sponsoring this much-needed legislation, and I urge my colleagues to vote in support of this commonsense bill.

Mr. HUFFMAN. Mr. Chairman, I want to briefly respond to my friend's reference to a manmade drought.

What California just went through is what hydrologists, scientists, and historians tell us is the most significant drought the State has ever experienced—a natural one. I certainly knew that human activities were impacting the climate, but, wow, if human beings could actually cause the snowpack to be 5 percent of normal and cause a drought like that, that is taking human-induced climate change to a whole new level. We have got to be careful in this debate. We are beginning to give hyperbole a bad name.

□ 1715

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI), representing the Sacramento Valley.

Mr. GARAMENDI. Mr. Chairman, we have a serious case of legislative amnesia here. Apparently, the sponsors of this bill and those who are speaking in support of it have totally forgotten what we did last year. The WIIN Act last year addressed every single problem that has been presented here this afternoon: new reservoirs, four were authorized in the WIIN Act, which became law less than a year ago—7 months, to be exact; all of the issues of the outflows of water to the delta were addressed so that additional export of water from the delta could occur.

I am wondering: What are we doing here with this piece of legislation, aside from totally eviscerating the protections for the largest estuary on the West Coast, of the Western Hemisphere? The environmental protections are eviscerated.

What are we doing with this legislation besides—oh, you wanted to talk about private water rights? Those private water rights are set in place by the laws of the State of California, which are overridden by this piece of legislation.

Yes, that is true. This legislation removes the water rights that the State of California has given to individuals as well as irrigation districts, but they are stripped away.

What is this all about?

Last year, a 2-year effort was completed and the WIIN Act was passed by this Congress, signed into law. It is in existence. Reservoirs can be built. Water conservation will take place. All of the things that we need to do are in place today.

So why are we fighting this fight? Because we don't know how to stop fighting? Because we don't know how to actually implement a law that we passed last year?

And, by the way, where is the funding for all you want to do here? There is no money in this. You want to do these things. You want water; you want reservoirs—put up the money. Don't just sit here and regurgitate what we have done for the last 5 years and totally ignore the progress that was made with the WIIN legislation.

We ought not do this. I am opposed to this, and, hopefully, we will find some sensible action.

Mr. MCCLINTOCK. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Colorado (Mr. TIPTON).

Mr. TIPTON. Mr. Chairman, I would like to be able to address title VII of the Water Rights Protection Act in this bill.

Over many decades, Federal attempts to manipulate Federal permit, lease, and land management process to circumvent long-established State water law and hijack privately held water rights have sounded the alarm for all non-Federal water users that rely on these water rights for their livelihood.

The Federal Government's overreach and infringement on private property rights that led to the introduction of this original bill in the 113th Congress involved the U.S. Forest Service's attempt to require the transfer of privately held water rights to the Federal Government as a permit condition on National Forest System lands. With this permit condition, there is no compensation for the transfer of these privately held rights.

This Forest Service permit condition has already hurt a number of stakeholders in my home State of Colorado, including Powderhorn Ski Area in Grand Junction and the Breckenridge Ski Resort. The same nefarious tactic has been used in Utah, Nevada, and other Western States, where agencies have required the surrender of possession of water rights in exchange for approving the conditional use of grazing allotments. This Federal water grab has broad implications that have begun to extend beyond the recreation and the farming and ranching community and are now threatening municipalities and other businesses.

In 2014, the Forest Service proposed a groundwater directive that would have expanded the agency's reach over groundwater and established new bureaucratic hurdles to interfere with private water users' ability to be able to access their water. Though the Forest Service ultimately withdrew this controversial groundwater directive, there are no guarantees that the directive or something similar won't be back in the future.

The Water Rights Protection Act offers a sensible approach that preserves water rights and the ability to be able to develop water requisite to living in the arid West without interfering with water allocations for non-Federal parties or allocations that protect an environment that is cherished by all Westerners.

I look forward to continuing to work with my colleagues from other Western States to ensure that no State-recognized water right goes unprotected from the class of actions that this bill prohibits.

I appreciate the inclusion of this legislation and encourage its passage.

Mr. HUFFMAN. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. BERA), my colleague from the Sacramento area.

Mr. BERA. Mr. Chairman, here we go again. Today, we are debating a bill that many of my California colleagues and I have opposed time and time again on this House floor.

This bill allows Washington, D.C., politicians to pick winners and losers when it comes to California's water. Now, that is not right. This is a partisan bill that is opposed by both California Senators as well as our Governor.

Now, California water is complicated. It is a lot more complicated than healthcare. But it should be up to Californians to kind of decide how to use our water, what we ought to do with that water.

Water is incredibly critical to our State. This isn't about picking winners and losers. When we think about water, we have certainly got to have storage, we certainly know we are going to have conveyance, but we have got to do this in a California way.

Unfortunately, H.R. 23 is going to pit northern California against southern California while overriding California's own State laws. The bill is also going to gut environmental protections and threaten the critical Bay-Delta ecosystem.

I fish on the Sacramento River, and salmon fishing is incredibly important to the State of California as well as the States to the north of us. This bill is not going to be a good bill. It is going to devastate the fishing industry.

We also have to think about drinking water for northern California.

Folsom Dam is in my district and Folsom Lake is in my district. It provides not only flood protection, but Folsom Lake provides surface drinking water for a lot of my constituents. We tried to put a simple amendment in here that would actually protect the quality of that drinking water. Unfortunately, H.R. 23 would mandate pumping levels that could negatively impact the Folsom Reservoir water supply. That is going to place many of my constituents at risk.

This isn't a good bill. Let's kill this bill. Let's step back. Let Californians decide the best way to handle California water. That is what we ought to do.

Again, this bill is dramatic overreach. It is the Federal Government stepping into something that the State should actually decide. I hope my colleagues will join me in opposing this bill.

Mr. MCCLINTOCK. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chairman, I rise in support of H.R. 23.

Today we have seen pictures, horrible pictures of some of the best agricultural land in the world that has been totally destroyed by the policies of people who are now claiming that they like the environment too much and that that should have, perhaps, something more to do with their decision-making than what benefits people. Well, what happened is we have turned one of the most productive food-producing areas of the world into a catastrophe, a desert that produces nothing.

And who has been in charge of this? Who has been in charge of seeing this total destruction of what could be a garden for the people of the world? It has been, yes, the Obama administration appointees for the last year and, yes, in California, where we have had a leftwing liberal Democratic administration appointing radical environmentalists the same way Obama appointed radical environmentalists to determine policy.

And what does that mean to us? It means there is less food being produced. It means we have turned productive land into a horrible desert that even animals can't exist upon.

No, it makes a lot of sense right now. What makes sense is that now we have gone through this drought and seen this destruction that didn't need to happen. What we need to do is build dams. What we need to do is to make sure that the water that we now have is being stored properly so that the people of our State don't suffer, so that wealth that can be grown from the land in central California, which used to be the world's breadbasket, that that wealth doesn't just disappear from the face of the planet.

No, you can't really love nature unless you also love people, and right now the people of California deserve to have some planning done about storing water when we have it rather than suffering and having this type of destruction during our droughts.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

Responding briefly to a bit of hyperbole just now that somehow environmental laws have created a ''desert that produces nothing in California,'' we do need to remember the facts.

The truth is, even through this historic drought, farm employment rose statewide each year during the drought. The agricultural economy is thriving, and, thankfully, this year, even the most junior Federal contractors are enjoying a 100 percent allocation. They are fully realizing the vision of being the breadbasket of this country and the world. It is hardly a desert that produces nothing.

With that, I do need to contrast what has been happening on the other end of the system, many of the communities I represent, where fishing communities really do have nothing.

The California salmon season this year will be little or nothing. The Yurok Tribe that I represent that is dependent on fisheries, salmon fisheries in California since long before there was agriculture, will, for the second year in a row, close its Tribal fishery. We are seeing folks selling their boats. We are seeing fishing communities impacted in dramatic ways. There is real genuine hardship, much like what was just described by my friend. So the facts do matter.

I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Bakersfield, California (Mr. MCCARTHY), the majority leader.

Mr. MCCARTHY. Mr. Chairman, I thank the gentleman for yielding, and I thank him for his work when it comes to water in California.

Mr. Chairman, water is not optional, not in my district, not in California, not anywhere. But over the past 5 years, my constituents have struggled to survive without life-giving water in the face of a catastrophic drought.

This past winter, heavy rains and snowfall have brought much-needed relief. In fact, there was so much water this past winter we ran out of room to store it.

But we cannot always expect a year to bring monsoon-level rains and record snow. What happens if next year's rain and snowfall is average, or below average, or we have another drought? The Federal and State regulations that keep us from pumping and storing water will come back to haunt us.

The water bill passed by this body and signed into law last year was a downpayment on California's future. Today's legislation is another major investment in our State's future.

So let's look at pumping. There is no reason—absolutely no reason—we should prioritize potential benefit to fish over real benefits to families. This legislation increases delta pumping and will bring immediate relief to two-thirds of California south of the delta.

But a long-term solution demands more pumping. While California's population has doubled since the 1970s, we

haven't completed a single major storage project in that time.

Now, that is worth restating. While California's population has doubled since the 1970s, we have not completed a single major storage project in that time. How can California grow and thrive in the future if we depend on inadequate infrastructure from nearly 50 years ago?

Currently, five reservoir projects have been stalled in regulatory and red tape for decades. If these reservoirs alone are built, we could store between 1 to 1.5 million acre-feet of additional water in our State. So we need to build more storage as soon as possible.

Last year's water bill jumpstarted the process for building new reservoirs in California and the West. It was a bipartisan bill, with the vote being hundreds of votes out of the House, more than 70 in the Senate.

Today's legislation builds on that by requiring the Federal Government to finally finish the feasibility studies for the five storage projects in California. Then we reform the permitting process so other projects aren't held up for years trying to get approval from a dozen different agencies.

So I want to thank Congressman DAVID VALADAO for his hard work, his persistence on this issue. Ultimately, American citizens haven't gotten the water they need because their government was failing them. Last year's bill was the start to change all that. Today, we take another major step to bring our communities the water they contract and pay for.

□ 1730

Now, Mr. Chairman, you are going to hear a lot of people on this side of the aisle talk about the need from California. Unfortunately, on the other side of the aisle, it looks like you will just hear from one. That should show you the need and desire of why this bill is so important.

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this debate is causing the fact checking machines to melt down, unfortunately. We just heard that there hasn't been a single major storage project in California since the 1970s. That is going to come as shocking news to the folks of the Metropolitan Water District which completed a huge storage project, Diamond Valley, during that period. It will certainly surprise the folks in Contra Costa, which completed Los Vaqueros without any special environmental shortcuts and with their own financing for the most part. It will surprise local water districts around the State, including my own Marin Municipal Water District, which completed two dam expansion projects in that same timeframe. It will surprise the folks at the current and semitropic groundwater banks that expanded significantly groundwater storage during that timeframe.

In fact, the truth is, California has added nearly 6 million acre feet of new storage, surface and groundwater storage, over the past few decades in this timeframe we have been talking about. So facts really do matter.

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

Mr. MCCLINTOCK. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. MIMI WALTERS).

Mrs. MIMI WALTERS of California. Mr. Chairman, I rise today in support of H.R. 23, the GROW Act, which makes important and necessary regulatory reforms to allow for better management of water resources throughout the West.

My home State of California recently suffered its worst drought on record, which significantly affected the entire State. Families, communities, workers, and businesses all made significant sacrifices to conserve water and mitigate the drought's impact.

I applaud the water agencies and residents in my home district of Orange County for taking the necessary steps to adapt to the severe drought conditions. While substantial rainfall this winter effectively ended California's drought, the recent crisis was not just from a lack of rain. It is also the result of failed State and Federal policies that have mismanaged critical water resources throughout the West.

The GROW Act is a crucial step toward addressing these failed policies. H.R. 23 will help California recover from this devastating drought and ensure the State is better equipped to handle future water deficiencies.

In addition to addressing water delivery and water rights issues, the bill also facilitates the development of new water storage projects, which is a key water management tool for southern California water agencies. These projects are critical to a number of California communities, like Orange County, that lack the access to water even during nondrought conditions. The GROW Act removes regulatory barriers from streamlining the permitting and approval process for new infrastructure projects.

Under current law, new water storage construction projects require approval from a number of Federal, State, and local agencies. This bill provides for a consolidated permitting process that would require Federal agencies to conduct coordinated reviews of non-Federal storage projects.

The GROW Act will also expedite feasibility studies for much-needed Federal storage projects, some of which have been unnecessarily delayed for years.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. KNIGHT).

Mr. KNIGHT. Mr. Chairman, I rise today in support of H.R. 23, the Gaining Responsibility on Water Act, or GROW Act, which I am a proud cosponsor.

This bill takes an important step in protecting the water security of Californians and the food supply integrity of the United States.

As all of my colleagues from California know, the recent Western drought nearly crippled our State's agriculture industry and compromised the standard of living for all our constituents by raising prices at the grocery stores throughout the country. Mr. Chairman, while we can't control the weather, we can take steps to mitigate its potentially harmful effects.

I always like it when people say: Can we just scrap the bill? Or can we start over? Or can we work together on that?

That is just code for: please stop talking about water; please stop bringing issues to the floor where we can fix something. And that is what we hear today quite frequently.

One of the most baffling facets of this story is the fact that there were readily available water sources that could have been utilized but were held up by outdated regulations and red tape. Although we have received some relief from the drought this year, it would be a disgrace for us as lawmakers not to learn from this ordeal.

Mr. Chairman, we are blessed to live in the most developed Nation in the world where Americans only notice the absence of basic necessities, as opposed to other nations where people are found wanting of them.

Unfortunately, due to the misguided policies of the past, that is the situation so many families and businesses find themselves in.

Mr. Chairman, I want to thank my friend Mr. VALADAO for his continued leadership on this issue, and I urge my colleagues to support H.R. 23.

Mr. HUFFMAN. Mr. Chairman, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I think it is time to fact check the fact checker.

The last major reservoir of over a million acre feet was in 1979. It was in New Melones, 2.3 million acre feet. The two reservoirs that the gentleman referenced combined are less than a million acre feet. They would fill New Melones to less than half of that amount.

With respect to water salinity, the Bay-Delta Accord, that is codified by this bill, guarantees the water necessary to combat salt water intrusion.

And finally, I would point out that, no, dams don't create water. Nature creates water. Dams store that water from wet years so that we have plenty of it in dry years. That is where we have fallen a generation behind in our needs precisely because of the laws that the gentleman from California doggedly defends.

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

Mr. HUFFMAN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do appreciate the redefinition of ''major water storage

projects.'' It is not a definition that I think is recognized anywhere else other than just now on this floor, but I appreciate it.

Mr. Chair, there are many problems with this bill, and I do want to urge my colleagues to oppose it. I can't keep track of the number of times the State of California has come up in our debate here these last several minutes. So let's look to the State of California and see what the State of California says about this bill.

The Governor of the State of California opposes it in a hard-hitting letter that went out to the California delegation and others just a few days ago. The new attorney general of California, Xavier Becerra, wrote an equally critical letter opposing this bill. Both U.S. Senators from California oppose this bill.

It is going nowhere in the Senate and will not become law because of fundamental flaws that have been brought up each of the past several years that this bill has been introduced in this Congress.

It overrides California State sovereignty and State water laws in ways that are unacceptable to the people of California and to the government of California. So when we keep bringing up California, let's just be very clear that California doesn't want this bill. California opposes this bill.

Now, I represent the downstream end of some of these water systems that we are talking about. When we talk about people and fish and jobs, it is important to remember that fishing jobs matter, too. In the communities that I represent, and also communities throughout Oregon and Washington that depend on California salmon runs, they are hurting.

This summer we are going to probably see a closure, for all intents and purposes, of the commercial salmon season. We are certainly going to see a closure of the Yurok Tribal Salmon Fishery for the second year in a row. That is not only economically devastating to Tribal communities that I represent, it has an emotional impact as well. These are communities that are hurting. In fact, the Yurok are reporting suicide rates among young people that are alarmingly high. The closure of this sacred fishery that is their grocery store, that is a sacred part of their existence, is certainly not going to help, and I think could very well contribute to the very severe problems that they are experiencing.

Fishing jobs matter, the environment matters, downstream communities that depend on this water that would be redistributed and reallocated by Congress through this short-sighted bill, that all matters, too.

Mr. Chairman, I urge my colleagues to oppose this wrong-headed bill, and I urge my colleagues across the aisle to do what we have been inviting them to do each of the past several years, and that is to reach across the aisle on bipartisan, commonsense water solutions. There is a lot that we could do together. Many of my colleagues served with me in the California State legislature. They know, because we did it together, that there is a different way. There is a better way.

We were able to pass landmark, bipartisan water legislation during our time together in Sacramento, and we did it because we didn't try to pick winners and losers. We found all sorts of low-hanging fruit and consensus solutions, and we came up with something that was supported across party lines, and in every region of the State. We can do that here, too, but we won't do it through this bill.

Mr. Chairman, I urge a ''no'' vote, and I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I yield myself the balance of my time.

Abundance or shortage, that is the question. And I want to thank and salute Mr. VALADAO for his work on this issue and for putting that choice so clearly before the House today.

It is true, we can choose to continue down this sad road that we have been on. That means increasingly severe government-induced shortages. It means higher and higher water and grocery prices and a permanently declining quality of life for our children who will be required to stretch and ration every drop of water in their bleak and parched homes.

With this bill, we choose a different future. We choose abundance. We choose a future in which water flows again to the fertile fields of the Central Valley, providing full employment for families and affordable groceries from America's agricultural cornucopia. It is a future in which families need not watch their gardens shrivel and die, and towns and cities need not fear mandatory water rationing and uncertain and unpredictable supplies.

It is a future in which long-established water rights are safe and secure from the whims of politicians and bureaucrats. We choose a future in which thriving populations of young salmon can swim to the sea unmolested by the non-native predators that now kill 90 percent of them before they reach the ocean; a future in which new fish hatcheries assure the release of millions of additional salmon to supply a revived and rapidly expanding commercial fishing industry.

We choose a future in which great new reservoirs can store vast amounts of water in wet years to assure abundance in dry ones; a future in which families can enjoy the prosperity that abundant water and hydroelectricity and affordable groceries provide, and the quality of life that comes from that prosperity. Abundance or shortage? That is the question. We choose abundance.

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

Ms. ESHOO. Mr. Chair, I rise in strong opposition to H.R. 23 because it upends decades of State and federal water law and needlessly pits water users against one another. On the heels of the worst drought in California's history, this bill mandates that certain interests come out ahead of others.

California has just recently emerged from six years of a punishing drought that forced every resident to conserve water, caused millions of acres of agricultural land to be fallowed, and dramatically increased our State's risk of major wildfires. The drought was a massive disaster and Congress should respond by investing in long-term resilience against future droughts such as water conservation, recycling, groundwater recharge, and desalination. What Congress should not be doing is using the drought as an excuse to permanently upend a century of water law and countless protections for threatened and endangered wildlife.

H.R. 23 weakens or overrides decades of State and federal law, including the State and federal Endangered Species Acts; the National Environmental Policy Act; the Central Valley Project Improvement Act; and the San Joaquin River Settlement Act. This list should set off alarm bells for any proponent of States' rights or cooperative federalism. For over a century, the Federal Government has deferred to State water law whenever possible. The GROW Act unwinds that history entirely.

By discarding a century of water law and species protections, this bill will decimate the San Francisco Bay-Delta ecosystem, drive the Delta smelt to extinction, and accelerate the decline of the wild salmon and steelhead runs which have been an important part of the Northern California economy since the mid-19th century.

This irresponsible bill also overrides science-based management of the delicate Delta infrastructure and would gut several of our most bedrock environmental laws. For these reasons I strongly oppose this legislation and I urge my colleagues to join me in voting no.

The Acting CHAIR (Mr. HILL). All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

It shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–24. That amendment in the nature of a substitute shall be considered as read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 23

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 ''Gaining Responsibility on Water Act of 2017''.

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Short title.
Sec. 2. Table of contents.

TITLE I—CENTRAL VALLEY PROJECT WATER RELIABILITY

Sec. 101. Amendment to purposes.
Sec. 102. Amendment to definition.
Sec. 103. Contracts.
Sec. 104. Water transfers, improved water management, and conservation.

Sec. 105. Fish, wildlife, and habitat restoration.
Sec. 106. Restoration fund.
Sec. 107. Additional authorities.
Sec. 108. Bay-Delta Accord.
Sec. 109. Natural and artificially spawned species.
Sec. 110. Regulatory streamlining.
Sec. 111. Additional emergency consultation.
Sec. 112. Applicants.
Sec. 113. San Joaquin River settlement.

TITLE II—CALFED STORAGE FEASIBILITY STUDIES

Sec. 201. Studies.
Sec. 202. Temperance Flat.
Sec. 203. Water storage project construction.

TITLE III—WATER RIGHTS PROTECTIONS

Sec. 301. Offset for State Water Project.
Sec. 302. Area of origin protections.
Sec. 303. No redirected adverse impacts.
Sec. 304. Allocations for Sacramento Valley contractors.
Sec. 305. Effect on existing obligations.

TITLE IV—MISCELLANEOUS

Sec. 401. Water supply accounting.
Sec. 402. Operations of the Trinity River Division.
Sec. 403. Report on results of water usage.
Sec. 404. Klamath project consultation applicants.
Sec. 405. CA State Water Resources Control Board.

TITLE V—WATER SUPPLY PERMITTING ACT

Sec. 501. Short title.
Sec. 502. Definitions.
Sec. 503. Establishment of lead agency and cooperating agencies.
Sec. 504. Bureau responsibilities.
Sec. 505. Cooperating agency responsibilities.
Sec. 506. Funding to process permits.

TITLE VI—BUREAU OF RECLAMATION PROJECT STREAMLINING

Sec. 601. Short title.
Sec. 602. Definitions.
Sec. 603. Acceleration of studies.
Sec. 604. Expedited completion of reports.
Sec. 605. Project acceleration.
Sec. 606. Annual report to Congress.
Sec. 607. Applicability of WIIN Act.

TITLE VII—WATER RIGHTS PROTECTION

Sec. 701. Short title.
Sec. 702. Definitions.
Sec. 703. Treatment of water rights.
Sec. 704. Policy development.
Sec. 705. Effect.

TITLE I—CENTRAL VALLEY PROJECT WATER RELIABILITY

SEC. 101. AMENDMENT TO PURPOSES.

Section 3402 of the Central Valley Project Improvement Act (106 Stat. 4706) is amended—

(1) in subsection (f), by striking the period at the end; and

(2) by adding at the end the following:

''(g) to ensure that water dedicated to fish and wildlife purposes by this part is replaced and provided to Central Valley Project water contractors by December 31, 2018, at the lowest cost reasonably achievable; and

''(h) to facilitate and expedite water transfers in accordance with this Act.''.

SEC. 102. AMENDMENT TO DEFINITION.

Section 3403 of the Central Valley Project Improvement Act (106 Stat. 4707) is amended—

(1) by amending subsection (a) to read as follows:

''(a) the term 'anadromous fish' means those native stocks of salmon (including steelhead) and sturgeon that, as of October 30, 1992, were present in the Sacramento and San Joaquin Rivers and their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean;'';

(2) in subsection (l), by striking ''and,'';

(3) in subsection (m), by striking the period and inserting ''; and''; and

(4) by adding at the end the following:

''(n) the term 'reasonable flows' means water flows capable of being maintained taking into account competing consumptive uses of water and economic, environmental, and social factors.''.

SEC. 103. CONTRACTS.

Section 3404 of the Central Valley Project Improvement Act (106 Stat. 4708) is amended—

*(1) in the heading, by striking ''**LIMITATION ON CONTRACTING AND CONTRACT REFORM**'' and inserting ''**CONTRACTS**''; and*

(2) by striking the language of the section and by adding:

''(a) RENEWAL OF EXISTING LONG-TERM CONTRACTS.—Upon request of the contractor, the Secretary shall renew any existing long-term repayment or water service contract that provides for the delivery of water from the Central Valley Project for a period of 40 years.

''(b) ADMINISTRATION OF CONTRACTS.—Except as expressly provided by this Act, any existing long-term repayment or water service contract for the delivery of water from the Central Valley Project shall be administered pursuant to the Act of July 2, 1956 (70 Stat. 483).

''(c) DELIVERY CHARGE.—Beginning on the date of the enactment of this Act, a contract entered into or renewed pursuant to this section shall include a provision that requires the Secretary to charge the other party to such contract only for water actually delivered by the Secretary.''.

SEC. 104. WATER TRANSFERS, IMPROVED WATER MANAGEMENT, AND CONSERVATION.

Section 3405 of the Central Valley Project Improvement Act (106 Stat. 4709) is amended as follows:

(1) In subsection (a)—

(A) by inserting before ''Except as provided herein'' the following: ''The Secretary shall take all necessary actions to facilitate and expedite transfers of Central Valley Project water in accordance with this Act or any other provision of Federal reclamation law and the National Environmental Policy Act of 1969.'';

(B) in paragraph (1)(A), by striking ''to combination'' and inserting ''or combination'';

(C) in paragraph (2), by adding at the end the following:

''(E) The contracting district from which the water is coming, the agency, or the Secretary shall determine if a written transfer proposal is complete within 45 days after the date of submission of such proposal. If such district or agency or the Secretary determines that such proposal is incomplete, such district or agency or the Secretary shall state with specificity what must be added to or revised in order for such proposal to be complete.

''(F) Except as provided in this section, the Secretary shall not impose mitigation or other requirements on a proposed transfer, but the contracting district from which the water is coming or the agency shall retain all authority under State law to approve or condition a proposed transfer.''; and

(D) by adding at the end the following:

''(4) Notwithstanding any other provision of Federal reclamation law—

''(A) the authority to make transfers or exchanges of, or banking or recharge arrangements using, Central Valley Project water that could have been conducted before October 30, 1992, is valid, and such transfers, exchanges, or arrangements shall not be subject to, limited, or conditioned by this title; and

''(B) this title shall not supersede or revoke the authority to transfer, exchange, bank, or recharge Central Valley Project water that existed prior to October 30, 1992.''.

(2) In subsection (b)—

(A) in the heading, by striking ''METERING'' and inserting ''MEASUREMENT''; and

(B) by inserting after the first sentence the following: ''The contracting district or agency, not including contracting districts serving multiple agencies with separate governing boards, shall ensure that all contractor-owned water delivery systems within its boundaries measure surface water at the district or agency's facilities up to the point the surface water is commingled with other water supplies.''.

(3) By striking subsection (d).

(4) By redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(5) By amending subsection (e) (as redesignated by paragraph (4))—

(A) by striking ''as a result of the increased repayment'' and inserting ''that exceed the cost-of-service'';

(B) by inserting ''the delivery of'' after ''rates applicable to''; and

(C) by striking '', and all increased revenues received by the Secretary as a result of the increased water prices established under subsection 3405(d) of this section,''.

SEC. 105. FISH, WILDLIFE, AND HABITAT RESTORATION.

Section 3406 of the Central Valley Project Improvement Act (106 Stat. 4714) is amended as follows:

(1) In subsection (b)—

(A) in paragraph (1)(B)—

(i) by striking ''is authorized and directed to'' and inserting ''may'';

(ii) by inserting ''reasonable water'' after ''to provide'';

(iii) by striking ''anadromous fish, except that such'' and inserting ''anadromous fish. Such'';

(iv) by striking ''Instream flow'' and inserting ''Reasonable instream flow'';

(v) by inserting ''and the National Marine Fisheries Service'' after ''United States Fish and Wildlife Service''; and

(vi) by striking ''California Department of Fish and Game'' and inserting ''United States Geological Survey'';

(B) in paragraph (2)—

(i) by striking ''primary purpose'' and inserting ''purposes'';

(ii) by striking ''but not limited to'' before ''additional obligations''; and

(iii) by adding after the period the following: ''All Central Valley Project water used for the purposes specified in this paragraph shall be credited to the quantity of Central Valley Project yield dedicated and managed under this paragraph by determining how the dedication and management of such water would affect the delivery capability of the Central Valley Project during the 1928 to 1934 drought period after fishery, water quality, and other flow and operational requirements imposed by terms and conditions existing in licenses, permits, and other agreements pertaining to the Central Valley Project under applicable State or Federal law existing on October 30, 1992, have been met. To the fullest extent possible and in accordance with section 3411, Central Valley Project water dedicated and managed pursuant to this paragraph shall be reused to fulfill the Secretary's remaining contractual obligations to provide Central Valley Project water for agricultural or municipal and industrial purposes.''; and

(C) by amending paragraph (2)(C) to read:

''(C) If by March 15th of any year the quantity of Central Valley Project water forecasted to be made available to water service or repayment contractors in the Delta Division of the Central Valley Project is below 75 percent of the total quantity of water to be made available under said contracts, the quantity of Central Valley Project yield dedicated and managed for that year under this paragraph shall be reduced by 25 percent.''.

(2) By adding at the end the following:

''(i) SATISFACTION OF PURPOSES.—By pursuing the activities described in this section, the Secretary shall be deemed to have met the mitigation, protection, restoration, and enhancement purposes of this title.''.

SEC. 106. RESTORATION FUND.

(a) IN GENERAL.—Section 3407(a) of the Central Valley Project Improvement Act (106 Stat. 4726) is amended as follows:

(1) By inserting ''(1) IN GENERAL.—'' before ''There is hereby''.

(2) By striking ''Not less than 67 percent'' and all that follows through ''Monies'' and inserting ''Monies''.

(3) By adding at the end the following:

''(2) PROHIBITIONS.—The Secretary may not directly or indirectly require a donation or other payment to the Restoration Fund—

''(A) or environmental restoration or mitigation fees not otherwise provided by law, as a condition to—

''(i) providing for the storage or conveyance of non-Central Valley Project water pursuant to Federal reclamation laws; or

''(ii) the delivery of water pursuant to section 215 of the Reclamation Reform Act of 1982 (Public Law 97–293; 96 Stat. 1270); or

''(B) for any water that is delivered with the sole intent of groundwater recharge.''.

(b) CERTAIN PAYMENTS.—Section 3407(c)(1) of the Central Valley Project Improvement Act is amended—

(1) by striking ''mitigation and restoration'';

(2) by striking ''provided for or''; and

(3) by striking ''of fish, wildlife'' and all that follows through the period and inserting ''of carrying out all activities described in this title.''.

(c) ADJUSTMENT AND ASSESSMENT OF MITIGATION AND RESTORATION PAYMENTS.—Section 3407(d)(2) of the Central Valley Project Improvement Act is amended by inserting '', or after October 1, 2016, $4 per megawatt-hour for Central Valley Project power sold to power contractors (October 2016 price levels)'' after ''$12 per acre-foot (October 1992 price levels) for municipal and industrial water sold and delivered by the Central Valley Project''.

(d) COMPLETION OF ACTIONS.—Section 3407(d)(2)(A) of the Central Valley Project Improvement Act is amended by inserting ''no later than December 31, 2020,'' after ''That upon the completion of the fish, wildlife, and habitat mitigation and restoration actions mandated under section 3406 of this title,''.

(e) REPORT; ADVISORY BOARD.—Section 3407 of the Central Valley Project Improvement Act (106 Stat. 4714) is amended by adding at the end the following:

''(g) REPORT ON EXPENDITURE OF FUNDS.—At the end of each fiscal year, the Secretary, in consultation with the Restoration Fund Advisory Board, shall submit to Congress a plan for the expenditure of all of the funds deposited into the Restoration Fund during the preceding fiscal year. Such plan shall contain a cost-effectiveness analysis of each expenditure.

''(h) ADVISORY BOARD.—

''(1) ESTABLISHMENT.—There is hereby established the Restoration Fund Advisory Board (hereinafter in this section referred to as the 'Advisory Board') composed of 12 members selected by the Secretary, each for four-year terms, one of whom shall be designated by the Secretary as Chairman. The members shall be selected so as to represent the various Central Valley Project stakeholders, four of whom shall be from CVP agricultural users, three from CVP municipal and industrial users, three from CVP power contractors, and two at the discretion of the Secretary. The Secretary and the Secretary of Commerce may each designate a representative to act as an observer of the Advisory Board.

''(2) DUTIES.—The duties of the Advisory Board are as follows:

''(A) To meet at least semiannually to develop and make recommendations to the Secretary regarding priorities and spending levels on projects and programs carried out pursuant to the Central Valley Project Improvement Act.

''(B) To ensure that any advice or recommendation made by the Advisory Board to the Secretary reflect the independent judgment of the Advisory Board.

''(C) Not later than December 31, 2018, and annually thereafter, to transmit to the Secretary and Congress recommendations required under subparagraph (A).

''(D) Not later than December 31, 2018, and biennially thereafter, to transmit to Congress a report that details the progress made in achieving the actions mandated under section 3406.

''(3) ADMINISTRATION.—With the consent of the appropriate agency head, the Advisory Board may use the facilities and services of any Federal agency.''.

SEC. 107. ADDITIONAL AUTHORITIES.

(a) AUTHORITY FOR CERTAIN ACTIVITIES.—Section 3408(c) of the Central Valley Project Improvement Act (106 Stat. 4728) is amended to read as follows:

''(c) CONTRACTS FOR ADDITIONAL STORAGE AND DELIVERY OF WATER.—

''(1) IN GENERAL.—The Secretary is authorized to enter into contracts pursuant to Federal reclamation law and this title with any Federal agency, California water user or water agency, State agency, or private organization for the exchange, impoundment, storage, carriage, and delivery of nonproject water for domestic, municipal, industrial, fish and wildlife, and any other beneficial purpose.

''(2) LIMITATION.—Nothing in this subsection shall be deemed to supersede the provisions of section 103 of Public Law 99–546 (100 Stat. 3051).

''(3) AUTHORITY FOR CERTAIN ACTIVITIES.—The Secretary shall use the authority granted by this subsection in connection with requests to exchange, impound, store, carry, or deliver nonproject water using Central Valley Project facilities for any beneficial purpose.

''(4) RATES.—The Secretary shall develop rates not to exceed the amount required to recover the reasonable costs incurred by the Secretary in connection with a beneficial purpose under this subsection. Such rates shall be charged to a party using Central Valley Project facilities for such purpose. Such costs shall not include any donation or other payment to the Restoration Fund.

''(5) CONSTRUCTION.—This subsection shall be construed and implemented to facilitate and encourage the use of Central Valley Project facilities to exchange, impound, store, carry, or deliver nonproject water for any beneficial purpose.''.

(b) REPORTING REQUIREMENTS.—Section 3408(f) of the Central Valley Project Improvement Act (106 Stat. 4729) is amended—

(1) by striking ''Interior and Insular Affairs and the Committee on Merchant Marine and Fisheries'' and inserting ''Natural Resources'';

(2) in the second sentence, by inserting before the period at the end the following: '', including progress on the plan required by subsection (j)''; and

(3) by adding at the end the following: ''The filing and adequacy of such report shall be personally certified to the committees referenced above by the Regional Director of the Mid-Pacific Region of the Bureau of Reclamation.''.

(c) PROJECT YIELD INCREASE.—Section 3408(j) of the Central Valley Project Improvement Act (106 Stat. 4730) is amended as follows:

(1) By redesignating paragraphs (1) through (7) as subparagraphs (A) through (G), respectively.

(2) By striking ''In order to minimize adverse effects, if any, upon'' and inserting ''(1) IN GENERAL.—In order to minimize adverse effects upon''.

(3) By striking ''needs, the Secretary,'' and all that follows through ''submit to the Congress, a'' and inserting ''needs, the Secretary, on a priority basis and not later than September 30, 2018, shall submit to Congress a''.

(4) By striking ''increase,'' and all that follows through ''options:'' and inserting ''increase, as soon as possible but not later than September 30, 2017 (except for the construction of new facilities which shall not be limited by that deadline), the water of the Central Valley Project by the amount dedicated and managed for fish and wildlife purposes under this title and otherwise required to meet the purposes of the Central Valley Project including satisfying contractual obligations. The plan required by this subsection shall include recommendations on appropriate cost-sharing arrangements and authorizing legislation or other measures needed to implement the intent, purposes, and provisions of this subsection and a description of how the Secretary intends to use the following options—''.

(5) In subparagraph (A), by inserting ''and construction of new water storage facilities'' before the semicolon.

(6) In subparagraph (F), by striking ''and'' at the end.

(7) In subparagraph (G), by striking the period and all that follows through the end of the subsection and inserting ''; and''.

(8) By inserting after subparagraph (G) the following:

''(H) Water banking and recharge.''.

(9) By adding at the end the following:

''(2) IMPLEMENTATION OF PLAN.—The Secretary shall implement the plan required by paragraph (1) commencing on October 1, 2017. In order to carry out this subsection, the Secretary shall coordinate with the State of California in implementing measures for the long-term resolution of problems in the San Francisco Bay/Sacramento-San Joaquin Delta Estuary.

''(3) FAILURE OF THE PLAN.—Notwithstanding any other provision of Federal reclamation law, if by September 30, 2018, the plan required by paragraph (1) fails to increase the annual delivery capability of the Central Valley Project by 800,000 acre-feet, implementation of any non-mandatory action under section 3406(b)(2) shall be suspended until the plan achieves an increase in the annual delivery capability of the Central Valley Project by 800,000 acre-feet.''.

(d) TECHNICAL CORRECTION.—Section 3408(h) of the Central Valley Project Improvement Act (106 Stat. 4729) is amended—

(1) in paragraph (1), by striking ''paragraph (h)(2)'' and inserting ''paragraph (2)''; and

(2) in paragraph (2), by striking ''paragraph (h)(i)'' and inserting ''paragraph (1)''.

(e) WATER STORAGE PROJECT CONSTRUCTION.—The Secretary, acting through the Commissioner of the Bureau of Reclamation, may partner or enter into an agreement on the water storage projects identified in section 103(d)(1) of the Water Supply Reliability, and Environmental Improvement Act (Public Law 108–361) (and Acts supplemental and amendatory to the Act) with local joint powers authorities formed pursuant to State law by irrigation districts and other local water districts and local governments within the applicable hydrologic region, to advance these projects. No additional Federal funds are authorized for the activities authorized in sections 103(d)(1)(A)(i), 103(d)(1)(A)(ii), and 103(d)(1)(A)(iii) of Public Law 108–361. However, each water storage project under sections 103(d)(1)(A)(i), 103(d)(1)(A)(ii), and 103(d)(1)(A)(iii) of Public Law 108–361 is authorized for construction if non-Federal funds are used for financing and constructing the project.

SEC. 108. BAY-DELTA ACCORD.

(a) CONGRESSIONAL DIRECTION REGARDING CENTRAL VALLEY PROJECT AND CALIFORNIA STATE WATER PROJECT OPERATIONS.—The Central Valley Project and the State Water Project shall be operated pursuant to the water quality standards and operational constraints described in the ''Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government'' dated December 15, 1994, and such operations shall proceed without regard to the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or any other law pertaining to the operation of the Central Valley Project and the California State Water Project. Implementation of this section shall be in strict conformance with the ''Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government'' dated December 15, 1994.

(b) APPLICATION OF LAWS TO OTHERS.—Neither a Federal department nor the State of California, including any agency or board of the State of California, shall impose on any water right obtained pursuant to State law, including a pre-1914 appropriative right, any condition that restricts the exercise of that water right in order to conserve, enhance, recover or otherwise protect any species that is affected by operations of the Central Valley Project or California State Water Project. Nor shall the State of California, including any agency or board of the State of California, restrict the exercise of any water right obtained pursuant to State law, including a pre-1914 appropriative right, in order to protect, enhance, or restore under the Public Trust Doctrine any public trust value. Implementation of the ''Principles for Agreement on the Bay-Delta Standards Between the State of California and the Federal Government'' dated December 15, 1994, shall be in strict compliance with the water rights priority system and statutory protections for areas of origin.

(c) COSTS.—No cost associated with the implementation of this section shall be imposed directly or indirectly on any Central Valley Project contractor, or any other person or entity, unless such costs are incurred on a voluntary basis.

(d) NATIVE SPECIES PROTECTION.—California law is preempted with respect to any restriction on the quantity or size of nonnative fish taken or harvested that preys upon one or more native fish species that occupy the Sacramento and San Joaquin Rivers and their tributaries or the Sacramento-San Joaquin Rivers Delta.

SEC. 109. NATURAL AND ARTIFICIALLY SPAWNED SPECIES.

After the date of the enactment of this title, and regardless of the date of listing, the Secretaries of the Interior and Commerce shall not distinguish between natural-spawned and hatchery-spawned or otherwise artificially propagated strains of a species in making any determination under the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) that relates to any anadromous fish species present in the Sacramento and San Joaquin Rivers or their tributaries and ascend those rivers and their tributaries to reproduce after maturing in San Francisco Bay or the Pacific Ocean.

SEC. 110. REGULATORY STREAMLINING.

(a) APPLICABILITY OF CERTAIN LAWS.—Filing of a Notice of Determination or a Notice of Exemption for any project, including the issuance of a permit under State law, related to any project of the CVP or the delivery of water therefrom in accordance with the California Environmental Quality Act shall be deemed to meet the requirements of section 102(2)(C) of the National Environmental Protection Act of 1969 (42 U.S.C. 4332(2)(C)) for that project or permit.

(b) CONTINUATION OF PROJECT.—The Bureau of Reclamation shall not be required to cease or modify any major Federal action or other activity related to any project of the CVP or the delivery of water therefrom pending completion of judicial review of any determination made under the National Environmental Protection Act of 1969 (42 U.S.C. 4332(2)(C)).

(c) PROJECT DEFINED.—For the purposes of this section:

(1) CVP.—The term ''CVP'' means the Central Valley Project.

(2) PROJECT.—The term ''project''—

(A) means an activity that—

(i) is undertaken by a public agency, funded by a public agency, or that requires an issuance of a permit by a public agency;

(ii) has a potential to result in physical change to the environment; and

(iii) may be subject to several discretionary approvals by governmental agencies;

(B) may include construction activities, clearing or grading of land, improvements to existing structures, and activities or equipment involving the issuance of a permit; or

(C) as defined under the California Environmental Quality Act in section 21065 of the California Public Resource Code.

SEC. 111. ADDITIONAL EMERGENCY CONSULTATION.

For adjustments to operating criteria other than under section 108 or to take urgent actions to address water supply shortages for the least amount of time or volume of diversion necessary as determined by the Commissioner of Reclamation, no mitigation measures shall be required during any year that the Sacramento Valley index is 6.5 or lower, or at the request of the State of California, and until two succeeding years following either of those events have been completed where the final Sacramento Valley Index is 7.8 or greater, and any mitigation measures imposed must be based on quantitative data and required only to the extent that such data demonstrates actual harm to species.

SEC. 112. APPLICANTS.

In the event that the Bureau of Reclamation or another Federal agency initiates or reinitiates consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)), with respect to construction or operation of the Central Valley Project and State Water Project, or any part thereof, the State Water Project contractors and the Central Valley Project contractors will be accorded all the rights and responsibilities extended to applicants in the consultation process.

SEC. 113. SAN JOAQUIN RIVER SETTLEMENT.

(a) PURPOSE AND FINDINGS.—

(1) PURPOSE AND FINDINGS.—Section 10002 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended to read as follows:

''SEC. 10002. PURPOSE AND FINDINGS.

''(a) PURPOSE.—The purpose of this part is to authorize implementation of the Settlement.

''(b) FINDINGS.—Congress finds that since the date of the enactment of this Act, the following conditions now persist with regard to implementation of the Settlement:

''(1) Millions of dollars of economic damages have occurred due to seepage from rivers flows and other impacts to third parties affected by the Settlement and San Joaquin River Restoration Program and such impacts will continue for the duration of the Settlement and Restoration Program implementation.

''(2) Estimated costs of implementing the Settlement have more than doubled from the initial estimates for implementing the Settlement, from a high-end estimate of $800,000,000 to more than $1,700,000,000, due to unrealistic initial cost estimates, additional, unanticipated cost increases related to damages to land from seepage and to infrastructure from subsidence, and from increased construction costs to complete channel improvements, and other improvements not originally identified, but anticipated in the Settlement as necessary to implement the Restoration Goal.

''(3) Achievement of the Settlement's Water Management Goal, to reduce or avoid water supply impacts to Friant Division long-term contractors, including the Friant-Kern Canal and Madera Canal capacity restoration projects have not progressed and are likely impossible given available and likely future funding and regulatory constraints.

''(4) Implementation of the Settlement's Restoration Goal has already fallen short of the schedule agreed to by the Settling Parties and Congress, which required the reintroduction of Spring-run and Fall-run Chinook salmon in the river by December 31, 2012, and the majority of Paragraph 11 improvements construction to be complete by December 31, 2013, with the remainder of the paragraph (11) improvements to be completed by December 31, 2016, neither of which deadlines have been met and the Secretary has now made findings that such improvements will not be completed until 2030 at the earliest and likely beyond that timeframe, which schedule assumes full funding of the Restoration Program, which has not occurred.

''(5) Catastrophic species declines in the Sacramento-San Joaquin Delta and other changed conditions have affected the Friant Division's water supply in ways unimagined during the time of the Settlement's signing, resulting in additional reductions in water supply for the Friant Division beyond what was agreed to in the Settlement.

''(6) Recent scientific assessments of likely future climate change suggest that no amount of additional flow in the San Joaquin River will sustain Spring-run Chinook salmon, one of the target species for maintaining a self-sustaining population below Friant Dam.

''(7) In consideration of existing conditions, it is not reasonable, prudent and feasible to implement the Settlement as originally authorized.''.

(2) DEFINITIONS.—Section 10003 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended by adding at the end the following:

''(4) The term 'Exchange Contractors' means San Joaquin River Exchange Contractors Water Authority, whose members are the Central California Irrigation District, Columbia Canal Company, the Firebaugh Canal Water District, and the San Luis Canal Company.

''(5) The term 'Governor' means the Governor of the State of California.

''(6) The term 'Gravelly Ford' means the Gravelly Ford gaging station in the San Joaquin River located at approximately River Mile 230.

''(7) The term 'Restoration Area' means the San Joaquin River between Friant Dam and the Merced River confluence, and generally within 1,500 feet of the centerline of the river.

''(8) The term 'Restoration Flow' means the hydrograph flows (as provided in paragraph 18 and exhibit B of the Settlement), buffer flows of up to 10 percent of the applicable hydrograph flows, and any additional water acquired by the Secretary of the Interior from willing sellers to meet the Restoration Goal of the Settlement.

''(9) The term 'Restoration Fund' means that fund established by this part.

''(10) The term 'Sack Dam' means a low-head earth and concrete structure with wooden flap gates that diverts San Joaquin River flows into the Arroyo Canal at approximately River Mile 182.1.

''(11) The term 'Warm Water Fishery' means a water system that has an environment suitable for species of fish other than salmon (including any subspecies) and trout (including all subspecies).

''(12) The term 'third party' means the Exchange Contractors or any member thereof, current or former members of the San Joaquin Tributaries Authority, and current or former members of the San Luis and Delta Mendota Water Authority.''; and

(3) IMPLEMENTATION OF SETTLEMENT.—Section 10004 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(A) in subsection (f), by striking ''pursuant to the Settlement and section 10011'' and inserting ''or other species for any reason'';

(B) in subsection (g), by inserting ''or the implementation of the Settlement and the reintroduction of California Central Valley Spring Run Chinook salmon or any other species,'' after ''nothing in this part'';

(C) in subsection (h)—

(i) in the header by striking ''INTERIM'';

(ii) in paragraph (1)—

(I) by striking ''Interim Flows'' and inserting ''Flows'' each place it appears;

(II) in subparagraph (C)(ii), by inserting ''which shall be implemented'' after ''significant''; and

(III) in subparagraph (E), by striking ''as a result of the Interim Flows'' and inserting ''or State laws as a result of Flows.''; and

(iii) by striking paragraphs (2), (3), and (4) and inserting the following:

''(2) CONDITIONS FOR RELEASE.—The Secretary is authorized to release Flows—

''(A) if all improvements and mitigation measures are completed or implemented, including all actions necessary to mitigate impacts on landowners, water agencies, and water users; and

''(B) if such Flows will not exceed existing downstream channel capacities.

''(3) SEEPAGE IMPACTS.—(A) The Secretary, in implementing this Act, shall not cause material adverse impacts to third parties. The Secretary shall reduce Flows to the extent necessary to address any material adverse impacts to third parties from groundwater seepage or levee instability caused by such flows identified based on the monitoring program of the Secretary. Notwithstanding the foregoing, the Secretary shall not directly or indirectly cause groundwater to rise above 10 feet below ground surface and shall provide at least 10 feet below ground surface as a minimum threshold elevation for groundwater beneath any fields where permanent or other deep rooted crops are grown, and at least 6 feet below ground surface as a minimum threshold elevation for groundwater beneath any fields where annual or shallow rooted crops are grown. These minimum thresholds shall be adjusted yearly based upon information provided by individual landowners regarding the minimum threshold that they will need in order to grow their crop(s) that year. If during the course of the year the landowner informs the Secretary that detrimental seepage is being experienced or is reasonably likely to occur despite the adherence to the minimum threshold, the Secretary shall reduce Restoration Flows to a volume sufficient to reduce seepage impacts by reducing the occurrence of groundwater to a non-damaging level below ground surface.

''(B) If Flow reduction alone is not sufficient to mitigate for seepage impacts the Secretary shall mitigate by real estate transaction or installation of physical measures, whichever option is requested by the landowner.

''(C) Any water that seeps onto private property shall thereupon become the property of that landowner if the landowner takes control of the water including by re-diverting it to the San Joaquin River. If seepage water is returned to the San Joaquin River it shall meet applicable water quality requirements.

''(4) TEMPORARY FISH BARRIER PROGRAM.—Using funds otherwise available from the San Joaquin River Restoration Fund if necessary, the Secretary is authorized to make improvements to the Hills Ferry Barrier or any replacement thereof in order to prevent upstream migration of any protected species to the restoration area. The Secretary is further authorized to work with the California Department of Fish and Wildlife for the improvement or replacement of the Hills Ferry Barrier in order to prevent the upstream migration of any protected species. If third parties south of the confluence with the Merced River are required to install their screens or fish bypass facilities in order to comply with the Endangered Species Act of 1973, the Secretary shall bear the costs of such screens or facilities, except to the extent that such costs are already or are further willingly borne by the State of California or by the third parties. Expenditures by Reclamation are non-reimbursable. Any protected species recovered at the Hills Ferry Barrier or in the Restoration Area or any river or false pathways thereto that is to be relocated outside of the Restoration Area shall only be relocated to an area where there is an established self-sustaining population of that same genotype or phenotype.''; and

(D) by amending subsection (j) to read as follows:

''(j) SAN JOAQUIN RIVER EXCHANGE CONTRACT AND RELATED.—Subject to section 10006(b), nothing in this part shall modify or amend the rights and obligations under the Purchase Contract between Miller and Lux and the United States including without exclusion of others, any right to enforce the power contracts identified in the Purchase Contract, the Second Amended Exchange Contract between the United States, Department of the Interior Bureau of Reclamation and Central California Irrigation District, San Luis Canal Company, Firebaugh Canal Water District, and Columbia Canal Company. Prior to releasing any restoration flow, the Secretary shall determine that such release will not affect its contractual obligations to the Exchange Contractors.''.

(4) ACQUISITION OF PROPERTY.—Section 10005 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended by striking subsections (b) and (c) and inserting the following:

''(b) ACQUISITION OF PROPERTY.—The Secretary is authorized to acquire property solely through purchase from willing sellers any property, interests in property, or options to acquire real property needed to implement the Settlement authorized by this part. The Secretary shall not acquire property through the exercise of eminent domain unless the owner of said property does not object to an eminent domain action.

''(c) DISPOSAL OF PROPERTY.—Any property or interests therein acquired by the Secretary and for which the Secretary determines that the property or interest therein is no longer needed to be held by the United States for the furtherance of the Settlement, shall be first offered for repurchase to the prior owner of the property from whom the United States acquired the property and at the same price for which the United States acquired the property unless it is demonstrated that the property has decreased in value in which case the Secretary shall sell the property back to the prior owner at the decreased price. If the prior owner does not want the property, the Secretary shall sell the property on the open market.''.

(5) COMPLIANCE WITH APPLICABLE LAW.—Section 10006 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(A) in subsection (a)—

(i) in paragraph (1), by striking ''as necessary'' and inserting ''as necessary, as provided for in this part and in a manner that does not conflict with the intent of Congress as expressed in this title which intent shall be afforded the greatest deference and any difference or ambiguity shall be resolved in favor of said intent'' before the period at the end; and

(ii) in paragraph (2), by adding at the end the following: ''Any statutory exemptions from conducting environmental review or consultation are not applicable.'';

(B) in subsection (b)—

(i) by striking ''Nothing'' and inserting ''Except as provided in subsection (e) below, nothing''; and

(ii) by striking ''State law.'' and inserting ''State law, except as otherwise provided for herein or would conflict with achieving the purposes or intent of this title.''; and

(C) by adding at the end the following:

''(e) IN GENERAL.—Sections 5930 through 5948 of the California Fish and Game Code and all applicable Federal laws, including this part, as amended by the Gaining Responsibility on Water Act of 2017, and the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ. S–88–1658—LKK/GGH), shall be satisfied by implementation of the Settlement as provided in section 10014(b) or the plan provided in section 10014(a) of the Gaining Responsibility on Water Act of 2017.

''(f) COMPLIANCE WITH EXISTING FRIANT DIVISION CONTRACTS.—Congress hereby finds and declares that compliance with the provisions of this Act by Friant Division Contractors shall fulfill all requirements for compliance with this part, contained in contracts between the Secretary and Friant Division Contractors.''.

(6) NO PRIVATE RIGHT OF ACTION.—Section 10008(a) of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended by striking ''the Settlement'' and inserting ''the Settlement or a third party''.

(7) SETTLEMENT FUND.—Section 10009 of the San Joaquin River Restoration Settlement Act (Public Law 111–11) is amended—

(A) in subsection (a), by amending paragraph (3) to read as follows:

''(3) LIMITATION.—Except as provided in the Settlement, to the extent that costs incurred solely to implement this Settlement would not otherwise have been incurred by any entity or public or local agency or subdivision of the State of California, such costs shall not be borne by any such entity, agency, or subdivision of the State of California, unless such costs are incurred on a voluntary basis. Any appropriations by Congress to implement this part shall be on the basis of line item authorizations and appropriations and shall not be part of the programmatic funding for the Secretary or the Bureau of Reclamation.''; and

(B) by striking subsection (f) and inserting the following:

''(f) REACH 4B.—No Restoration Flows released shall be routed through section 4B of the San Joaquin River. The Secretary shall seek to make use of modified and/or existing conveyance facilities such as flood control channels in order to provide conveyance for the restoration flows. Congress finds that such use of multi-use facilities is more economical and cost-effective than seeking to restore certain sections of the San Joaquin River. The Secretary shall provide non-reimbursable funding for the incremental increase in maintenance costs for use of the flood control channels.

''(g) NO IMPACT ON WATER SUPPLIES.—Re-introduction or migration of species to the San Joaquin River upstream of the confluence with the Merced River made possible by or aided by the existence of restoration flows or any improvements to the river made hereunder shall not result in water supply reductions, additional storage releases, or bypass flows on unwilling third parties due to such re-introduction.

''(h) NO TRANSFERENCE OF LIABILITY.—Congress finds that the Federal interest in the restoration of the San Joaquin River upstream of the confluence with the Merced River has been satisfied with regard to the development of the Friant Division, Delta Mendota canal, the continued performance of and compliance with the terms of agreements of the United States to purchase water rights and for exchange of water, its Agreements with the entities that comprise the Exchange Contractors to deliver their water rights in the San Joaquin River pursuant to the terms of the agreements. The enactment of the San Joaquin River Restoration Settlement Act, together with findings in this legislation including the Settling Parties and agencies of the State of California tried to implement the Restoration Program for ten years and the Bureau of Reclamation has stated it will take at least another 15 years to implement assuming full funding is provided, even though that full funding has never been provided since the Settlement was executed or the Restoration Act enacted, and that absent implementation of that funding, there is no possibility of establishing a viable self-sustaining salmonid population and the restoration of the upper San Joaquin River has proven infeasible on terms originally conceived by the parties to the Settlement and Congress in the Restoration Act. Therefore, notwithstanding that the United States and water users and agencies within the Friant Division are released of any existing or future obligations with regard to the Restoration Program, or any similar program, no responsibility for achieving the goals of the Restoration Program, including the provision of flows and the re-introduction of salmon, or other fish species to the San Joaquin River, shall be imposed on the United States, upon the Exchange Contractors or any of its members nor shall the rights to delivery of water reserved to the Exchange Contractors by any agency of the

United States or the State of California be abridged or impaired.

''(i) ABSENCE OF AGREEMENT.—In the absence of an agreement with Friant Division long-term contractors, in the event the State of California, acting through the State Water Resources Control Board or otherwise, or any other party requires the flow of the San Joaquin River below Friant Dam to exceed the amounts stated in Exhibit B of the Settlement, then the authorization to implement the Settlement as provided in this Act shall terminate and the Secretary of the Interior shall cease any action to implement this part and the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ-S–88–1658 LLK/GGH); provided, further, the Secretary shall also cease to collect or expend any funds from the San Joaquin River Restoration Fund.''.

(b) REVIEW AND DETERMINATION.—San Joaquin River Restoration Settlement Act (Public Law 111–11 et seq.) is amended by adding at the end the following:

"SEC. 10012. REVIEW AND DETERMINATION.

''(a) DETERMINATION REQUIRED.—The Governor and the Secretary, shall determine, in consideration of the overall public interest of both the State of California and the Nation, if it is reasonable, prudent, and feasible to implement the Settlement as provided in section 10014(b) and shall submit a joint report to Congress not later than 1 year after the date of the enactment of this Act, stating their findings and recommended action, including—

''(1) financial considerations;

''(2) available scientific evidence;

''(3) water temperature in the lower reaches of the upper San Joaquin River; and

''(4) alternative uses for the funds required to implement the Settlement.

''(b) ABSENCE OF TIMELY DETERMINATION.—If the Governor and the Secretary, do not provide a joint recommendation within the time specified in subsection (a), then it shall be deemed that implementing the Settlement consistent with section 10014(b) is not reasonable, prudent, and feasible, and the Secretary shall proceed to implement the Settlement consistent with section 10014(a).

"SEC. 10013. INTERIM OPERATIONS.

''Beginning on the date of the enactment of the Gaining Responsibility on Water Act of 2017 and continuing until a determination and final plan has been developed and approved by the Secretary and Governor as provided under section 10014(b), and if applicable, the warm water fishery plan developed under section 10014(a), the Secretary shall only take the following actions to implement the Settlement according to the this Act:

''(1) Implementation of the Restoration Goal and the Water Management Goal of the Settlement only to the extent consistent with section 10014(b).

''(2) No Restoration Flow releases shall be permitted on the San Joaquin River downstream of Sack Dam to the confluence with the Merced River.

''(3) No salmonids shall be placed into or allowed to migrate to the Restoration Area. If any salmonids are caught at the Hills Ferry Barrier, they shall be salvaged to the extent feasible and returned to an area where there is a viable sustainable salmonid population of substantially the same genotype or phenotype.

''(4) Implementation of a plan to recirculate, recapture, reuse, exchange and transfer Restoration Flows for the purpose of reducing or avoiding impacts to water deliveries to all Friant Division long-term contractors caused by the Restoration Flows , to the greatest extent feasible.

"SEC. 10014. ALTERNATE LONG-TERM ACTIONS.

''(a) GRAVELLY FORD–WARM WATER FISHERY.—

''(1) If it is determined under section 10012(a) that the Settlement should not be implemented as provided in subsection (b), then not later than 1 year after such determination, the Secretary and the Governor shall develop and approve a reasonable, prudent, and feasible plan for maintaining a warm water fishery on the San Joaquin River below Friant Dam, but upstream of Gravelly Ford, consistent with the following:

''(A) No water shall be released into the San Joaquin River for fishery purposes downstream of Gravelly Ford.

''(B) Existing and future contributions to the Restoration Fund shall be expended for the purposes of—

''(i) warm water fishery improvements within the San Joaquin River channel upstream of Gravelly Ford; and

''(ii) water and fishery improvements in the San Joaquin River channel downstream of the confluence with the Merced River and other areas for benefit of fall run salmon.

''(C) The Secretary shall establish a fund to be jointly administered by the Friant Water Authority, Exchange Contractors, San Joaquin Tributaries Authority, and San Luis Delta Mendota Water Authority to fund restoration actions along the San Joaquin River and its tributaries that achieve water quality objectives for the protection of fish and wildlife. The Secretary shall transfer the following into the fund:

''(i) All funds in the San Joaquin River Restoration Fund authorized by this part.

''(ii) All future payments by Friant Division long-term contractors pursuant to section 3406(c)(1) of the Reclamation Projects, Authorization and Adjustment Act of 1992 (Public Law 102–575; 106 Stat. 4721) as provided in the Settlement.

''(D) In the absence of an agreement with Friant Division long-term contractors, in the event the State of California, acting through the State Water Resources Control Board or otherwise, or any other party requires the flow of the San Joaquin River to continue below Gravelly Ford for fish and wildlife purposes then—

''(i) all funding specified for transfer under this subsection shall cease, and any funds remaining in the San Joaquin River Basin Restoration Fund shall be transferred to the Friant Water Authority for implementing conveyance improvements on the Friant Kern Canal and Madera Canal to mitigate for subsidence impacts since their original construction; and

''(ii) the authorization to implement the Settlement as provided in this part, as amended by the Gaining Responsibility on Water Act of 2017, shall terminate and the Secretary shall cease any action to implement this part and the Stipulation of Settlement (Natural Resources Defense Council, et al. v. Kirk Rodgers, et al., Eastern District of California, No. Civ-S–88–1658 LLK/GGH); provided, further, the Secretary shall also cease to collect or expend any funds from the San Joaquin River Restoration Fund.

''(b) CONTINUED IMPLEMENTATION.—If, in the decision required by section 10012(a), it is determined that the Settlement should continue to be implemented as provided in section 10014(b), then the following terms are required for Continued Implementation of Settlement and no funds shall be expended to implement the Settlement other than as provided for herein:

''(1) IMPROVEMENTS.—The improvements described in paragraph (11) of the Settlement and any additional improvements identified in the Framework for Implementation published in 2015 and any successors thereto shall be completed before any Restoration Flows are released to the San Joaquin River.

''(2) PRIORITY PROJECTS.—The improvements shall be constructed in the following order:

''(A) Mendota Pool bypass and fish screen.

''(B) Arroyo Canal fish screen and Sack Dam fish passage facilities.

''(C) Seepage mitigation actions to allow Restoration Flows of up to 4500 CFS such that there will be no involuntarily incurred damage to private property and no damage to levees.

''(3) OTHER IMPROVEMENTS.—The remainder of the Improvements shall be constructed in an order deemed appropriate by the Secretary after the foregoing projects are completed.

''(4) CONSTRUCTION ASSISTANCE.—If agreed to by the Exchange Contractors or any of its members, the Secretary shall enter into an agreement with the Exchange Contractors or any of its members to assume construction responsibility from initial design through completion of such improvements as the Exchange Contractors or any of its members may agree to, provided that the Secretary shall retain financial responsibility for such improvements and shall reimburse the Exchange Contractors or any of its members for costs incurred by them and their contractors, if any, expended in the construction of the improvements. The Secretary shall enter into a construction agreement with the Exchange Contractors or its members, as applicable, and subject to their approval, consistent with the terms of this title.

''(5) TECHNICAL ADVISORY COMMITTEE AND RESTORATION ADMINISTRATOR.—The Secretary shall add to the Technical Advisory Committee (TAC), established pursuant to the Settlement, one representative from the Exchange Contractors and one representative from the San Luis & Delta-Mendota Water Authority. Any decisions and/or recommendations made by the Restoration Administrator shall be first discussed with the TAC and made on the basis of consensus to maximum extent possible. Any recommendations made by the Restoration Administrator are advisory only, shall be in writing, shall include references to the science relied on and specify the benefits to fish in the river, and include the level of consensus reached by the TAC. The Secretary's final decision on any action, including flows, can deviate from the Restoration Administrator's recommendation provided that the Secretary's final decision is based upon sound and objective science, and is otherwise consistent with this title.

''(6) RESTORATION FLOWS.—The appropriate level of Restoration Flows under any circumstance shall be no greater than that set forth in the hydrographs attached as exhibit B to the Settlement, and shall be no greater than the real-time fishery needs required to meet the Restoration Goal. The Secretary shall make the final decision as to the appropriate level of Restoration Flows and other actions regarding implementation of the Restoration Program. The appropriate level of Restoration Flows shall at a minimum not exceed channel capacity, cause seepage damage, or be inconsistent with any other requirements in this section. The Secretary's decisions and those of the Secretary of Commerce shall be fully supported by the best commercial and scientific information available, shall be made in an open and transparent manner, and shall be based on objective information capable of replication.

''(7) FISH REINTRODUCTION.—No fishery shall be introduced or placed for any reason in to the San Joaquin River upstream of the Merced River, until Reclamation has released Restoration Flows down the San Joaquin River in each hydrologic year type: wet, above normal, below normal, dry, and critically dry and determined that the improvements are fully functional and that seepage impacts have been fully mitigated. At least 180 days before the introduction of spring run Chinook salmon the Bureau of Reclamation shall submit a report to Congress that provides a critical examination of the impact of Restoration Flows on seepage and the improvements, and the likelihood of success in restoring a salmon fishery that is viable, sustainable and capable of volitional passage.

''(8) PROTECTED SPECIES.—Any protected species migrating into the Restoration Area shall be deemed to be a nonessential experimental population. Congress finds that due to human–caused physical changes to the pathways of the San Joaquin River upstream of the confluence of the Merced River the San Joaquin River is

deemed a distinct and separate geographic area and no agency shall take any action pursuant to any authority or requirement of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) or any other Federal or State species protection law that will have an adverse impact on landowners or water agencies within the Restoration Area unless such impacts are incurred on a voluntary basis.

''(9) SUBSIDENCE.—Prior to implementing any other actions, the Secretary shall work with local water districts and landowners to ensure the actions include appropriate solutions to past and likely future subsidence. Without resolution to the subsidence issue, the improvements described in the Settlement and the San Joaquin River and/or the flood control system will continue to be irreparability damaged. Any costs incurred by the Secretary, including but not limited to acquisition of property from willing sellers shall be non-reimbursable.

''(10) FULL FUNDING.—Prior to commencing construction of any Improvement, the Secretary shall approve a funding plan that demonstrates that the United States has obtained all authorizations for appropriations combined with other authorized and reasonably foreseeable funding sources necessary for the orderly completion of all improvements described in paragraph (11) of the Settlement and any additional improvements identified in the Framework for Implementation published in 2015, including any amendments thereto.

''(11) MITIGATION OF IMPACTS.—Prior to the implementation of decisions or agreements to construct, improve, operate, or maintain Improvements. or facilities that the Secretary determines are needed to implement the Settlement, the Secretary shall—

''(A) identify the impacts associated with such actions;

''(B) identify the actions that the Secretary must implement to mitigate any impacts on water users and landowners in the Restoration Area; and

''(C) shall implement all of the mitigation actions so as to eliminate or reduce to an immaterial effect any adverse impacts on water users and landowners.''.

TITLE II—CALFED STORAGE FEASIBILITY STUDIES

SEC. 201. STUDIES.

The Secretary of the Interior, through the Commissioner of Reclamation, shall—

(1) complete the feasibility studies described in clauses (i)(I) and (ii)(II) of section 103(d)(1)(A) of Public Law 108–361 (118 Stat. 1684) and submit such studies to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2018;

(2) complete the feasibility study described in clause (i)(II) of section 103(d)(1)(A) of Public Law 108–361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2018;

(3) complete a publicly available draft of the feasibility study described in clause (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2018;

(4) complete the feasibility study described in clause (ii)(I) of section 103(d)(1)(A) of Public Law 108–361 and submit such study to the appropriate committees of the House of Representatives and the Senate not later than November 30, 2019;

(5) complete the feasibility study described in section 103(f)(1)(A) of Public Law 108–361 (118 Stat. 1694) and submit such study to the appropriate committees of the House of Representatives and the Senate not later than December 31, 2019;

(6) in conducting any feasibility study under this Act, the reclamation laws, the Central Valley Project Improvement Act (title XXXIV of Public Law 102–575; 106 Stat. 4706), the Fish and Wildlife Coordination Act (16 U.S.C. 661 et seq.), the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.), and other applicable law, for the purposes of determining feasibility the Secretary shall document, delineate, and publish costs directly relating to the engineering and construction of a water storage project separately from the costs resulting from regulatory compliance or the construction of auxiliary facilities necessary to achieve regulatory compliance; and

(7) communicate, coordinate and cooperate with public water agencies that contract with the United States for Central Valley Project water and that are expected to participate in the cost pools that will be created for the projects proposed in the feasibility studies under this section.

SEC. 202. TEMPERANCE FLAT.

(a) DEFINITIONS.—For the purposes of this section:

(1) PROJECT.—The term ''Project'' means the Temperance Flat Reservoir Project on the Upper San Joaquin River.

(2) RMP.—The term ''RMP'' means the document titled ''Bakersfield Field Office, Record of Decision and Approved Resource Management Plan'', dated December 2014.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(b) APPLICABILITY OF RMP.—The RMP and findings related thereto shall have no effect on or applicability to the Secretary's determination of feasibility of, or on any findings or environmental review documents related to—

(1) the Project; or

(2) actions taken by the Secretary pursuant to section 103(d)(1)(A)(ii)(II) of the Bay-Delta Authorization Act (title I of Public Law 108–361).

(c) DUTIES OF SECRETARY UPON DETERMINATION OF FEASIBILITY.—If the Secretary finds the Project to be feasible, the Secretary shall manage the land recommended in the RMP for designation under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) in a manner that does not impede any environmental reviews, preconstruction, construction, or other activities of the Project, regardless of whether or not the Secretary submits any official recommendation to Congress under the Wild and Scenic Rivers Act.

(d) RESERVED WATER RIGHTS.—Effective December 22, 2017, there shall be no Federal reserved water rights to any segment of the San Joaquin River related to the Project as a result of any designation made under the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.).

SEC. 203. WATER STORAGE PROJECT CONSTRUCTION.

The Secretary of the Interior, acting through the Commissioner of the Bureau of Reclamation, may partner or enter into an agreement on the water storage projects identified in section 103(d)(1) of the Water Supply Reliability and Environmental Improvement Act (Public Law 108–361) (and Acts supplemental and amendatory to the Act) with local joint powers authorities formed pursuant to State law by irrigation districts and other local water districts and local governments within the applicable hydrologic region, to advance those projects.

TITLE III—WATER RIGHTS PROTECTIONS

SEC. 301. OFFSET FOR STATE WATER PROJECT.

(a) IMPLEMENTATION IMPACTS.—The Secretary of the Interior shall confer with the California Department of Fish and Wildlife in connection with the implementation of this title on potential impacts to any consistency determination for operations of the State Water Project issued pursuant to California Fish and Game Code section 2080.1.

(b) ADDITIONAL YIELD.—If, as a result of the application of this title, the California Department of Fish and Wildlife—

(1) revokes the consistency determinations pursuant to California Fish and Game Code section 2080.1 that are applicable to the State Water Project;

(2) amends or issues one or more new consistency determinations pursuant to California Fish and Game Code section 2080.1 in a manner that directly or indirectly results in reduced water supply to the State Water Project as compared with the water supply available under the smelt biological opinion and the salmonid biological opinion; or

(3) requires take authorization under California Fish and Game Code section 2081 for operation of the State Water Project in a manner that directly or indirectly results in reduced water supply to the State Water Project as compared with the water supply available under the smelt biological opinion and the salmonid biological opinion, and as a consequence of the Department's action, Central Valley Project yield is greater than it would have been absent the Department's actions, then that additional yield shall be made available to the State Water Project for delivery to State Water Project contractors to offset losses resulting from the Department's action.

(c) NOTIFICATION RELATED TO ENVIRONMENTAL PROTECTIONS.—The Secretary of the Interior shall immediately notify the Director of the California Department of Fish and Wildlife in writing if the Secretary of the Interior determines that implementation of the smelt biological opinion and the salmonid biological opinion consistent with this title reduces environmental protections for any species covered by the opinions.

SEC. 302. AREA OF ORIGIN PROTECTIONS.

(a) IN GENERAL.—The Secretary of the Interior is directed, in the operation of the Central Valley Project, to adhere to California's water rights laws governing water rights priorities and to honor water rights senior to those held by the United States for operation of the Central Valley Project, regardless of the source of priority, including any appropriative water rights initiated prior to December 19, 1914, as well as water rights and other priorities perfected or to be perfected pursuant to California Water Code Part 2 of Division 2. Article 1.7 (commencing with section 1215 of chapter 1 of part 2 of division 2, sections 10505, 10505.5, 11128, 11460, 11461, 11462, and 11463, and sections 12200 through 12220, inclusive).

(b) DIVERSIONS.—Any action undertaken by the Secretary of the Interior and the Secretary of Commerce pursuant to both this title and section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) that requires that diversions from the Sacramento River or the San Joaquin River watersheds upstream of the Delta be bypassed shall not be undertaken in a manner that alters the water rights priorities established by California law.

SEC. 303. NO REDIRECTED ADVERSE IMPACTS.

(a) IN GENERAL.—The Secretary of the Interior shall ensure that, except as otherwise provided for in a water service or repayment contract, actions taken in compliance with legal obligations imposed pursuant to or as a result of this title, including such actions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.) and other applicable Federal and State laws, shall not directly or indirectly—

(1) result in the involuntary reduction of water supply or fiscal impacts to individuals or districts who receive water from either the State Water Project or the United States under water rights settlement contracts, exchange contracts, water service contracts, repayment contracts, or water supply contracts; or

(2) cause redirected adverse water supply or fiscal impacts to those within the Sacramento River watershed, the San Joaquin River watershed or the State Water Project service area.

(b) COSTS.—To the extent that costs are incurred solely pursuant to or as a result of this title and would not otherwise have been incurred by any entity or public or local agency or subdivision of the State of California, such costs shall not be borne by any such entity, agency,

or subdivision of the State of California, unless such costs are incurred on a voluntary basis.

(c) RIGHTS AND OBLIGATIONS NOT MODIFIED OR AMENDED.—Nothing in this title shall modify or amend the rights and obligations of the parties to any existing—

(1) water service, repayment, settlement, purchase, or exchange contract with the United States, including the obligation to satisfy exchange contracts and settlement contracts prior to the allocation of any other Central Valley Project water; or

(2) State Water Project water supply or settlement contract with the State.

SEC. 304. ALLOCATIONS FOR SACRAMENTO VALLEY CONTRACTORS.

(a) ALLOCATIONS.—

(1) IN GENERAL.—Subject to paragraph (2) and subsection (b), the Secretary of the Interior is directed, in the operation of the Central Valley Project, to allocate water provided for irrigation purposes to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed in compliance with the following:

(A) Not less than 100 percent of their contract quantities in a ''Wet'' year.

(B) Not less than 100 percent of their contract quantities in an ''Above Normal'' year.

(C) Not less than 100 percent of their contract quantities in a ''Below Normal'' year that is preceded by an ''Above Normal'' or a ''Wet'' year.

(D) Not less than 50 percent of their contract quantities in a ''Dry'' year that is preceded by a ''Below Normal'', an ''Above Normal'', or a ''Wet'' year.

(E) In all other years not identified herein, the allocation percentage for existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed shall not be less than twice the allocation percentage to south-of-Delta Central Valley Project agricultural water service contractors, up to 100 percent; provided, that nothing herein shall preclude an allocation to existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed that is greater than twice the allocation percentage to south-of-Delta Central Valley Project agricultural water service contractors.

(2) CONDITIONS.—The Secretary's actions under paragraph (1) shall be subject to—

(A) the priority of individuals or entities with Sacramento River water rights, including those with Sacramento River Settlement Contracts, that have priority to the diversion and use of Sacramento River water over water rights held by the United States for operations of the Central Valley Project;

(B) the United States obligation to make a substitute supply of water available to the San Joaquin River Exchange Contractors; and

(C) the Secretary's obligation to make water available to managed wetlands pursuant to section 3406(d) of the Central Valley Project Improvement Act (Public Law 102–575).

(b) PROTECTION OF MUNICIPAL AND INDUSTRIAL SUPPLIES.—Nothing in subsection (a) shall be deemed to—

(1) modify any provision of a water service contract that addresses municipal and industrial water shortage policies of the Secretary;

(2) affect or limit the authority of the Secretary to adopt or modify municipal and industrial water shortage policies;

(3) affect or limit the authority of the Secretary to implement municipal and industrial water shortage policies; or

(4) affect allocations to Central Valley Project municipal and industrial contractors pursuant to such policies.

Neither subsection (a) nor the Secretary's implementation of subsection (a) shall constrain, govern, or affect, directly, the operations of the Central Valley Project's American River Division or any deliveries from that Division, its units or facilities.

(c) NO EFFECT ON ALLOCATIONS.—This section shall not—

(1) affect the allocation of water to Friant Division contractors; or

(2) result in the involuntary reduction in contract water allocations to individuals or entities with contracts to receive water from the Friant Division.

(d) PROGRAM FOR WATER RESCHEDULING.—The Secretary of the Interior shall develop and implement a program, not later than 1 year after the date of the enactment of this Act, to provide for the opportunity for existing Central Valley Project agricultural, municipal, and industrial water service contractors within the Sacramento River Watershed to reschedule water, provided for under their Central Valley Project water service contracts, from one year to the next.

(e) DEFINITIONS.—In this section:

(1) The term ''existing Central Valley Project agricultural water service contractors within the Sacramento River Watershed'' means water service contractors within the Shasta, Trinity, and Sacramento River Divisions of the Central Valley Project, that have a water service contract in effect, on the date of the enactment of this section, that provides water for irrigation.

(2) The year type terms used in subsection (a) have the meaning given those year types in the Sacramento Valley Water Year Type (40–30–30) Index.

SEC. 305. EFFECT ON EXISTING OBLIGATIONS.

Nothing in this title preempts or modifies any existing obligation of the United States under Federal reclamation law to operate the Central Valley Project in conformity with State law, including established water rights priorities.

TITLE IV—MISCELLANEOUS

SEC. 401. WATER SUPPLY ACCOUNTING.

(a) IN GENERAL.—All Central Valley Project water, except Central Valley Project water released pursuant to U.S. Department of the Interior Record of Decision, Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report dated December 2000 used to implement an action undertaken for a fishery beneficial purpose that was not imposed by terms and conditions existing in licenses, permits, and other agreements pertaining to the Central Valley Project under applicable State or Federal law existing on October 30, 1992, shall be credited to the quantity of Central Valley Project yield dedicated and managed under this section; provided, that nothing herein shall affect the Secretary of the Interior's duty to comply with any otherwise lawful requirement imposed on operations of the Central Valley Project under any provision of Federal or State law.

(b) RECLAMATION POLICIES AND ALLOCATIONS.—Reclamation policies and allocations shall not be based upon any premise or assumption that Central Valley Project contract supplies are supplemental or secondary to any other contractor source of supply.

SEC. 402. OPERATIONS OF THE TRINITY RIVER DIVISION.

The Secretary of the Interior, in the operation of the Trinity River Division of the Central Valley Project, shall not make releases from Lewiston Dam in excess of the volume for each water-year type required by the U.S. Department of the Interior Record of Decision, Trinity River Mainstem Fishery Restoration Final Environmental Impact Statement/Environmental Impact Report dated December 2000.

(1) A maximum of 369,000 acre-feet in a ''Critically Dry'' year.

(2) A maximum of 453,000 acre-feet in a ''Dry'' year.

(3) A maximum of 647,000 acre-feet in a ''Normal'' year.

(4) A maximum of 701,000 acre-feet in a ''Wet'' year.

(5) A maximum of 815,000 acre-feet in an ''Extremely Wet'' year.

SEC. 403. REPORT ON RESULTS OF WATER USAGE.

The Secretary of the Interior, in consultation with the Secretary of Commerce and the Secretary of Natural Resources of the State of California, shall publish an annual report detailing instream flow releases from the Central Valley Project and California State Water Project, their explicit purpose and authority, and all measured environmental benefit as a result of the releases.

SEC. 404. KLAMATH PROJECT CONSULTATION APPLICANTS.

If the Bureau of Reclamation initiates or reinitiates consultation with the U.S. Fish and Wildlife Service or the National Marine Fisheries Service under section 7(a)(2) of the Endangered Species Act of 1973 (16 U.S.C. 1536(a)(2)), with respect to construction or operation of the Klamath Project (or any part thereof), Klamath Project contractors shall be accorded all the rights and responsibilities extended to applicants in the consultation process. Upon request of the Klamath Project contractors, they may be represented through an association or organization.

SEC. 405. CA STATE WATER RESOURCES CONTROL BOARD.

(a) IN GENERAL.—In carrying out this Act, the Secretaries shall—

(1) recognize Congressional opposition to the violation of private property rights by the California State Water Resources Control Board in their proposal to require a minimum percentage of unimpaired flows in the main tributaries of the San Joaquin River; and

(2) recognize the need to provide reliable water supplies to municipal, industrial, and agricultural users across the State.

TITLE V—WATER SUPPLY PERMITTING ACT

SEC. 501. SHORT TITLE.

This title may be cited as the ''Water Supply Permitting Coordination Act''.

SEC. 502. DEFINITIONS.

In this title:

(1) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(2) BUREAU.—The term ''Bureau'' means the Bureau of Reclamation.

(3) QUALIFYING PROJECTS.—The term ''qualifying projects''—

(A) means new surface water storage projects in the States covered under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.) constructed on lands administered by the Department of the Interior or the Department of Agriculture, exclusive of any easement, right-of-way, lease, or any private holding, unless the project applicant elects not to participate in the process authorized by this Act; and

(B) includes State-led storage projects (as defined in section 4007(a)(2) of the WIIN Act) for new surface water storage projects in the States covered under the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.) constructed on lands administered by the Department of the Interior or the Department of Agriculture, exclusive of any easement, right-of-way, lease, or any private holding, unless the project applicant elects not to participate in the process authorized by this Act.

(4) COOPERATING AGENCIES.—The term ''cooperating agency'' means a Federal agency with jurisdiction over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a qualifying project under applicable Federal laws and regulations, or a State agency subject to section 503(c).

SEC. 503. ESTABLISHMENT OF LEAD AGENCY AND COOPERATING AGENCIES.

(a) ESTABLISHMENT OF LEAD AGENCY.—The Bureau of Reclamation is established as the lead agency for purposes of coordinating all reviews,

analyses, opinions, statements, permits, licenses, or other approvals or decisions required under Federal law to construct qualifying projects.

(b) IDENTIFICATION AND ESTABLISHMENT OF COOPERATING AGENCIES.—The Commissioner of the Bureau shall—

(1) identify, as early as practicable upon receipt of an application for a qualifying project, any Federal agency that may have jurisdiction over a review, analysis, opinion, statement, permit, license, approval, or decision required for a qualifying project under applicable Federal laws and regulations; and

(2) notify any such agency, within a reasonable timeframe, that the agency has been designated as a cooperating agency in regards to the qualifying project unless that agency responds to the Bureau in writing, within a timeframe set forth by the Bureau, notifying the Bureau that the agency—

(A) has no jurisdiction or authority with respect to the qualifying project;

(B) has no expertise or information relevant to the qualifying project or any review, analysis, opinion, statement, permit, license, or other approval or decision associated therewith; or

(C) does not intend to submit comments on the qualifying project or conduct any review of such a project or make any decision with respect to such project in a manner other than in cooperation with the Bureau.

(c) STATE AUTHORITY.—A State in which a qualifying project is being considered may choose, consistent with State law—

(1) to participate as a cooperating agency; and

(2) to make subject to the processes of this title all State agencies that—

(A) have jurisdiction over the qualifying project;

(B) are required to conduct or issue a review, analysis, or opinion for the qualifying project; or

(C) are required to make a determination on issuing a permit, license, or approval for the qualifying project.

SEC. 504. BUREAU RESPONSIBILITIES.

(a) IN GENERAL.—The principal responsibilities of the Bureau under this title are to—

(1) serve as the point of contact for applicants, State agencies, Indian tribes, and others regarding proposed qualifying projects;

(2) coordinate preparation of unified environmental documentation that will serve as the basis for all Federal decisions necessary to authorize the use of Federal lands for qualifying projects; and

(3) coordinate all Federal agency reviews necessary for project development and construction of qualifying projects.

(b) COORDINATION PROCESS.—The Bureau shall have the following coordination responsibilities:

(1) PRE-APPLICATION COORDINATION.—Notify cooperating agencies of proposed qualifying projects not later than 30 days after receipt of a proposal and facilitate a preapplication meeting for prospective applicants, relevant Federal and State agencies, and Indian tribes to—

(A) explain applicable processes, data requirements, and applicant submissions necessary to complete the required Federal agency reviews within the timeframe established; and

(B) establish the schedule for the qualifying project.

(2) CONSULTATION WITH COOPERATING AGENCIES.—Consult with the cooperating agencies throughout the Federal agency review process, identify and obtain relevant data in a timely manner, and set necessary deadlines for cooperating agencies.

(3) SCHEDULE.—Work with the qualifying project applicant and cooperating agencies to establish a project schedule. In establishing the schedule, the Bureau shall consider, among other factors—

(A) the responsibilities of cooperating agencies under applicable laws and regulations;

(B) the resources available to the cooperating agencies and the non-Federal qualifying project sponsor, as applicable;

(C) the overall size and complexity of the qualifying project;

(D) the overall schedule for and cost of the qualifying project; and

(E) the sensitivity of the natural and historic resources that may be affected by the qualifying project.

(4) ENVIRONMENTAL COMPLIANCE.—Prepare a unified environmental review document for each qualifying project application, incorporating a single environmental record on which all cooperating agencies with authority to issue approvals for a given qualifying project shall base project approval decisions. Help ensure that cooperating agencies make necessary decisions, within their respective authorities, regarding Federal approvals in accordance with the following timelines:

(A) Not later than one year after acceptance of a completed project application when an environmental assessment and finding of no significant impact is determined to be the appropriate level of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(B) Not later than one year and 30 days after the close of the public comment period for a draft environmental impact statement under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), when an environmental impact statement is required under the same.

(5) CONSOLIDATED ADMINISTRATIVE RECORD.—Maintain a consolidated administrative record of the information assembled and used by the cooperating agencies as the basis for agency decisions.

(6) PROJECT DATA RECORDS.—To the extent practicable and consistent with Federal law, ensure that all project data is submitted and maintained in generally accessible electronic format, compile, and where authorized under existing law, make available such project data to cooperating agencies, the qualifying project applicant, and to the public.

(7) PROJECT MANAGER.—Appoint a project manager for each qualifying project. The project manager shall have authority to oversee the project and to facilitate the issuance of the relevant final authorizing documents, and shall be responsible for ensuring fulfillment of all Bureau responsibilities set forth in this section and all cooperating agency responsibilities under section 505.

SEC. 505. COOPERATING AGENCY RESPONSIBILITIES.

(a) ADHERENCE TO BUREAU SCHEDULE.—Upon notification of an application for a qualifying project, all cooperating agencies shall submit to the Bureau a timeframe under which the cooperating agency reasonably considers it will be able to complete its authorizing responsibilities. The Bureau shall use the timeframe submitted under this subsection to establish the project schedule under section 504, and the cooperating agencies shall adhere to the project schedule established by the Bureau.

(b) ENVIRONMENTAL RECORD.—Cooperating agencies shall submit to the Bureau all environmental review material produced or compiled in the course of carrying out activities required under Federal law consistent with the project schedule established by the Bureau.

(c) DATA SUBMISSION.—To the extent practicable and consistent with Federal law, the cooperating agencies shall submit all relevant project data to the Bureau in a generally accessible electronic format subject to the project schedule set forth by the Bureau.

SEC. 506. FUNDING TO PROCESS PERMITS.

(a) IN GENERAL.—The Secretary, after public notice in accordance with subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ''Administrative Procedure Act''), may accept and expend funds contributed by a non-Federal public entity to expedite the evaluation of a permit of that entity related to a qualifying project.

(b) EFFECT ON PERMITTING.—

(1) IN GENERAL.—In carrying out this section, the Secretary shall ensure that the use of funds accepted under subsection (a) will not impact impartial decisionmaking with respect to permits, either substantively or procedurally.

(2) EVALUATION OF PERMITS.—In carrying out this section, the Secretary shall ensure that the evaluation of permits carried out using funds accepted under this section shall—

(A) be reviewed by the Regional Director of the Bureau, or the Regional Director's designee, of the region in which the qualifying project or activity is located; and

(B) use the same procedures for decisions that would otherwise be required for the evaluation of permits for similar projects or activities not carried out using funds authorized under this section.

(3) IMPARTIAL DECISIONMAKING.—In carrying out this section, the Secretary and the cooperating agencies receiving funds under this section for qualifying projects shall ensure that the use of the funds accepted under this section for such projects shall not—

(A) impact impartial decisionmaking with respect to the issuance of permits, either substantively or procedurally; or

(B) diminish, modify, or otherwise affect the statutory or regulatory authorities of such agencies.

(c) LIMITATION ON USE OF FUNDS.—None of the funds accepted under this section shall be used to carry out a review of the evaluation of permits required under subsection (a)(2)(A).

(d) PUBLIC AVAILABILITY.—The Secretary shall ensure that all final permit decisions carried out using funds authorized under this section are made available to the public, including on the Internet.

TITLE VI—BUREAU OF RECLAMATION PROJECT STREAMLINING

SEC. 601. SHORT TITLE.

This title may be cited as the ''Bureau of Reclamation Project Streamlining Act''.

SEC. 602. DEFINITIONS.

In this title:

(1) ENVIRONMENTAL IMPACT STATEMENT.—The term ''environmental impact statement'' means the detailed statement of environmental impacts of a project required to be prepared pursuant to the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(2) ENVIRONMENTAL REVIEW PROCESS.—

(A) IN GENERAL.—The term ''environmental review process'' means the process of preparing an environmental impact statement, environmental assessment, categorical exclusion, or other document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) for a project study.

(B) INCLUSIONS.—The term ''environmental review process'' includes the process for and completion of any environmental permit, approval, review, or study required for a project study under any Federal law other than the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(3) FEDERAL JURISDICTIONAL AGENCY.—The term ''Federal jurisdictional agency'' means a Federal agency with jurisdiction delegated by law, regulation, order, or otherwise over a review, analysis, opinion, statement, permit, license, or other approval or decision required for a project study under applicable Federal laws (including regulations).

(4) FEDERAL LEAD AGENCY.—The term ''Federal lead agency'' means the Bureau of Reclamation.

(5) PROJECT.—The term ''project'' means a surface water project, a project under the purview of title XVI of Public Law 102–575, or a rural water supply project investigated under Public Law 109–451 to be carried out, funded or

operated in whole or in party by the Secretary pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(6) PROJECT SPONSOR.—The term ''project sponsor'' means a State, regional, or local authority or instrumentality or other qualifying entity, such as a water conservation district, irrigation district, water conservancy district, joint powers authority, mutual water company, canal company, rural water district or association, or any other entity that has the capacity to contract with the United States under Federal reclamation law.

(7) PROJECT STUDY.—The term ''project study'' means a feasibility study for a project carried out pursuant to the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.).

(8) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

(9) SURFACE WATER STORAGE.—The term ''surface water storage'' means any surface water reservoir or impoundment that would be owned, funded or operated in whole or in part by the Bureau of Reclamation or that would be integrated into a larger system owned, operated or administered in whole or in part by the Bureau of Reclamation.

SEC. 603. ACCELERATION OF STUDIES.

(a) IN GENERAL.—To the extent practicable, a project study initiated by the Secretary, after the date of enactment of this Act, under the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto, shall—

(1) result in the completion of a final feasibility report not later than 3 years after the date of initiation;

(2) have a maximum Federal cost of $3,000,000; and

(3) ensure that personnel from the local project area, region, and headquarters levels of the Bureau of Reclamation concurrently conduct the review required under this section.

(b) EXTENSION.—If the Secretary determines that a project study described in subsection (a) will not be conducted in accordance with subsection (a), the Secretary, not later than 30 days after the date of making the determination, shall—

(1) prepare an updated project study schedule and cost estimate;

(2) notify the non-Federal project cost-sharing partner that the project study has been delayed; and

(3) provide written notice to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate as to the reasons the requirements of subsection (a) are not attainable.

(c) EXCEPTION.—

(1) IN GENERAL.—Notwithstanding the requirements of subsection (a), the Secretary may extend the timeline of a project study by a period not to exceed 3 years, if the Secretary determines that the project study is too complex to comply with the requirements of subsection (a).

(2) FACTORS.—In making a determination that a study is too complex to comply with the requirements of subsection (a), the Secretary shall consider—

(A) the type, size, location, scope, and overall cost of the project;

(B) whether the project will use any innovative design or construction techniques;

(C) whether the project will require significant action by other Federal, State, or local agencies;

(D) whether there is significant public dispute as to the nature or effects of the project; and

(E) whether there is significant public dispute as to the economic or environmental costs or benefits of the project.

(3) NOTIFICATION.—Each time the Secretary makes a determination under this subsection, the Secretary shall provide written notice to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate as to the results of that determination, including an identification of the specific one or more factors used in making the determination that the project is complex.

(4) LIMITATION.—The Secretary shall not extend the timeline for a project study for a period of more than 7 years, and any project study that is not completed before that date shall no longer be authorized.

(d) REVIEWS.—Not later than 90 days after the date of the initiation of a project study described in subsection (a), the Secretary shall—

(1) take all steps necessary to initiate the process for completing federally mandated reviews that the Secretary is required to complete as part of the study, including the environmental review process under section 805;

(2) convene a meeting of all Federal, tribal, and State agencies identified under section 605(d) that may—

(A) have jurisdiction over the project;

(B) be required by law to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) be required to make a determination on issuing a permit, license, or other approval or decision for the project study; and

(3) take all steps necessary to provide information that will enable required reviews and analyses related to the project to be conducted by other agencies in a thorough and timely manner.

(e) INTERIM REPORT.—Not later than 18 months after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate and make publicly available a report that describes—

(1) the status of the implementation of the planning process under this section, including the number of participating projects;

(2) a review of project delivery schedules, including a description of any delays on those studies initiated prior to the date of the enactment of this Act; and

(3) any recommendations for additional authority necessary to support efforts to expedite the project.

(f) FINAL REPORT.—Not later than 4 years after the date of enactment of this Act, the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate and make publicly available a report that describes—

(1) the status of the implementation of this section, including a description of each project study subject to the requirements of this section;

(2) the amount of time taken to complete each project study; and

(3) any recommendations for additional authority necessary to support efforts to expedite the project study process, including an analysis of whether the limitation established by subsection (a)(2) needs to be adjusted to address the impacts of inflation.

SEC. 604. EXPEDITED COMPLETION OF REPORTS.

The Secretary shall—

(1) expedite the completion of any ongoing project study initiated before the date of enactment of this Act; and

(2) if the Secretary determines that the project is justified in a completed report, proceed directly to preconstruction planning, engineering, and design of the project in accordance with the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto.

SEC. 605. PROJECT ACCELERATION.

(a) APPLICABILITY.—

(1) IN GENERAL.—This section shall apply to—

(A) each project study that is initiated after the date of enactment of this Act and for which an environmental impact statement is prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(B) the extent determined appropriate by the Secretary, to other project studies initiated before the date of enactment of this Act and for which an environmental review process document is prepared under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(C) any project study for the development of a nonfederally owned and operated surface water storage project for which the Secretary determines there is a demonstrable Federal interest and the project—

(i) is located in a river basin where other Bureau of Reclamation water projects are located;

(ii) will create additional water supplies that support Bureau of Reclamation water projects; or

(iii) will become integrated into the operation of Bureau of Reclamation water projects.

(2) FLEXIBILITY.—Any authority granted under this section may be exercised, and any requirement established under this section may be satisfied, for the conduct of an environmental review process for a project study, a class of project studies, or a program of project studies.

(3) LIST OF PROJECT STUDIES.—

(A) IN GENERAL.—The Secretary shall annually prepare, and make publicly available, a list of all project studies that the Secretary has determined—

(i) meets the standards described in paragraph (1); and

(ii) does not have adequate funding to make substantial progress toward the completion of the project study.

(B) INCLUSIONS.—The Secretary shall include for each project study on the list under subparagraph (A) a description of the estimated amounts necessary to make substantial progress on the project study.

(b) PROJECT REVIEW PROCESS.—

(1) IN GENERAL.—The Secretary shall develop and implement a coordinated environmental review process for the development of project studies.

(2) COORDINATED REVIEW.—The coordinated environmental review process described in paragraph (1) shall require that any review, analysis, opinion, statement, permit, license, or other approval or decision issued or made by a Federal, State, or local governmental agency or an Indian tribe for a project study described in subsection (b) be conducted, to the maximum extent practicable, concurrently with any other applicable governmental agency or Indian tribe.

(3) TIMING.—The coordinated environmental review process under this subsection shall be completed not later than the date on which the Secretary, in consultation and concurrence with the agencies identified under section 705(d), establishes with respect to the project study.

(c) LEAD AGENCIES.—

(1) JOINT LEAD AGENCIES.—

(A) IN GENERAL.—Subject to the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and the requirements of section 1506.8 of title 40, Code of Federal Regulations (or successor regulations), including the concurrence of the proposed joint lead agency, a project sponsor may serve as the joint lead agency.

(B) PROJECT SPONSOR AS JOINT LEAD AGENCY.—A project sponsor that is a State or local governmental entity may—

(i) with the concurrence of the Secretary, serve as a joint lead agency with the Federal lead agency for purposes of preparing any environmental document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(ii) prepare any environmental review process document under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) required in support of any action or approval by the Secretary if—

(I) the Secretary provides guidance in the preparation process and independently evaluates that document;

(II) the project sponsor complies with all requirements applicable to the Secretary under—

(aa) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.);

(bb) any regulation implementing that Act; and

(cc) any other applicable Federal law; and

(III) the Secretary approves and adopts the document before the Secretary takes any subsequent action or makes any approval based on that document, regardless of whether the action or approval of the Secretary results in Federal funding.

(2) DUTIES.—The Secretary shall ensure that—

(A) the project sponsor complies with all design and mitigation commitments made jointly by the Secretary and the project sponsor in any environmental document prepared by the project sponsor in accordance with this subsection; and

(B) any environmental document prepared by the project sponsor is appropriately supplemented to address any changes to the project the Secretary determines are necessary.

(3) ADOPTION AND USE OF DOCUMENTS.—Any environmental document prepared in accordance with this subsection shall be adopted and used by any Federal agency making any determination related to the project study to the same extent that the Federal agency could adopt or use a document prepared by another Federal agency under—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) parts 1500 through 1508 of title 40, Code of Federal Regulations (or successor regulations).

(4) ROLES AND RESPONSIBILITY OF LEAD AGENCY.—With respect to the environmental review process for any project study, the Federal lead agency shall have authority and responsibility—

(A) to take such actions as are necessary and proper and within the authority of the Federal lead agency to facilitate the expeditious resolution of the environmental review process for the project study; and

(B) to prepare or ensure that any required environmental impact statement or other environmental review document for a project study required to be completed under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) is completed in accordance with this section and applicable Federal law.

(d) PARTICIPATING AND COOPERATING AGENCIES.—

(1) IDENTIFICATION OF JURISDICTIONAL AGENCIES.—With respect to carrying out the environmental review process for a project study, the Secretary shall identify, as early as practicable in the environmental review process, all Federal, State, and local government agencies and Indian tribes that may—

(A) have jurisdiction over the project;

(B) be required by law to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) be required to make a determination on issuing a permit, license, or other approval or decision for the project study.

(2) STATE AUTHORITY.—If the environmental review process is being implemented by the Secretary for a project study within the boundaries of a State, the State, consistent with State law, may choose to participate in the process and to make subject to the process all State agencies that—

(A) have jurisdiction over the project;

(B) are required to conduct or issue a review, analysis, opinion, or statement for the project study; or

(C) are required to make a determination on issuing a permit, license, or other approval or decision for the project study.

(3) INVITATION.—

(A) IN GENERAL.—The Federal lead agency shall invite, as early as practicable in the environmental review process, any agency identified under paragraph (1) to become a participating or cooperating agency, as applicable, in the environmental review process for the project study.

(B) DEADLINE.—An invitation to participate issued under subparagraph (A) shall set a deadline by which a response to the invitation shall be submitted, which may be extended by the Federal lead agency for good cause.

(4) PROCEDURES.—Section 1501.6 of title 40, Code of Federal Regulations (as in effect on the date of enactment of the Bureau of Reclamation Project Streamlining Act), shall govern the identification and the participation of a cooperating agency.

(5) FEDERAL COOPERATING AGENCIES.—Any Federal agency that is invited by the Federal lead agency to participate in the environmental review process for a project study shall be designated as a cooperating agency by the Federal lead agency unless the invited agency informs the Federal lead agency, in writing, by the deadline specified in the invitation that the invited agency—

(A)(i) has no jurisdiction or authority with respect to the project;

(ii) has no expertise or information relevant to the project; or

(iii) does not have adequate funds to participate in the project; and

(B) does not intend to submit comments on the project.

(6) ADMINISTRATION.—A participating or cooperating agency shall comply with this section and any schedule established under this section.

(7) EFFECT OF DESIGNATION.—Designation as a participating or cooperating agency under this subsection shall not imply that the participating or cooperating agency—

(A) supports a proposed project; or

(B) has any jurisdiction over, or special expertise with respect to evaluation of, the project.

(8) CONCURRENT REVIEWS.—Each participating or cooperating agency shall—

(A) carry out the obligations of that agency under other applicable law concurrently and in conjunction with the required environmental review process, unless doing so would prevent the participating or cooperating agency from conducting needed analysis or otherwise carrying out those obligations; and

(B) formulate and implement administrative, policy, and procedural mechanisms to enable the agency to ensure completion of the environmental review process in a timely, coordinated, and environmentally responsible manner.

(e) NON-FEDERAL PROJECTS INTEGRATED INTO RECLAMATION SYSTEMS.—The Federal lead agency shall serve in that capacity for the entirety of all non-Federal projects that will be integrated into a larger system owned, operated or administered in whole or in part by the Bureau of Reclamation.

(f) NON-FEDERAL PROJECT.—If the Secretary determines that a project can be expedited by a non-Federal sponsor and that there is a demonstrable Federal interest in expediting that project, the Secretary shall take such actions as are necessary to advance such a project as a non-Federal project, including, but not limited to, entering into agreements with the non-Federal sponsor of such project to support the planning, design and permitting of such project as a non-Federal project.

(g) PROGRAMMATIC COMPLIANCE.—

(1) IN GENERAL.—The Secretary shall issue guidance regarding the use of programmatic approaches to carry out the environmental review process that—

(A) eliminates repetitive discussions of the same issues;

(B) focuses on the actual issues ripe for analyses at each level of review;

(C) establishes a formal process for coordinating with participating and cooperating agencies, including the creation of a list of all data that are needed to carry out an environmental review process; and

(D) complies with—

(i) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(ii) all other applicable laws.

(2) REQUIREMENTS.—In carrying out paragraph (1), the Secretary shall—

(A) as the first step in drafting guidance under that paragraph, consult with relevant Federal, State, and local governmental agencies, Indian tribes, and the public on the appropriate use and scope of the programmatic approaches;

(B) emphasize the importance of collaboration among relevant Federal, State, and local governmental agencies, and Indian tribes in undertaking programmatic reviews, especially with respect to including reviews with a broad geographical scope;

(C) ensure that the programmatic reviews—

(i) promote transparency, including of the analyses and data used in the environmental review process, the treatment of any deferred issues raised by Federal, State, and local governmental agencies, Indian tribes, or the public, and the temporal and special scales to be used to analyze those issues;

(ii) use accurate and timely information in the environmental review process, including—

(I) criteria for determining the general duration of the usefulness of the review; and

(II) the timeline for updating any out-of-date review;

(iii) describe—

(I) the relationship between programmatic analysis and future tiered analysis; and

(II) the role of the public in the creation of future tiered analysis; and

(iv) are available to other relevant Federal, State, and local governmental agencies, Indian tribes, and the public;

(D) allow not fewer than 60 days of public notice and comment on any proposed guidance; and

(E) address any comments received under subparagraph (D).

(h) COORDINATED REVIEWS.—

(1) COORDINATION PLAN.—

(A) ESTABLISHMENT.—The Federal lead agency shall, after consultation with and with the concurrence of each participating and cooperating agency and the project sponsor or joint lead agency, as applicable, establish a plan for coordinating public and agency participation in, and comment on, the environmental review process for a project study or a category of project studies.

(B) SCHEDULE.—

(i) IN GENERAL.—As soon as practicable but not later than 45 days after the close of the public comment period on a draft environmental impact statement, the Federal lead agency, after consultation with and the concurrence of each participating and cooperating agency and the project sponsor or joint lead agency, as applicable, shall establish, as part of the coordination plan established in subparagraph (A), a schedule for completion of the environmental review process for the project study.

(ii) FACTORS FOR CONSIDERATION.—In establishing a schedule, the Secretary shall consider factors such as—

(I) the responsibilities of participating and cooperating agencies under applicable laws;

(II) the resources available to the project sponsor, joint lead agency, and other relevant Federal and State agencies, as applicable;

(III) the overall size and complexity of the project;

(IV) the overall schedule for and cost of the project; and

(V) the sensitivity of the natural and historical resources that could be affected by the project.

(iii) MODIFICATIONS.—The Secretary may—

(I) lengthen a schedule established under clause (i) for good cause; and

(II) shorten a schedule only with concurrence of the affected participating and cooperating agencies and the project sponsor or joint lead agency, as applicable.

(iv) DISSEMINATION.—A copy of a schedule established under clause (i) shall be—

(I) provided to each participating and cooperating agency and the project sponsor or joint lead agency, as applicable; and

(II) made available to the public.

(2) COMMENT DEADLINES.—The Federal lead agency shall establish the following deadlines for comment during the environmental review process for a project study:

(A) DRAFT ENVIRONMENTAL IMPACT STATEMENTS.—For comments by Federal and State agencies and the public on a draft environmental impact statement, a period of not more than 60 days after publication in the Federal Register of notice of the date of public availability of the draft environmental impact statement, unless—

(i) a different deadline is established by agreement of the Federal lead agency, the project sponsor or joint lead agency, as applicable, and all participating and cooperating agencies; or

(ii) the deadline is extended by the Federal lead agency for good cause.

(B) OTHER ENVIRONMENTAL REVIEW PROCESSES.—For all other comment periods established by the Federal lead agency for agency or public comments in the environmental review process, a period of not more than 30 days after the date on which the materials on which comment is requested are made available, unless—

(i) a different deadline is established by agreement of the Federal lead agency, the project sponsor, or joint lead agency, as applicable, and all participating and cooperating agencies; or

(ii) the deadline is extended by the Federal lead agency for good cause.

(3) DEADLINES FOR DECISIONS UNDER OTHER LAWS.—In any case in which a decision under any Federal law relating to a project study, including the issuance or denial of a permit or license, is required to be made by the date described in subsection (i)(5)(B), the Secretary shall submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate—

(A) as soon as practicable after the 180-day period described in subsection (i)(5)(B), an initial notice of the failure of the Federal agency to make the decision; and

(B) every 60 days thereafter until such date as all decisions of the Federal agency relating to the project study have been made by the Federal agency, an additional notice that describes the number of decisions of the Federal agency that remain outstanding as of the date of the additional notice.

(4) INVOLVEMENT OF THE PUBLIC.—Nothing in this subsection reduces any time period provided for public comment in the environmental review process under applicable Federal law (including regulations).

(5) TRANSPARENCY REPORTING.—

(A) REPORTING REQUIREMENTS.—Not later than 1 year after the date of enactment of this Act, the Secretary shall establish and maintain an electronic database and, in coordination with other Federal and State agencies, issue reporting requirements to make publicly available the status and progress with respect to compliance with applicable requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) and any other Federal, State, or local approval or action required for a project study for which this section is applicable.

(B) PROJECT STUDY TRANSPARENCY.—Consistent with the requirements established under subparagraph (A), the Secretary shall make publicly available the status and progress of any Federal, State, or local decision, action, or approval required under applicable laws for each project study for which this section is applicable.

(i) ISSUE IDENTIFICATION AND RESOLUTION.—

(1) COOPERATION.—The Federal lead agency, the cooperating agencies, and any participating agencies shall work cooperatively in accordance with this section to identify and resolve issues that could delay completion of the environmental review process or result in the denial of any approval required for the project study under applicable laws.

(2) FEDERAL LEAD AGENCY RESPONSIBILITIES.—

(A) IN GENERAL.—The Federal lead agency shall make information available to the cooperating agencies and participating agencies as early as practicable in the environmental review process regarding the environmental and socioeconomic resources located within the project area and the general locations of the alternatives under consideration.

(B) DATA SOURCES.—The information under subparagraph (A) may be based on existing data sources, including geographic information systems mapping.

(3) COOPERATING AND PARTICIPATING AGENCY RESPONSIBILITIES.—Based on information received from the Federal lead agency, cooperating and participating agencies shall identify, as early as practicable, any issues of concern regarding the potential environmental or socioeconomic impacts of the project, including any issues that could substantially delay or prevent an agency from granting a permit or other approval that is needed for the project study.

(4) ACCELERATED ISSUE RESOLUTION AND ELEVATION.—

(A) IN GENERAL.—On the request of a participating or cooperating agency or project sponsor, the Secretary shall convene an issue resolution meeting with the relevant participating and cooperating agencies and the project sponsor or joint lead agency, as applicable, to resolve issues that may—

(i) delay completion of the environmental review process; or

(ii) result in denial of any approval required for the project study under applicable laws.

(B) MEETING DATE.—A meeting requested under this paragraph shall be held not later than 21 days after the date on which the Secretary receives the request for the meeting, unless the Secretary determines that there is good cause to extend that deadline.

(C) NOTIFICATION.—On receipt of a request for a meeting under this paragraph, the Secretary shall notify all relevant participating and cooperating agencies of the request, including the issue to be resolved and the date for the meeting.

(D) ELEVATION OF ISSUE RESOLUTION.—If a resolution cannot be achieved within the 30-day period beginning on the date of a meeting under this paragraph and a determination is made by the Secretary that all information necessary to resolve the issue has been obtained, the Secretary shall forward the dispute to the heads of the relevant agencies for resolution.

(E) CONVENTION BY SECRETARY.—The Secretary may convene an issue resolution meeting under this paragraph at any time, at the discretion of the Secretary, regardless of whether a meeting is requested under subparagraph (A).

(5) FINANCIAL PENALTY PROVISIONS.—

(A) IN GENERAL.—A Federal jurisdictional agency shall complete any required approval or decision for the environmental review process on an expeditious basis using the shortest existing applicable process.

(B) FAILURE TO DECIDE.—

(i) IN GENERAL.—

(I) TRANSFER OF FUNDS.—If a Federal jurisdictional agency fails to render a decision required under any Federal law relating to a project study that requires the preparation of an environmental impact statement or environmental assessment, including the issuance or denial of a permit, license, statement, opinion, or other approval by the date described in clause (ii), the amount of funds made available to support the office of the head of the Federal jurisdictional agency shall be reduced by an amount of funding equal to the amount specified in item (aa) or (bb) of subclause (II), and those funds shall be made available to the division of the Federal jurisdictional agency charged with rendering the decision by not later than 1 day after the applicable date under clause (ii), and once each week thereafter until a final decision is rendered, subject to subparagraph (C).

(II) AMOUNT TO BE TRANSFERRED.—The amount referred to in subclause (I) is—

(aa) $20,000 for any project study requiring the preparation of an environmental assessment or environmental impact statement; or

(bb) $10,000 for any project study requiring any type of review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) other than an environmental assessment or environmental impact statement.

(ii) DESCRIPTION OF DATE.—The date referred to in clause (i) is the later of—

(I) the date that is 180 days after the date on which an application for the permit, license, or approval is complete; and

(II) the date that is 180 days after the date on which the Federal lead agency issues a decision on the project under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(C) LIMITATIONS.—

(i) IN GENERAL.—No transfer of funds under subparagraph (B) relating to an individual project study shall exceed, in any fiscal year, an amount equal to 1 percent of the funds made available for the applicable agency office.

(ii) FAILURE TO DECIDE.—The total amount transferred in a fiscal year as a result of a failure by an agency to make a decision by an applicable deadline shall not exceed an amount equal to 5 percent of the funds made available for the applicable agency office for that fiscal year.

(iii) AGGREGATE.—Notwithstanding any other provision of law, for each fiscal year, the aggregate amount of financial penalties assessed against each applicable agency office under this title and any other Federal law as a result of a failure of the agency to make a decision by an applicable deadline for environmental review, including the total amount transferred under this paragraph, shall not exceed an amount equal to 9.5 percent of the funds made available for the agency office for that fiscal year.

(D) NOTIFICATION OF TRANSFERS.—Not later than 10 days after the last date in a fiscal year on which funds of the Federal jurisdictional agency may be transferred under subparagraph (B)(5) with respect to an individual decision, the agency shall submit to the appropriate committees of the House of Representatives and the Senate written notification that includes a description of—

(i) the decision;

(ii) the project study involved;

(iii) the amount of each transfer under subparagraph (B) in that fiscal year relating to the decision;

(iv) the total amount of all transfers under subparagraph (B) in that fiscal year relating to the decision; and

(v) the total amount of all transfers of the agency under subparagraph (B) in that fiscal year.

(E) NO FAULT OF AGENCY.—

(i) IN GENERAL.—A transfer of funds under this paragraph shall not be made if the applicable agency described in subparagraph (A) notifies, with a supporting explanation, the Federal lead agency, cooperating agencies, and project sponsor, as applicable, that—

(I) the agency has not received necessary information or approvals from another entity in a manner that affects the ability of the agency to meet any requirements under Federal, State, or local law;

(II) significant new information, including from public comments, or circumstances, including a major modification to an aspect of the project, requires additional analysis for the agency to make a decision on the project application; or

(III) the agency lacks the financial resources to complete the review under the scheduled timeframe, including a description of the number of

full-time employees required to complete the review, the amount of funding required to complete the review, and a justification as to why not enough funding is available to complete the review by the deadline.

(ii) LACK OF FINANCIAL RESOURCES.—If the agency provides notice under clause (i)(III), the Inspector General of the agency shall—

(I) conduct a financial audit to review the notice; and

(II) not later than 90 days after the date on which the review described in subclause (I) is completed, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate the results of the audit conducted under subclause (I).

(F) LIMITATION.—The Federal agency from which funds are transferred pursuant to this paragraph shall not reprogram funds to the office of the head of the agency, or equivalent office, to reimburse that office for the loss of the funds.

(G) EFFECT OF PARAGRAPH.—Nothing in this paragraph affects or limits the application of, or obligation to comply with, any Federal, State, local, or tribal law.

(j) MEMORANDUM OF AGREEMENTS FOR EARLY COORDINATION.—

(1) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process should cooperate with each other, State and local agencies, and Indian tribes on environmental review and Bureau of Reclamation project delivery activities at the earliest practicable time to avoid delays and duplication of effort later in the process, prevent potential conflicts, and ensure that planning and project development decisions reflect environmental values; and

(B) the cooperation referred to in subparagraph (A) should include the development of policies and the designation of staff that advise planning agencies and project sponsors of studies or other information foreseeably required for later Federal action and early consultation with appropriate State and local agencies and Indian tribes.

(2) TECHNICAL ASSISTANCE.—If requested at any time by a State or project sponsor, the Secretary and other Federal agencies with relevant jurisdiction in the environmental review process, shall, to the maximum extent practicable and appropriate, as determined by the agencies, provide technical assistance to the State or project sponsor in carrying out early coordination activities.

(3) MEMORANDUM OF AGENCY AGREEMENT.—If requested at any time by a State or project sponsor, the Federal lead agency, in consultation with other Federal agencies with relevant jurisdiction in the environmental review process, may establish memoranda of agreement with the project sponsor, Indian tribes, State and local governments, and other appropriate entities to carry out the early coordination activities, including providing technical assistance in identifying potential impacts and mitigation issues in an integrated fashion.

(k) LIMITATIONS.—Nothing in this section preempts or interferes with—

(1) any obligation to comply with the provisions of any Federal law, including—

(A) the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); and

(B) any other Federal environmental law;

(2) the reviewability of any final Federal agency action in a court of the United States or in the court of any State;

(3) any requirement for seeking, considering, or responding to public comment; or

(4) any power, jurisdiction, responsibility, duty, or authority that a Federal, State, or local governmental agency, Indian tribe, or project sponsor has with respect to carrying out a project or any other provision of law applicable to projects.

(l) TIMING OF CLAIMS.—

(1) TIMING.—

(A) IN GENERAL.—Notwithstanding any other provision of law, a claim arising under Federal law seeking judicial review of a permit, license, or other approval issued by a Federal agency for a project study shall be barred unless the claim is filed not later than 3 years after publication of a notice in the Federal Register announcing that the permit, license, or other approval is final pursuant to the law under which the agency action is taken, unless a shorter time is specified in the Federal law that allows judicial review.

(B) APPLICABILITY.—Nothing in this subsection creates a right to judicial review or places any limit on filing a claim that a person has violated the terms of a permit, license, or other approval.

(2) NEW INFORMATION.—

(A) IN GENERAL.—The Secretary shall consider new information received after the close of a comment period if the information satisfies the requirements for a supplemental environmental impact statement under title 40, Code of Federal Regulations (including successor regulations).

(B) SEPARATE ACTION.—The preparation of a supplemental environmental impact statement or other environmental document, if required under this section, shall be considered a separate final agency action and the deadline for filing a claim for judicial review of the action shall be 3 years after the date of publication of a notice in the Federal Register announcing the action relating to such supplemental environmental impact statement or other environmental document.

(m) CATEGORICAL EXCLUSIONS.—

(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary shall—

(A) survey the use by the Bureau of Reclamation of categorical exclusions in projects since 2005;

(B) publish a review of the survey that includes a description of—

(i) the types of actions that were categorically excluded or could be the basis for developing a new categorical exclusion; and

(ii) any requests previously received by the Secretary for new categorical exclusions; and

(C) solicit requests from other Federal agencies and project sponsors for new categorical exclusions.

(2) NEW CATEGORICAL EXCLUSIONS.—Not later than 1 year after the date of enactment of this Act, if the Secretary has identified a category of activities that merit establishing a categorical exclusion that did not exist on the day before the date of enactment this Act based on the review under paragraph (1), the Secretary shall publish a notice of proposed rulemaking to propose that new categorical exclusion, to the extent that the categorical exclusion meets the criteria for a categorical exclusion under section 1508.4 of title 40, Code of Federal Regulations (or successor regulation).

(n) REVIEW OF PROJECT ACCELERATION REFORMS.—

(1) IN GENERAL.—The Comptroller General of the United States shall—

(A) assess the reforms carried out under this section; and

(B) not later than 5 years and not later than 10 years after the date of enactment of this Act, submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report that describes the results of the assessment.

(2) CONTENTS.—The reports under paragraph (1) shall include an evaluation of impacts of the reforms carried out under this section on—

(A) project delivery;

(B) compliance with environmental laws; and

(C) the environmental impact of projects.

(o) PERFORMANCE MEASUREMENT.—The Secretary shall establish a program to measure and report on progress made toward improving and expediting the planning and environmental review process.

(p) CATEGORICAL EXCLUSIONS IN EMERGENCIES.—For the repair, reconstruction, or rehabilitation of a Bureau of Reclamation surface water storage project that is in operation or under construction when damaged by an event or incident that results in a declaration by the President of a major disaster or emergency pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), the Secretary shall treat such repair, reconstruction, or rehabilitation activity as a class of action categorically excluded from the requirements relating to environmental assessments or environmental impact statements under section 1508.4 of title 40, Code of Federal Regulations (or successor regulations), if the repair or reconstruction activity is—

(1) in the same location with the same capacity, dimensions, and design as the original Bureau of Reclamation surface water storage project as before the declaration described in this section; and

(2) commenced within a 2-year period beginning on the date of a declaration described in this subsection.

SEC. 606. ANNUAL REPORT TO CONGRESS.

(a) IN GENERAL.—Not later than February 1 of each year, the Secretary shall develop and submit to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate an annual report, to be entitled ''Report to Congress on Future Water Project Development'', that identifies the following:

(1) PROJECT REPORTS.—Each project report that meets the criteria established in subsection (c)(1)(A).

(2) PROPOSED PROJECT STUDIES.—Any proposed project study submitted to the Secretary by a non-Federal interest pursuant to subsection (b) that meets the criteria established in subsection (c)(1)(A).

(3) PROPOSED MODIFICATIONS.—Any proposed modification to an authorized water project or project study that meets the criteria established in subsection (c)(1)(A) that—

(A) is submitted to the Secretary by a non-Federal interest pursuant to subsection (b); or

(B) is identified by the Secretary for authorization.

(4) EXPEDITED COMPLETION OF REPORT AND DETERMINATIONS.—Any project study that was expedited and any Secretarial determinations under section 804.

(b) REQUESTS FOR PROPOSALS.—

(1) PUBLICATION.—Not later than May 1 of each year, the Secretary shall publish in the Federal Register a notice requesting proposals from non-Federal interests for proposed project studies and proposed modifications to authorized projects and project studies to be included in the annual report.

(2) DEADLINE FOR REQUESTS.—The Secretary shall include in each notice required by this subsection a requirement that non-Federal interests submit to the Secretary any proposals described in paragraph (1) by not later than 120 days after the date of publication of the notice in the Federal Register in order for the proposals to be considered for inclusion in the annual report.

(3) NOTIFICATION.—On the date of publication of each notice required by this subsection, the Secretary shall—

(A) make the notice publicly available, including on the Internet; and

(B) provide written notification of the publication to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

(c) CONTENTS.—

(1) PROJECT REPORTS, PROPOSED PROJECT STUDIES, AND PROPOSED MODIFICATIONS.—

(A) CRITERIA FOR INCLUSION IN REPORT.—The Secretary shall include in the annual report

only those project reports, proposed project studies, and proposed modifications to authorized projects and project studies that—

(i) are related to the missions and authorities of the Bureau of Reclamation;

(ii) require specific congressional authorization, including by an Act of Congress;

(iii) have not been congressionally authorized;

(iv) have not been included in any previous annual report; and

(v) if authorized, could be carried out by the Bureau of Reclamation.

(B) DESCRIPTION OF BENEFITS.—

(i) DESCRIPTION.—The Secretary shall describe in the annual report, to the extent applicable and practicable, for each proposed project study and proposed modification to an authorized water resources development project or project study included in the annual report, the benefits, as described in clause (ii), of each such study or proposed modification.

(ii) BENEFITS.—The benefits (or expected benefits, in the case of a proposed project study) described in this clause are benefits to—

(I) the protection of human life and property;

(II) improvement to domestic irrigated water and power supplies;

(III) the national economy;

(IV) the environment; or

(V) the national security interests of the United States.

(C) IDENTIFICATION OF OTHER FACTORS.—The Secretary shall identify in the annual report, to the extent practicable—

(i) for each proposed project study included in the annual report, the non-Federal interest that submitted the proposed project study pursuant to subsection (b); and

(ii) for each proposed project study and proposed modification to a project or project study included in the annual report, whether the non-Federal interest has demonstrated—

(I) that local support exists for the proposed project study or proposed modification to an authorized project or project study (including the surface water storage development project that is the subject of the proposed feasibility study or the proposed modification to an authorized project study); and

(II) the financial ability to provide the required non-Federal cost share.

(2) TRANSPARENCY.—The Secretary shall include in the annual report, for each project report, proposed project study, and proposed modification to a project or project study included under paragraph (1)(A)—

(A) the name of the associated non-Federal interest, including the name of any non-Federal interest that has contributed, or is expected to contribute, a non-Federal share of the cost of—

(i) the project report;

(ii) the proposed project study;

(iii) the authorized project study for which the modification is proposed; or

(iv) construction of—

(I) the project that is the subject of—

(aa) the water report;

(bb) the proposed project study; or

(cc) the authorized project study for which a modification is proposed; or

(II) the proposed modification to a project;

(B) a letter or statement of support for the water report, proposed project study, or proposed modification to a project or project study from each associated non-Federal interest;

(C) the purpose of the feasibility report, proposed feasibility study, or proposed modification to a project or project study;

(D) an estimate, to the extent practicable, of the Federal, non-Federal, and total costs of—

(i) the proposed modification to an authorized project study; and

(ii) construction of—

(I) the project that is the subject of—

(aa) the project report; or

(bb) the authorized project study for which a modification is proposed, with respect to the change in costs resulting from such modification; or

(II) the proposed modification to an authorized project; and

(E) an estimate, to the extent practicable, of the monetary and nonmonetary benefits of—

(i) the project that is the subject of—

(I) the project report; or

(II) the authorized project study for which a modification is proposed, with respect to the benefits of such modification; or

(ii) the proposed modification to an authorized project.

(3) CERTIFICATION.—The Secretary shall include in the annual report a certification stating that each feasibility report, proposed feasibility study, and proposed modification to a project or project study included in the annual report meets the criteria established in paragraph (1)(A).

(4) APPENDIX.—The Secretary shall include in the annual report an appendix listing the proposals submitted under subsection (b) that were not included in the annual report under paragraph (1)(A) and a description of why the Secretary determined that those proposals did not meet the criteria for inclusion under such paragraph.

(d) SPECIAL RULE FOR INITIAL ANNUAL REPORT.—Notwithstanding any other deadlines required by this section, the Secretary shall—

(1) not later than 60 days after the date of enactment of this Act, publish in the Federal Register a notice required by subsection (b)(1); and

(2) include in such notice a requirement that non-Federal interests submit to the Secretary any proposals described in subsection (b)(1) by not later than 120 days after the date of publication of such notice in the Federal Register in order for such proposals to be considered for inclusion in the first annual report developed by the Secretary under this section.

(e) PUBLICATION.—Upon submission of an annual report to Congress, the Secretary shall make the annual report publicly available, including through publication on the Internet.

(f) DEFINITION.—In this section, the term ''project report'' means a final feasibility report developed under the Reclamation Act of 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto.

SEC. 607. APPLICABILITY OF WIIN ACT.

Sections 4007 and 4009 of the WIIN Act (Public Law 114-322) shall not apply to any project (as defined in section 602 of this Act).

TITLE VII—WATER RIGHTS PROTECTION

SEC. 701. SHORT TITLE.

This title may be cited as the ''Water Rights Protection Act of 2017''.

SEC. 702. DEFINITIONS.

In this title:

(1) SECRETARY.—The term ''Secretary'' means, as applicable—

(A) the Secretary of Agriculture; or

(B) the Secretary of the Interior.

(2) WATER RIGHT.—The term ''water right'' means any surface, groundwater, or storage use filed, permitted, certificated, confirmed, decreed, adjudicated, or otherwise recognized by a judicial proceeding or by the State in which the user acquires possession of the water or puts it to beneficial use. Such term shall include water rights for federally recognized Indian Tribes

SEC. 703. TREATMENT OF WATER RIGHTS.

The Secretary shall not—

(1) condition the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on the transfer of any water right (including joint and sole ownership) directly or indirectly to the United States, or on any impairment of title or interest, in whole or in part, granted or otherwise recognized under State law, by Federal or State adjudication, decree, or other judgment, or pursuant to any interstate water compact; or

(2) require any water user (including any federally recognized Indian Tribe) to apply for or acquire a water right in the name of the United States under State law as a condition of the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement.

SEC. 704. POLICY DEVELOPMENT.

In developing any rule, policy, directive, management plan, or similar Federal action relating to the issuance, renewal, amendment, or extension of any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement, the Secretary—

(1) shall—

(A) recognize the longstanding authority of the States relating to evaluating, protecting, allocating, regulating, permitting, and adjudicating water use; and

(B) coordinate with the States to ensure that any rule, policy, directive, management plan, or similar Federal action is consistent with, and imposes no greater restriction or regulatory requirement, than applicable State water law; and

(2) shall not—

(A) adversely affect—

(i) the authority of a State in—

(I) permitting the beneficial use of water; or

(II) adjudicating water rights;

(ii) any definition established by a State with respect to the term ''beneficial use'', ''priority of water rights'', or ''terms of use''; or

(iii) any other right or obligation of a State established under State law; or

(B) assert any connection between surface and groundwater that is inconsistent with such a connection recognized by State water laws.

SEC. 705. EFFECT.

(a) EXISTING AUTHORITY.—Nothing in this title limits or expands any existing legally recognized authority of the Secretary to issue, grant, or condition any permit, approval, license, lease, allotment, easement, right-of-way, or other land use or occupancy agreement on Federal land that is subject to the jurisdiction of the Secretary.

(b) RECLAMATION CONTRACTS.—Nothing in this title in any way interferes with any existing or future Bureau of Reclamation contract entered into pursuant to Federal reclamation law (the Act of June 17, 1902 (32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act).

(c) ENDANGERED SPECIES ACT.—Nothing in this title affects the implementation of the Endangered Species Act of 1973 (16 U.S.C. 1531 et seq.).

(d) FEDERAL RESERVED WATER RIGHTS.—Nothing in this title limits or expands any existing reserved water rights of the Federal Government on land administered by the Secretary.

(e) FEDERAL POWER ACT.—Nothing in this title limits or expands authorities pursuant to sections 4(e), 10(j), or 18 of the Federal Power Act (16 U.S.C. 797(e), 803(j), 811).

(f) INDIAN WATER RIGHTS.—Nothing in this title limits or expands any existing reserved water right or treaty right of any federally recognized Indian Tribe.

(g) FEDERALLY HELD STATE WATER RIGHTS.—Nothing in this title limits the ability of the Secretary, through applicable State procedures, to acquire, use, enforce, or protect a State water right owned by the United States.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part C of House Report 115–212. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject

to amendment, and shall not be subject to a demand for division of the question.

□ 1745

AMENDMENT NO. 1 OFFERED BY MR. LAMALFA

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part C of House Report 115–212.

Mr. LAMALFA. Mr. Chair, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 63, strike line 19 through page 64, line 2 and insert the following:

(d) PROGRAM FOR WATER RESCHEDULING.—The Secretary of the Interior shall develop and implement a program, not later than 1 year after the date of the enactment of this Act, to provide the opportunity for individuals or districts that receive Central Valley Project Water under water service or repayment contracts or water rights settlement contracts within the American River, Sacramento River, Shasta and Trinity River Divisions to reschedule water, provided for under their Central Valley Project water service, repayment or settlement contracts, within the same year or from one year to the next.

Page 64, strike lines 3 through 12, and insert the following:

(e) DEFINITION.—In this section, the year type terms used in subsection (a)

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. LAMALFA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. LAMALFA. Mr. Chair, I thank Mr. MCCLINTOCK for managing this bill and for his help on this.

I am pleased to support the bill, the GROW Act, which, contrary to some claims, protects northern California water rights and keeps more water in the north than the status quo. I should know because I represent the source of the overwhelming majority of California's usable water.

The underlying bill improves water efficiency by allowing junior water contractors in the Sacramento Valley to carry over water supplies from one year to the next in Lake Shasta, retaining access to those supplies the following year, which promotes efficiency when you are banking that additional water for future use.

This amendment improves the bill by ensuring that all Federal water contractors in the Sacramento Valley have the same ability to reschedule their water supplies.

Mr. Chair, under the current system, water contractors are forced to use it or lose it. If water allocations are not fully used each year, the ability to access that water is lost.

Now, around Washington, D.C., that use-it-or-lose-it attitude usually means a lot of money that sits in certain agencies' bank accounts or in their pots, it is just used up. Why would we want to do that kind of thing with water? We need to be banking it and saving it, where practical, to be usable in the next year or to pass to others who could use it as well.

During wet years, farms and ranches may choose to reschedule a portion of their water for the following year. This bill and this amendment will significantly improve planning and delivery of water supplies by ensuring maximum flexibility, flexibility which we need, and allowing water to be accessed when it is needed most.

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

Mr. HUFFMAN. Mr. Chair, I claim the time in opposition.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. HUFFMAN. Mr. Chairman, I also represent northern California. My friend, Mr. LAMALFA, just said that this bill fully protects northern California's water. Well, we represent the two districts right next to each other that are the northernmost districts in California, and I can tell you, my part of northern California doesn't do so well under this bill.

In fact, the only way we have been able to prevent a repeat of a catastrophic fish kill disaster in the Klamath River system each of the last several years has been by releasing cold water in the Trinity River, which is a major tributary to the lower Klamath River. That has been a lifesaver for the communities downstream that depend on those salmon runs. This bill would legislatively prohibit the Bureau of Reclamation from ever doing that again.

So this is not a bill that is good for northern California, certainly, my part of northern California. And I think the same goes for the other northern California colleagues that we heard testify in opposition earlier.

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

Mr. LAMALFA. Mr. Chairman, providing flexibility for more parts of California does not, indeed, punish any other part of northern California. With that, we have to dispel some of these notions about what the end goal is for this legislation and for my amendment.

Mr. Chair, I reserve the balance of my time

Mr. HUFFMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Fresno, California (Mr. COSTA).

Mr. COSTA. Mr. Chair, I thank the gentleman for yielding me this time.

This amendment is about rescheduled water, and this is a technical term that, for people who aren't familiar with water use in California and other parts of the country, it allows people with water rights, whether they be senior or junior water rights, to reserve that water, in other words, to reschedule it, to hold it off for another time when it might be more valuable to use. And so this is an important tool.

I agree with Congressman LAMALFA that water users throughout California should have flexibility to use their water supplies in ways that are most beneficial to be able to reschedule it.

I do have some concerns that this amendment may have unintended consequences with other water users downstream should it become law without changes. Specifically, it is critical that those with more junior water rights, like some of the areas I represent south of the California delta, are not negatively impacted when they reschedule their water from senior water rights holders.

Water is precious. You have water shortages. So if I want to reserve it for later in the year or for the next water year, that means rescheduled water. So for these water users, we want to protect that ability.

Additionally, in the event that a future wet year causes spilling of rescheduled water, it is critical that the priority of the water spilling is addressed in a fair and equitable manner.

I would like to work with the gentleman to address these concerns. And I thank him, and I thank the gentleman for yielding me the time.

Mr. LAMALFA. Mr. Chair, I am very pleased to be able to work with my colleague, Mr. COSTA, to ensure that these concerns are met and addressed as the bill moves through the Senate.

I believe the ability to reschedule water deliveries for these periods when they are needed should be offered as widely as possible, and I appreciate the support in that goal.

Indeed, the opportunity that we can help the Central Valley with this, I relish that opportunity to do so. More facilities to store more water is, indeed, very important so we have more flexibility for Mr. COSTA and his neighbors, constituents.

I yield such time as he may consume to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Mr. Chair, I just want to say that this is a very good amendment. The committee supports it, and it is essential to providing the flexibility that is necessary.

I might point out to my colleague from California, when we originally developed this bill more than 5 years ago, we consulted more than 60 water agencies throughout northern and central California, including many in Democratic congressional districts. Senior water rights are essential to northern California. This bill strengthens them, and Mr. LAMALFA's amendment adds the management flexibility that is long overdue.

Mr. COSTA. Will the gentleman yield?

Mr. MCCLINTOCK. I yield to the gentleman from California.

Mr. COSTA. I thank the gentleman for yielding.

That is correct. I know this was offered 5 years ago. I would like to point out, though, in the last 5 years of the drought conditions, we have learned a whole lot more about the flexibility and how you can and cannot use rescheduled water and, of course, how valuable it is.

So I respect and thank the gentleman, Congressman LAMALFA, for working together on this to ensure that we protect all of the water users in their ability to have flexibility, especially during drought times.

Mr. LAMALFA. Mr. Chair, indeed, whether it is a drought period where we have to work even harder to spread that water around or in a year of abundance like what we had, we have to be wise about storing it where we can and having the flexibility to put it where we need to and having additional facilities in the future to store farther into the drought years that, no doubt, will come. This is what we are looking for in this legislation and what I am trying to promote for my particular area in northern California with this amendment.

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

Mr. HUFFMAN. Mr. Chair, I am prepared to close. How much time do I have remaining?

The Acting CHAIR. The gentleman from California (Mr. LAMALFA) has 45 seconds remaining, and the gentleman from California (Mr. HUFFMAN) has 2 minutes remaining.

Mr. HUFFMAN. Mr. Chair, I reserve the balance of my time.

Mr. LAMALFA. Mr. Chairman, indeed, the water battles in California have been very difficult for many, many years, but what I hear from the other side of the aisle is a whole lot of ''no.'' What I hear from normal Californians who aren't in positions of elected leadership who seem to be more interested in catering to a few environmental groups instead of the needs of Californians, especially on the heels of drought, what these Californians are saying is: Get this stuff done. Get these projects done. Help us out. Help us to have jobs in our State and not cater to just a handful of interests here that will help us through another election.

Mr. Chair, I am pleased to present the amendment and proud to work with these folks, and I yield back the balance of my time.

Mr. HUFFMAN. Mr. Chairman, I actually have no problem with my colleague's attempt to make a clarification to this bill. That clarification is needed, I am sure, but it is important to realize that the reason it is needed is because we haven't gone through regular order. We are talking about provisions that have not had the benefit of hearings, of markups, of witness testimony, clarifications that would have been made in the regular order process.

The underlying bill, it is important to remember, does enormous damage to California water law. That is why it is opposed by the Governor, by our attorney general, by our two U.S. Senators, and by many members of the California delegation.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. LAMALFA).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. COSTA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part C of House Report 115–212.

Mr. COSTA. Mr. Chairman, 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 II, add the following:

SEC. 204. GEOPHYSICAL SURVEY.

The Bureau of Reclamation, in cooperation with the United States Geological Survey, the State of California, and local and State water agencies, may conduct detailed geophysical characterization activities of subsurface aquifer systems and groundwater vulnerability in California, which has experienced a critical, multi-year drought that resulted in severe groundwater overdraft in some areas, followed by less than optimal recharge from the heavy rainstorms and flooding during the 2016–2017 winter season. This geophysical survey should include data pertaining to the following:

(1) Subsurface system framework: occurrence and geometry of aquifer and non-aquifer zones.

(2) Aquifer storage and transmission characteristics.

(3) Areas of greatest recharge potential.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. COSTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. COSTA. Mr. Chair, I yield myself such time as I may consume.

I would like to first thank the Rules Committee chairman, and the ranking member, Ms. SLAUGHTER, for making my amendment in order.

Mr. Chair, groundwater storage is a central element of drought resilience in the San Joaquin Valley and throughout California. Recharging our groundwater that has been overdrafted is critical in terms of our overall strategy to use all the water tools in our water management toolbox.

California's hydrological cycle is varied, with each year's intense rainfall and flooding like this year followed by prolonged periods of droughts like the previous 5 years. As a matter of fact, in California, it is either feast or famine. We don't have enough or we have too much water.

This varied hydrological cycle means that regions like the San Joaquin Valley rely heavily on groundwater to supply regional water needs during the dry years, and that is how the overdraft takes place. An attempt to refill that pumped water during wet years comes all too infrequently.

The recent record drought, coupled with previous droughts and policy changes that have led to shifting of water supplies from agriculture water uses to environmental uses over the last 25 years, has literally resulted in ground sinking beneath the feet of the people of the San Joaquin Valley.

These depletions led the State of California to pass a law in 2014 that regulates the use of groundwater, with the objective of creating groundwater balance over time. It is called the Sustainable Groundwater Management Act, otherwise referred to as SGMA.

Obviously, we ought to make our groundwater sustainable, and there are a lot of different ways in which we can do so in terms of that water strategy. This amendment purports to address part of that.

Many groundwater basins have been overdrafted for long periods of time. Twenty-one of California's 515 groundwater basins now are considered critically overdrafted. That is a real, real serious crisis.

It is critical that efforts are taken to recharge these groundwater aquifers so that the water is available during the dry years, which we know will surely come. This is all about sustainability. We know that the performance of any projected groundwater recharge and recovery project is reliant on a thorough understanding of how the surface and subsurface waters interact with a geographical region.

Without thoroughly developed and field-verified information about the geophysical characteristics of California's groundwater aquifer systems and best areas for groundwater recharge projects, compliance with California's recently enacted Sustainable Groundwater Management Act—it is simply infeasible for us to expect that we are going to do that without having all of the information together.

What we are trying to do in this legislation is provide the opportunity to ensure that we have a reliable water supply so that we have food security. After all, food security, I believe, is a national security issue for America. It doesn't get looked at that way, but it is.

California's Department of Water Resources has identified a number of gaps in the scientific body of knowledge that need to be filled in order to effectively recharge groundwater aquifers. Some of these studies show that simply irrigating lands in the Central Valley with right soil conditions for groundwater percolation could lead to an additional 2 million to 6 million acre-feet of groundwater infiltration. That would double the level of recovery rate in a post-drought winter like 2017.

This amendment would authorize the Bureau of Reclamation, partnered with scientific agencies, the United States Geological Survey, and the University of California, to conduct surveys for groundwater aquifers to identify, one, subsurface aquifer systems framework, including the geometry of areas where water can move more easily; two, aquifer storage and transmission characteristics; and three, land areas of greatest recharge potential.

I urge my colleagues to support this amendment.

□ 1800

Mr. MCCLINTOCK. Will the gentleman yield?

Mr. COSTA. I yield to the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, I have no objection to this amendment. I thank the gentleman from Fresno, California, for his constructive contribution to this process.

Mr. COSTA. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. HUFFMAN), who is from Marin County.

Mr. HUFFMAN. Mr. Chairman, I just want to quickly offer my support for my colleague's amendment. This is a commonsense amendment that recognizes the tremendous potential that groundwater storage represents. This is one of the most important tools in our water management toolbox. We know that our future hydrology will be less certain because of climate change. It is going to make droughts across our country more frequent and severe.

This amendment will help make sure we are taking the appropriate steps to prepare. So I want to thank my colleague for this forward-thinking amendment, and I support its adoption.

Mr. COSTA. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. COSTA).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. COSTA

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in part C of House Report 115–212.

Mr. COSTA. Mr. Chairman, 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 II, add the following:

SEC. 204. HEADWATER-RESTORATION SCOPING STUDY.

The Bureau of Reclamation may partner with academia, specifically the University of California, and State and local water agencies, to develop a study to enhance mountain runoff to Central Valley Project reservoirs from headwater restoration with the following aims:

(1) Estimate forest biomass density and annual evapotranspiration (ET) across the Shasta Lake watershed for the past decade using satellite and other available spatial data.

(2) Identify areas on public and private land that have high biomass densities and ET, and assess potential changes in ET that would ensue from forest restoration.

(3) Assess role of subsurface storage in providing drought resilience of forests, based on long-term historical estimates of precipitation, drought severity and stream discharge.

(4) Assess role of snowpack in annual water balance across the watersheds.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. COSTA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. COSTA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to first, again, thank the Rules Committee chair and Ranking Member SLAUGHTER for making my amendment in order, as well as acknowledge my colleague from California, Congressman LAMALFA, for his work on this amendment.

Mr. Chairman, a record drought and the most destructive wildfire seasons on record have brought renewed attention to California's headwaters. These forests, meadows, and other source waters play a vital role in California's water supply and management system, and they are under threat from a host of factors, including wildfires, climate change impacts, and poor management policies.

More effective forest and headwaters management practices, such as increased use of forest thinning and watershed restoration, have demonstrated the potential to provide a measurable increase in water supply to the Central Valley Project reservoirs that receive runoff generated by these headwaters in the Sierra Nevadas, the beautiful mountains that we have in California.

The Sierra Nevada mountain range, many people don't realize, generates nearly 60 percent of California's developed water supply—60 percent. And that is why the abundance of snow on the mountains during the wintertime is so critical.

Some estimates indicate that simply by instituting more effective headwaters management policies, that up to 300,000 acre-feet of additional water supplies—300,000 acre-feet—could be generated each year.

Now, that is a significant yield of water when you look at the overdraft crop problems that we have and some of the other authorization of surface storage that we have made last year during the WIIN Act.

As a matter of fact, the Bureau of Reclamation has analyzed that some of the projects that I support, such as raising Shasta Dam 18 feet, would generate anywhere from 75 to over 100,000 acre-feet of water annually. So if we can generate an additional 300,000 acre-feet by better managing our headwaters, this is almost three times that yield.

Simply managing our forests better could, in many instances, quadruple our water supply and better produce environmental outcomes for our forest ecosystems.

To put this in context, this is enough water to irrigate over 100,000 acres, of which we have significant overdraft of land, or provide daily water for an additional 500,000 homes in California for an entire year.

My amendment would authorize the Bureau of Reclamation to enter into partnerships to determine the amount of water that could be untapped by doing these kinds of efforts.

Fixing California's broken water system, as I have said repeatedly, means using all of the water tools in our water management toolbox. Included in this amendment, we would be having the opportunity to improve our headwater management in an integrated and multidisciplinary approach that is responsive to the changing conditions that we face as we know that will continue to occur.

Mr. Chairman, I urge my colleagues to support this amendment.

Mr. Chairman, I yield 1 minute to the gentleman from northern California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Chairman, I want to express my support for this amendment as well.

The headwaters of our watersheds play a crucial role in ensuring the reliability and the quality of water supplies throughout our State. Our water supply depends not just on artificial reservoirs, but also on natural reservoirs of snowpack and groundwater retention in the forests of these headwater areas.

Healthy, vibrant forests provide multiple benefits, including carbon capture and shade to reduce rapid snowmelt. When they are properly protected, forest soils act like sponges to absorb rainfall and slowly release it back into rivers and streams throughout the year.

This amendment is one of the many ways that we can ensure that the Bureau of Reclamation is building a 21st century water supply system for California and the West, so I strongly encourage support for it.

Mr. COSTA. Mr. Chairman, this is a commonsense amendment that has bipartisan support. Frankly, I think as we learned so much more about how the hydrology of California's water systems develop, we need to take advantage of that knowledge. And this amendment will allow us to do so in a way that makes this so valuable resource that we sometimes take for granted—that is our water supply—to allow us to use it in a way that makes sense and will provide the water needs for all Californians.

Mr. Chairman, I urge the support of this amendment, and I yield back the balance of my time.

The Acting CHAIR (Mr. CARTER of Georgia). The question is on the amendment offered by the gentleman from California (Mr. COSTA).

The amendment was agreed to.

AMENDMENT NO. 4 OFFERED BY MR. DENHAM

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in part C of House Report 115–212.

Mr. DENHAM. Mr. Chairman, 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 IV, insert the following:

SEC. 406. NEW MELONES RESERVOIR.

The authority under section 4006 of the WIIN Act shall expire 7 years after the date of the enactment of this Act.

SEC. 407. ACTIONS TO BENEFIT THREATENED AND ENDANGERED SPECIES AND OTHER WILDLIFE.

None of the funds made available under section 4010(b) of the WIIN Act may be used for the acquisition or leasing of land, water for in-stream purposes if the water is already

committed to in-stream purposes, or interests in land or water from willing sellers if the land, water, or interests are already designated for environmental purposes by a court adopted decree or order or cooperative agreement.

SEC. 408. NON-FEDERAL PROGRAM TO PROTECT NATIVE ANADROMOUS FISH IN STANISLAUS RIVER.

The program established under section 4010(d) of the WIIN Act shall not sunset before January 1, 2023.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. DENHAM) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DENHAM. Mr. Chairman, I rise in support of my amendment to H.R. 23.

This amendment updates a small portion of the Water Infrastructure Improvements for the Nation Act, or the WIIN Act, to protect endangered species and assess water storage opportunities.

First, it sets a reasonable timeframe for the completion of expanded water storage opportunities at the New Melones Reservoir. These opportunities can increase available storage for conservation, transfers, and rescheduled water projects to allow for maximum storage within the reservoir. Conservative estimates of increased water storage have been at 100,000 acre-feet, which will provide water for over 400,000 people for a year.

With such a precious resource, we must ensure our water storage capacity is being used responsibly. This timeline of 7 years is consistent with other provisions of the WIIN Act, and will ensure the study will be completed so we can make best use of our water storage capacity.

Additionally, this amendment helps protect our threatened and endangered species.

In Western States, water users can buy and sell water rights. This provision prevents individuals from using funding set aside for species conservation to buy water rights and sell them back to the government.

Funding in section 4010(b) of the WIIN Act was allocated to benefit endangered species populations through habitat restoration, improved monitoring, and conservation fish hatcheries. This policy has been in effect for the Central Valley Project Improvement Act for over a decade and needs to be applied to this section as well. This ensures funding will be used for its intended purposes to help endangered species, not to buy and resell water rights.

Finally, this amendment extends a program to protect native fish in the Stanislaus River for 2 years. This program allows for the taking of invasive species that prey on native salmon and steelhead in the Stanislaus River. It was originally authorized for 5 years. However, since the spawn cycle for these salmon is 3 years, it needs to be extended to ensure two full salmon cohort cycles can be observed.

In conclusion, this amendment protects native and endangered species, and ensures we are making the most of water storage capacity at the New Melones Reservoir.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DENHAM).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. DESAULNIER

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part C of House Report 115–212.

Mr. DESAULNIER. Mr. Chairman, 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 IV, insert the following:

SEC. 406. REVIEW OF AVAILABLE TECHNOLOGIES AND PROGRAMS.

Section 3405(e) of the Central Valley Project Improvement Act is amended by adding at the end the following:

''(4) The Secretary, through the office established under this subsection, shall review available and new, innovative technologies and programs for capturing municipal wastewater and recycling it for providing drinking water and energy, and report on the feasibility of expanding the implementation of these technologies and programs among Central Valley Project contractors.''.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Mr. Chairman, my amendment asks for a review of existing best practices worldwide for the capture and reuse of wastewater and a feasibility study on the expansion of these efforts.

Existing policy requires a review of conservation plans of Central Valley Project contractors. I believe we should look further than just what we are currently doing and learn from new, emerging technologies and practices from around the world for recycling wastewater.

Capturing wastewater for reuse is not new. Orange County, California, implemented its Groundwater Replenishment System in 2008, which augments the water supply for 850,000 residents with treated wastewater and helps reduce the area's dependence on water from the Sacramento-San Joaquin delta.

In Singapore, an initiative to recycle wastewater supplies approximately one-third of the country's water demand. In Israel, treated sewage water meets approximately one-quarter of the country's needed water.

Across California, more than 200 billion gallons of municipal wastewater are already reused each year. According to one report, California has an unrealized opportunity to grow that number to between 390 billion and 590 billion acre-feet per year.

The need for innovation to increase the amount of available water is very clear. Between 2011 and 2013, even before the onset of one of the State's most severe droughts on record, water stored in the Sacramento-San Joaquin watershed and the Central Valley dropped by nearly 20 billion cubic meters, or two-thirds of the volume of Lake Mead.

We need to prepare for more severe droughts in the coming decades. With innovation and technologies available in the United States and around the world, we could and should continue to look for new ways to augment our water supply and enhance our water security.

Around the world and across the United States, innovation and technologies for capturing and recycling wastewater are improving, and their costs are falling. The purpose of this amendment is to understand the current state of these technologies and to identify opportunities for expanding them.

Mr. Chairman, I urge my colleague to support this amendment, and I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. MCCLINTOCK. Mr. Chairman, this amendment adds a superfluous provision that requires a study on a subject that we have already studied to death.

We find the left constantly proposing these technologies to manage our existing water shortage often as an excuse not to expand our ability to store new water supplies.

The problem is not complicated. These recycling projects are typically four times as expensive as traditional water storage, according to a 2016 study by the California Public Utilities Commission.

If we had exhausted our existing resources, then these technologies might make sense if the alternative is no water at all. But that is not the alternative. The alternative is to develop our resources at about one-fourth the cost of these technologies the gentleman is trying to sell us—four times the cost.

No consumer in his right mind would pay four times more for the same product. Only politicians would do that, and the problem is when politicians make this choice, consumers end up paying.

Which brings me to my second objection to the gentleman's amendment. Our traditional water projects are paid for by the users of the water in proportion to their use, as is the beneficiary pays principle that has guided our water projects for generations.

□ 1815

These policies protect taxpayers from footing the bill for somebody else's water.

The title 16 recycling projects the gentleman is promoting are not paid for by the water users but rather by general taxpayers, meaning these projects literally rob St. Petersburg to pay St. Paul.

If the gentleman would like to confine the provisions of the bill to require his constituents to pay four times more for their water or that his constituents pay to subsidize the water for my constituents, I would be happy to support him. But I sincerely doubt that is what he has in mind.

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

Mr. DESAULNIER. Mr. Chair, I yield 1 minute to the gentlewoman from California (Ms. MATSUI).

Ms. MATSUI. Mr. Chair, I rise in support of Mr. DESAULNIER's amendment to H.R. 23.

Recycling projects provide sustainable water sources that help make our communities drought-resilient. In Sacramento, we are working to build a project that would use claimed wastewater to irrigate up to 18,000 acres of farmland and habitat.

These are the types of projects that help prepare California for the next drought, and they result in more water for our farms and cities. We should be working on sustainable solutions like these.

Last Congress, I introduced a bill to improve the Bureau of Reclamation's Title XVI Water Reclamation and Reuse Funding Program by removing the requirement that each recycling project receive an explicit congressional authorization. The bill was included in the WIIN Act passed into law last year, thereby expanding the pool of eligible projects.

Mr. DESAULNIER's amendment continues to move us forward by emphasizing the importance of recycling in our approach to managing water use. I urge my colleagues to support it.

Mr. DESAULNIER. Mr. Chair, I yield 1 minute to the gentleman from California (Mr. COSTA).

Mr. COSTA. Mr. Chair, I thank the gentleman for yielding.

Fixing California's broken water system, as we all know, involves multiple strategies. Recycled water, on-farm recharge, and other innovative methods of increasing water supply, we have found, improves the situation, but there is no silver bullet to solving California's long-term water challenges.

In the Valley, we understand that, and this is why many communities moved forward on efforts to diversify their water supplies. For example, the Del Puerto Water District has partnered in northern Merced and Stanislaus Counties with the cities of Modesto and Turlock on a project that uses treated wastewater to irrigate agricultural fields, creating significant water security for about 30 percent of Del Puerto's Central Valley water supply that is rarely delivered.

This is cost-effective and costs less than other alternatives. We are partnering with local water districts in the city of Mendota and the city of Fresno.

So this is a very valuable source of water, and we ought to encourage it whenever possible. More efforts like this are necessary.

Mr. Chair, I support the amendment.

Mr. DESAULNIER. Mr. Chair, I yield 30 seconds to the gentleman from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Chairman, in defense of the economics of water recycling, I need to correct the record.

The WateReuse Research Foundation has found that recycling projects tend to be among the cheapest ways to increase water supply. Potable water reuse is generally comparable or less expensive than alternative options.

The Congressional Research Service has found that title 16 water recycling projects are comparable in price to alternate water sources—in some cases, substantially cheaper—and there is vast new potential to develop these water supplies.

This is exactly the kind of forward-thinking conversation we ought to have if we are serious about California water.

Mr. DESAULNIER. Mr. Chair, I yield back the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I would simply cite to my friend the California Public Utilities Commission report in 2016, and what would be the cost of future sources of water for California. They say very clearly that recycling water is nearly four times as costly as traditional sources of water, and that is being generous.

I support any water project that pencils out. This one does not. This one would require water bills to quadruple. For California, it is exactly policies like these that are driving water bills up. The people of California need to take note of that and to realize the choices they make at the ballot box have real world implications to the bills they are paying for simple things like water and power.

Mr. Chair, I ask for a ''no'' vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DESAULNIER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DESAULNIER. Mr. 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 California will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. PEARCE

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part C of House Report 115–212.

Mr. PEARCE. Mr. 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:

Page 131, beginning on line 5, strike ''Such term shall include water rights for federally recognized Indian Tribes''.

Page 131, beginning on line 19, strike ''(including any federally recognized Indian Tribe)''.

Page 134, strike lines 7 through 9 and insert the following:

(f) INDIAN WATER RIGHTS.—Nothing in this title shall have any effect on tribal water rights or their adjudication, or the protection, settlement, or enforcement and/or administration of such rights by either Indian tribes or the United States as trustee for Indian tribes.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from New Mexico (Mr. PEARCE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Mexico.

Mr. PEARCE. Mr. Chairman, water is life. We understand that in the West maybe more than anywhere else in the world. So any time we are talking about water, we are talking about life, we are talking about the ability to have an economy, we are talking about jobs, we are talking about communities. It affects us deeply in the West.

When the original bill, H.R. 23, was being marked up, my friend, the gentlewoman from California (Mrs. TORRES), brought a concern to the members of the committee, saying that she felt like the underlying bill did not adequately address Tribal water rights.

Tribes are some of the areas of deepest poverty in the country. As she brought that up, it struck my attention that we should take a look at it.

Ultimately, her amendment failed in committee, but the two of us, with the chairman and the sponsor of the bill, huddled after the committee meeting and decided that we should move forward with our concerns. Those concerns are reflected in this amendment today.

Mr. Chair, I yield 1 minute to the gentlewoman from California (Mrs. TORRES), to speak about this issue.

Mrs. TORRES. Mr. Chairman, I want to begin by thanking also my friend, Representative PEARCE from New Mexico, for offering this amendment with me.

Mr. Chair, during our committee work on portions of this bill, I raised this issue and offered a similar amendment. So I appreciate Representative PEARCE for working with me to improve the bill for Indian Country.

I urge my colleagues to support this amendment because it will provide some limited, though not complete, legal protection for Indian Tribes and their water rights. That said, I continue to have grave concerns with the underlying bill and the impact it will have on Indian Country.

Even if this amendment is adopted, the underlying bill will cause significant harm to Indian Country. For example, in title 4 of this bill, it blocks

emergency water releases that prevent disease outbreaks for Tribal fisheries in California's Klamath River. The provision will significantly increase the risk of widespread fish kills and lead to tragic losses for Tribal communities.

While this amendment doesn't mitigate all of the negative impacts of this bill, it will improve the bill somewhat by including an additional legal protection for Tribal rights that will preserve past, pending, or future Tribal water rights settlements.

Mr. Chair, I urge support for this amendment.

Mr. HUFFMAN. Mr. Chair, I ask unanimous consent to claim the time in opposition, although I am not opposed.

The Acting CHAIR. Is there objection to the request of the gentleman from California?

Mr. MCCLINTOCK. Mr. Chair, I object.

The Acting CHAIR. Objection is heard.

Mr. PEARCE. Mr. Chairman, I yield 1 minute to the gentleman from Colorado (Mr. TIPTON).

The Acting CHAIR. The gentleman will suspend.

For what purpose does the gentleman from Colorado seek recognition?

Mr. TIPTON. Mr. Chair, to speak to the nature of the amendment.

The Acting CHAIR. Is the gentleman opposed to the amendment?

Mr. TIPTON. Mr. Chair, I am.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. TIPTON. Mr. Chairman, as my colleague from New Mexico noted, Wayne Aspinall of Colorado stated: ''When you touch water in the West, you touch everything.''

We have that shared concern that that water is going to be preserved. In the West, water is a private property right. We have State law. We have priority-based systems, which have always been recognized by the Federal Government.

Unfortunately, we have seen and reflected in this portion of the legislation that we are discussing today, the Federal Government reaching out to be able to require conditional use of permit water rights to be signed over to the Federal Government. At issue is the amendment that we are discussing right now.

When we talk about our Native American Tribes, my colleague and I have shared in common interest, along with our colleague, Mrs. TORRES, in terms of making sure that Native American rights are protected from taking by the Federal Government, as well.

There is good news in the underlying bill. The Department of the Interior had made the statement that their ability to be able to negotiate or enter into water settlements with Tribes is in no way affected or restricted by this bill. It is in no way affected or restricted by this bill, according to the Department of the Interior.

While I have no objections to the changes proposed in the savings clause to be able to clarify as much, I did want to be able to register concern on the amendment that it may not have been as definitive as I would like to have seen in regard to specifying Native American water rights.

I think that is common ground that we are seeing on both sides of the aisle: to make sure that those private property rights are protected.

I will not vote against this amendment, and I applaud my colleagues working together with us to be able to try and achieve an actual amiable solution on something that, as Westerners, we understand probably better than anyone else in the country the importance of water—water for our communities, water for the opportunity for our communities to be able to grow and to prosper.

On this particular issue, a very important segment of that very community is the valuable contributions that our Native American Tribes make to all of our communities.

Mr. Chairman, I will be supporting the overall legislation. In terms of their work on this, I commend all Members.

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

Mr. PEARCE. Mr. Chair, may I inquire as to how much time I have?

The Acting CHAIR. The gentleman from New Mexico has 2 minutes remaining.

Mr. PEARCE. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. HUFFMAN).

Mr. HUFFMAN. Mr. Chair, I certainly appreciate that my colleagues are trying to help mitigate a small amount of the harm caused by this bill, but, unfortunately, the underlying bill remains a disaster for Indian Country.

Title 5 of this bill is a direct attack against the existing rights of Tribes in my district. As I have said previously, the salmon in the Klamath River system are the grocery store, the church, the lifeline for the Tribes in my district, and this bill explicitly prevents Federal agencies from making emergency water releases to combat fish disease and prevent massive fish kills that would devastate these Tribal balance fisheries.

That is important to remember, lest we get too carried away with whatever curative effects this amendment might have.

Mr. PEARCE. Mr. Chair, Tribes in New Mexico and across the West depend on water for agriculture, they depend on it for their families, they depend on it for spiritual reasons. Without rights, water can be taken by anyone.

The amendment that Mrs. TORRES and I put forward is just trying to say that rights are personal. They are private property rights, and no government can take them away. It is a reasonable amendment.

I appreciate the gentleman from Colorado's observations. We will attempt to see that those observations are dealt with in a meaningful way. In the meantime, I simply ask Members of the House to join with me in voting for this amendment to H.R. 23.

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

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Mexico (Mr. PEARCE).

The amendment was agreed to.

□ 1830

AMENDMENT NO. 5 OFFERED BY MR. DESAULNIER

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on amendment No. 5 printed in part C of House Report 115–212 offered by the gentleman from California (Mr. DESAULNIER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 15-minute vote.

The vote was taken by electronic device, and there were—ayes 201, noes 221, not voting 11, as follows:

[Roll No. 350]

AYES—201

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Bost
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Courtney
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
Dent
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Katko
Keating
Kelly (IL)
Kennedy
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
LaMalfa
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
McSally
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Paulsen
Payne
Pelosi
Perlmutter

Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Reichert
Rice (NY)
Richmond
Rohrabacher
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (NJ)
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—221

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Denham
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Jordan
Joyce (OH)
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
Lamborn
Lance
Latta
Lewis (MN)
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—11

Barr
Cheney
Cummings
Davis, Rodney
Guthrie
Himes
Johnson, Sam
Khanna
Lieu, Ted
Napolitano
Scalise

□ 1852

Messrs. HARPER, GROTHMAN, RUSSELL, CURBELO of Florida, TAYLOR, MESSER, Mrs. NOEM, Messrs. FORTENBERRY, ROKITA, and BYRNE changed their vote from ''aye'' to ''no.''

Messrs. GOTTHEIMER and PRICE of North Carolina changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. SIMPSON). The question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CARTER of Georgia) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 23) to provide drought relief in the State of California, and for other purposes, and, pursuant to House Resolution 431, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CARBAJAL. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CARBAJAL. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Carbajal moves to recommit the bill H.R. 23 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

Add at the end of title IV, the following:

SEC. 406. WILDFIRE READINESS.

Nothing in this Act shall impair the ability of the National Interagency Fire Center to ensure that there is an adequate supply of water to fight wildfires, utilizing water from reservoirs or other surface waters.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. CARBAJAL. Mr. Speaker, this is the final amendment to the bill, which will not kill the bill or send it back to the committee. If adopted, the bill will immediately proceed to final passage as amended.

My request today is simple: to provide our firefighters with the water they need to effectively fight wildfires. As we speak, two large wildfires are burning in my district on the central coast of California. So far, over 40,000 acres of land have burned between the Alamo fire and the Whittier fire.

With more than a dozen homes and structures of central coast residents destroyed, we cannot overstate the important and effective work of hundreds of local, State, and Federal firefighters to contain these blazes and prevent more damages.

I spoke with incident commanders and toured both burn sites in Santa Barbara County, witnessing firsthand the incredible damage wreaked by these fires to our region.

I was grateful for the opportunity to address our firefighters and first responders and to thank these brave men and women for willing to risk their own safety to protect infrastructure and save lives.

In one harrowing instance, a firefighter cleared a path, driving a bulldozer through flaming brush to rescue dozens of Boy Scouts trapped at a campground at Lake Cachuma.

Today, we have a duty as appropriators to provide these men and women, working tirelessly in difficult conditions, with the resources they need to effectively combat these frequent and devastating wildfires across our country, and especially in my home State.

Ignoring our wildfire response when dealing with water allocation is irresponsible and will put American lives in danger.

In addition to adopting this simple amendment to ensure our firefighters' access to water, I urge my colleagues to work to end the disruptive practice of fire borrowing.

□ 1900

We cannot continue to rob funds designated for wildfire prevention to pay for fighting fires and simultaneously expect agencies to carry out effective land management practices to reduce the impact of catastrophic wildfires in the future.

Our Federal land management agencies are overwhelmed by the dramatic increase in fires on public lands in recent years, and we cannot in good conscience continue to ignore their urgent need for both prevention and firefighting funding.

I am deeply concerned that this underlying bill today does nothing to address the issues of limited water resources for our agencies charged with fighting wildfires.

I call upon my colleagues to adopt this common-sense amendment and show our firefighters that Congress not only appreciates their efforts, but acts to support them as well.

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

Mr. McCLINTOCK. Mr. Speaker, I claim the time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes.

Mr. McCLINTOCK. Mr. Speaker, my friends' concerns are well placed; his amendment is completely misplaced.

The fact is that, for 45 years, our environmental laws have made the management of our forests virtually impossible. After 45 years of experience with these laws, imposed with the explicit promise they would improve our forest environment, I think we are entitled to ask: How is our forest environment doing? And the answer is damning; our forests are dying.

Timber harvests of surplus timber have fallen 80 percent in those years. The result is severe overcrowding in our forests. An acre normally supports between 20 to 100 trees, depending upon the topography; but because of these laws, average density in the Sierra has now ballooned to 266 trees per acre.

In this crowded condition, these trees fight for their lives against other trees trying to occupy the same ground. And in this crowded and stressed condition, they fall victim to disease, pestilence, drought, and, ultimately, catastrophic wildfire.

The answer is not this amendment that seeks to derail this needed water storage; it is to restore scientific management to our forests to restore them to a healthy condition.

When I visited the command center of the Rim Fire several years ago that threatened Yosemite Valley, I asked the firefighters: What answer can I take, in your name, back to Congress? And the answer was: Treatment matters. We need proper forest management.

The good news for my friend from Santa Barbara is he will soon have the opportunity to vote on just such a bill, the Resilient Federal Forest Act, by Mr. WESTERMAN of Arkansas. It treats this problem comprehensively. It passed the House Natural Resources Committee. We hope to bring it soon to the floor of the House. It will address the problems that plague our forests by restoring proper scientific management to our public lands.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. CARBAJAL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 230, not voting 14, as follows:

[Roll No. 351]

AYES—189

Adams
Aguilar
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blum
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Butterfield
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Costa
Crist
Crowley
Cuellar
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Gutiérrez
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth

NOES—230

Abraham
Aderholt
Allen
Amash
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta
Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costello (PA)
Cramer
Crawford
Culberson
Curbelo (FL)
Davidson
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fitzpatrick
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Garrett
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Massie
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Sanford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Yoho
Young (AK)
Young (IA)
Zeldin

NOT VOTING—14

Barr
Cheney
Cleaver
Courtney
Cummings
Davis, Rodney
Guthrie
Hudson
Johnson, Sam
Khanna
Lieu, Ted
Nadler
Napolitano
Scalise

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1909

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

Mr. HUFFMAN. Mr. 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 230, noes 190, not voting 13, as follows:

[Roll No. 352]

AYES—230

Abraham
Aderholt
Allen
Amodei
Arrington
Babin
Bacon
Banks (IN)
Barletta

Barton
Bergman
Biggs
Bilirakis
Bishop (MI)
Bishop (UT)
Black
Blackburn
Blum
Bost
Brady (TX)
Brat
Bridenstine
Brooks (AL)
Brooks (IN)
Buchanan
Buck
Bucshon
Budd
Burgess
Byrne
Calvert
Carter (GA)
Carter (TX)
Chabot
Coffman
Cole
Collins (GA)
Collins (NY)
Comer
Comstock
Conaway
Cook
Costa
Costello (PA)
Cramer
Crawford
Cuellar
Culberson
Curbelo (FL)
Davidson
Denham
Dent
DeSantis
DesJarlais
Diaz-Balart
Donovan
Duffy
Duncan (SC)
Duncan (TN)
Dunn
Emmer
Estes (KS)
Farenthold
Faso
Ferguson
Fleischmann
Flores
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gaetz
Gallagher
Gianforte
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (LA)
Graves (MO)
Griffith
Grothman
Gutiérrez
Handel
Harper
Harris
Hartzler
Hensarling
Herrera Beutler
Hice, Jody B.
Higgins (LA)
Hill
Holding
Hollingsworth
Hudson
Huizenga
Hultgren
Hunter
Hurd
Issa
Jenkins (KS)
Jenkins (WV)
Johnson (LA)
Johnson (OH)
Jordan
Joyce (OH)
Katko
Kelly (MS)
Kelly (PA)
King (IA)
King (NY)
Kinzinger
Knight
Kustoff (TN)
Labrador
LaHood
LaMalfa
Lamborn
Lance
Latta
Lewis (MN)
LoBiondo
Long
Loudermilk
Love
Lucas
Luetkemeyer
MacArthur
Marchant
Marino
Marshall
Mast
McCarthy
McCaul
McClintock
McHenry
McKinley
McMorris Rodgers
McSally
Meadows
Meehan
Messer
Mitchell
Moolenaar
Mooney (WV)
Mullin
Murphy (PA)
Newhouse
Noem
Norman
Nunes
Olson
Palazzo
Palmer
Paulsen
Pearce
Perry
Peterson
Pittenger
Poe (TX)
Poliquin
Posey
Ratcliffe
Reed
Reichert
Renacci
Rice (SC)
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rokita
Rooney, Francis
Rooney, Thomas J.
Ros-Lehtinen
Roskam
Ross
Rothfus
Rouzer
Royce (CA)
Russell
Rutherford
Schweikert
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (TX)
Smucker
Stefanik
Stewart
Stivers
Taylor
Tenney
Thompson (PA)
Thornberry
Tiberi
Tipton
Trott
Turner
Upton
Valadao
Wagner
Walberg
Walden
Walker
Walorski
Walters, Mimi
Weber (TX)
Webster (FL)
Wenstrup
Westerman
Williams
Wilson (SC)
Wittman
Womack
Woodall
Yoder
Young (AK)
Young (IA)
Zeldin

NOES—190

Adams
Aguilar
Amash
Barragán
Bass
Beatty
Bera
Beyer
Bishop (GA)
Blumenauer
Blunt Rochester
Bonamici
Boyle, Brendan F.
Brady (PA)
Brown (MD)
Brownley (CA)
Bustos
Capuano
Carbajal
Cárdenas
Carson (IN)
Cartwright
Castor (FL)
Castro (TX)
Chu, Judy
Cicilline
Clark (MA)
Clarke (NY)
Clay
Clyburn
Cohen
Connolly
Conyers
Cooper
Correa
Crist
Crowley
Davis (CA)
Davis, Danny
DeFazio
DeGette
Delaney
DeLauro
DelBene
Demings
DeSaulnier
Deutch
Dingell
Doggett
Doyle, Michael F.
Ellison
Engel
Eshoo
Espaillat
Esty (CT)
Evans
Fitzpatrick
Foster
Frankel (FL)
Fudge
Gabbard
Gallego
Garamendi
Garrett
Gomez
Gonzalez (TX)
Gottheimer
Green, Al
Green, Gene
Grijalva
Hanabusa
Hastings
Heck
Higgins (NY)
Himes
Hoyer
Huffman
Jackson Lee
Jayapal
Jeffries
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kelly (IL)
Kennedy
Kihuen
Kildee
Kilmer
Kind
Krishnamoorthi
Kuster (NH)
Langevin
Larsen (WA)
Larson (CT)
Lawrence
Lawson (FL)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren
Lowenthal
Lowey
Lujan Grisham, M.
Luján, Ben Ray
Lynch
Maloney, Carolyn B.
Maloney, Sean
Massie
Matsui
McCollum
McEachin
McGovern
McNerney
Meeks
Meng
Moore
Moulton
Murphy (FL)
Nadler
Neal
Nolan
Norcross
O'Halleran
O'Rourke
Pallone
Panetta
Pascrell
Payne
Pelosi
Perlmutter
Peters
Pingree
Pocan
Polis
Price (NC)
Quigley
Raskin
Rice (NY)
Richmond
Rosen
Roybal-Allard
Ruiz
Ruppersberger
Rush
Ryan (OH)
Sánchez
Sanford
Sarbanes
Schakowsky
Schiff
Schneider
Schrader
Scott (VA)
Scott, David
Serrano
Sewell (AL)
Shea-Porter
Sherman
Sinema
Sires
Slaughter
Smith (WA)
Soto
Speier
Suozzi
Swalwell (CA)
Takano
Thompson (CA)
Thompson (MS)
Titus
Tonko
Torres
Tsongas
Vargas
Veasey
Vela
Velázquez
Visclosky
Walz
Wasserman Schultz
Waters, Maxine
Watson Coleman
Welch
Wilson (FL)
Yarmuth
Yoho

NOT VOTING—13

Barr
Butterfield
Cheney
Cleaver
Courtney
Cummings
Davis, Rodney
Guthrie
Johnson, Sam
Khanna
Lieu, Ted
Napolitano
Scalise

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. COLLINS of Georgia) (during the vote). There are 2 minutes remaining.

□ 1916

Mr. GAETZ changed his vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mrs. NAPOLITANO. Mr. Speaker, I was absent during rollcall votes No. 350, No. 351, and No. 352 due to my spouse's health situation in California. Had I been present, I would have voted "yea" on the DeSaulnier Amendment. I would have also voted "yea" on the Motion to Recommit. I would have also voted "nay" on final passage of H.R. 23—Gaining Responsibility on Water Act of 2017.

PERSONAL EXPLANATION

Ms. CHENEY. Mr. Speaker, I was unavoidably detained recognizing the Military Times Sailor of the Year from Gillette, Wyoming. Had I been present, I would have voted "nay" on rollcall No. 350, "nay" on rollcall No. 351, and "yea" on rollcall No. 352.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1719, JOHN MUIR NATIONAL HISTORIC SITE EXPANSION ACT

Mr. MCCLINTOCK. Mr. Speaker, I ask unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1719, to include addition of an enacting clause.

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

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON NATURAL RESOURCES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Natural Resources:

HOUSE OF REPRESENTATIVES,
Washington, DC, July 12, 2017.

Hon. PAUL RYAN,
Speaker, House of Representatives, Washington, DC.

Hon. NANCY PELOSI,
Democratic Leader, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN AND LEADER PELOSI: Respectfully, I write to tender my resignation as member of the House Committee on Natural Resources. It has been an honor to serve in this capacity.

Sincerely,

JIMMY PANETTA,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON ARMED SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Armed Services:

TIMOTHY J. WALZ,
CONGRESS OF THE UNITED STATES,
July 12, 2017.

Hon. PAUL D. RYAN,
Speaker, House of Representatives, Washington, DC.

DEAR SPEAKER RYAN: I, TIM WALZ, am submitting my resignation from the Committee on Armed Services effective immediately. It has been a privilege and honor to serve on this Committee and to use my 24-years of experience in the military to fight for our troops.

Sincerely,

TIM WALZ,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. CROWLEY. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 439

Resolved, That the following named Member be and is hereby elected to the following standing committee of the House of Representatives:

(1) COMMITTEE ON ARMED SERVICES.—Mr. Panetta.

The resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material on H.R. 2810.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

PERMISSION TO CONSIDER AMENDMENT NO. 88 PRINTED IN PART B OF HOUSE REPORT 115–212 OUT OF SEQUENCE

Mr. THORNBERRY. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 2810, pursuant to House Resolution 431, amendment No. 88 printed in part B of House Report 115–212 may be considered out of sequence.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

The SPEAKER pro tempore. Pursuant to House Resolution 431 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. 2810.

The Chair appoints the gentleman from Michigan (Mr. MITCHELL) to preside over the Committee of the Whole.

□ 1920

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, with Mr. MITCHELL in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am proud to bring before the House H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. It was reported favorably by the House Armed Services Committee at 11:59 p.m. on June 28, 2017, by a vote of 60–1. Now, that vote is an indication of the bipartisan support that exists to support our troops and to fulfill our obligations placed on us by the Constitution.

Mr. Chairman, I think it is always helpful for us to remind ourselves of the authority by which we undertake our responsibilities. Article I, Section 8 of the Constitution says that Congress has the power and the responsibility ''to raise and support Armies. . . . To provide and maintain a Navy; To make Rules for the Government and Regulation of land and naval Forces,'' and, of course, ''To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers.''

The members of our committee and our staff take those responsibilities very seriously. This year, we seek to carry them out in a world which is as dangerous and complex as any of us have ever seen. One example from the news of the day is the alarming progress North Korea is making towards having an intercontinental ballistic missile that can carry nuclear weapons to our homeland.

Now, we have, of course, a number of tools to use, including diplomacy and sanctions, but there is no substitute for military power, and I believe we must develop and deploy more of it to be ready to deal with these growing threats.

So the bill before us today substantially increases money for missile defense so we are more capable of protecting our homeland against those ballistic missiles. It also increases funding for key munitions and for intelligence surveillance and reconnaissance so we can have better visibility on what adversary is doing.

It increases the end strength for the Army, the Navy, and the Air Force, just as they requested. And it funds more joint exercises with key allies in the Pacific. It boosts our shipbuilding budget to get more ships into the water faster, and also cheaper.

So, just as an example, Mr. Chairman, each of those items is important for dealing with this growing threat coming from North Korea, and we could sit here and go through a similar sort of discussion when it comes to Iran, or the provocative actions of Russia and China, or the terrorist organizations of various shades.

Of course, we cannot guarantee that the capabilities that we will vote on in this bill will be available by the time the crisis comes for, unfortunately, Mr. Chairman, we are still dealing with defense budgets that were cut by more than 20 percent at a time when the threats around the world were growing. So we can't guarantee that these capabilities will be available when we need them.

But what we can guarantee is, if we don't fund these things now, they will not be available when we need them, so that is the priority given to this bill.

Mr. Chairman, exactly 1 month ago, on June 12, Secretary Mattis and Chairman Dunford testified before our committee. And I would like to read just one paragraph of the Secretary's testimony where he was comparing what the military was like when he left it and when he came back as Secretary.

Secretary Mattis testified: ''Four years later, I returned to the Department and I have been shocked by what I have seen with our readiness to fight. For all the heartache caused by the loss of our troops during these wars, no enemy in the field has done more harm to the readiness of our military than sequestration. We have sustained our ability to meet America's commitments abroad because our troops have stoically shouldered a much greater burden.''

Four years later, shocked, more harm by sequestration than the enemies in the field, and it is only because our folks are so incredible that they have born an increasing burden. That is what the Secretary testified.

Mr. Chairman, we have, indisputably, the finest military in the world, but it is also indisputable that it has been severely damaged by continuing resolutions, by sequestration, and by failure of the executive and legislative branches to adequately support the men and women out there on the front lines. We have an urgent need to begin to repair and rebuild our military.

And I also believe, Mr. Chairman, it is fundamentally wrong to send men and women out on dangerous missions without providing them the best equipment, in the best shape, with the best training that our country can possibly provide. This bill, if followed by matching appropriation, takes a significant step toward meeting that objective, to support those troops.

It also makes major reforms in the way the Pentagon does business. Among other reforms, it enables the military to buy commercial products through online sites such as Amazon, Staples, and Grainger. We require life cycle maintenance costs to be considered at the beginning of a program, as must intellectual property rights, to maximize competition in the maintenance and repairs. Oversight into service contracts has increased, and there is much more, of course, in the bill.

Mr. Chairman, this bill is the vehicle by which we usually, for 55 years, at least, fulfill our responsibilities under the Constitution that I mentioned, to provide for the common defense. I believe that is the first job of the Federal Government.

I want to just express my appreciation to each of the members of our committee. Each of them has contributed to the product before us. Each of them takes their responsibilities under the Constitution very seriously; no one more so than the Ranking Member, Mr.

SMITH of Washington. We don't always agree on the judgment calls about issues, but I have no doubt that he and all the members of the committee try to do what is right for the country and put the interests of our troops first.

That is exactly the attitude that we must follow, I think, on the floor over the next 3 days as we go through the amendments which we will consider.

I also want to express appreciation to the committee and personal staff who have worked on this bill.

It has been a challenging year for a variety of reasons, but, as I started, I will finish. I am proud of this product. I hope it will gain the support of the entire House.

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

Mr. SMITH of Washington. Mr. Chairman, I yield myself 5 minutes.

I thank the chairman, first of all, for his hard work on this bill, and all the members of the committee and the staff. As the chairman has pointed out, this is a bill that we have passed for 55 straight years. It is a long and complicated bill that essentially sets the defense and national security policy for our country, and there is a lot of good work that has gone into this bill.

Again, I thank the members for doing that. They recognize the complex threat environment that the chairman correctly described, and we are attempting to address it as best we can in this very difficult environment.

I think the thing that is most difficult that I really want to emphasize is what the chairman said in the middle of his remarks: that over the past 6 years we have had one government shutdown, a number of continuing resolutions, several threatened government shutdowns, and the unpredictability that that has presented to the Defense Department.

Now, to be clear, it has also presented a fair amount—the same amount of unpredictability to the nondefense discretionary budget that also has to deal with those challenges. But that uncertainty about our budget has made it very difficult to plan, and nowhere is that more important than at the Department of Defense.

□ 1930

As they try to lay out a strategy for national security, not knowing from one month to the next how much money you are going to have or what you are going to be able to spend it on is a huge problem. I will say a little bit more about this later, because as big a problem as that is, we haven't solved it.

As we debate this bill here today, we do not have a budget resolution from either the House or the Senate. This is a problem we still need to work on. However much money we wind up spending on defense, if we had a cohesive plan and a clear idea of how much money we were going to have over the next few years, it would be a lot easier to plan for those contingencies.

Again, I do want to compliment the work that has been done on this bill. Particularly, I focus a lot on unconventional threats. I think that is the changing nature of the world. I used to chair what is now called the Emerging Threats Committee. I want to thank Congresswoman STEFANIK and Ranking Member LANGEVIN for their work and focusing on cyber, focusing on supporting our special operation forces that have borne so much of the brunt of the fight that we face in countering terrorism.

I also want to thank Chairman ROGERS and Ranking Member COOPER for their work on the Strategic Forces Subcommittee, focusing on space, in particular, on the importance of emphasizing that. For a long time, our country dominated space. We didn't have to worry about it. But now a lot of other countries are catching up and competing with us. I think this bill reflects the importance of that.

So there are a lot of very solid things in this bill, but I want to close by emphasizing two significant problems that we still need to address.

One I mentioned already. We don't have a budget resolution. This bill has $621 billion in it, as I understand it, in the base bill, and another, I believe, $75 billion in the overseas contingency fund. We are spending nearly $700 billion in this bill on defense. That is a lot of money, and the chairman mentioned a lot of the very necessary programs that it is going towards. However, that breaks the budget caps.

In order to break the budget caps, the House and the Senate have to vote to break the budget caps. It is July. We haven't done that. I will emphasize that in the Senate it actually requires 60 votes to break the budget caps.

So as much as I see the need in defense, given the complex threat environment out there, it is very possible that $72 billion of what is in this bill is going to disappear between now and the end of this year unless we address the broader issue of sequestration and budget caps.

I will also emphasize that addressing that issue by gutting funding for the nondefense discretionary budget and plussing up defense is not going to work for a couple of reasons.

Number one, a lot of the national security needs that we have come out of some of those other items. The proposal to cut the State Department by 31 percent in a time when we face the complex threat environment that was described is ridiculous. In fact, I will quote Chairman Mattis as well, who said:

> If you are going to cut the State Department by 30 percent, you better give me five more divisions because I am going to need them. We are not going to be able to resolve conflicts in a peaceful way.

And also, of course, we have domestic needs that are very important as well. We are still waiting on the infrastructure package from the administration.

There are a lot of needs that are not being met, and we are not yet voting to bust the budget caps. Here we have a bill that does that, but this House has to step up and take that vote if this defense authorizing bill is going to go forward.

The second and final point, we still don't have a national security strategy from the White House. Now, we have a very complex threat environment, as I have said more often than I meant to during the course of the last few minutes—we do. We have got Russia, China, North Korea, Iran, a variety of terrorist threats. What we have heard in our committee for the last 6 months is a series of people from the Pentagon coming over and saying the house is on fire. We don't have enough money to do—fill in the blank. There are a whole lot of different things.

What we haven't heard is a strategy, and the most disturbing conversation I had in that regard was with someone from the Office of Net Assessment.

The CHAIR. The time of the gentleman has expired.

Mr. SMITH of Washington. I yield myself an additional 1 minute.

He explained to me that we laid out a strategy in 2012 and said we do not have the money to fund that strategy right now. So I asked him: Well, how short are you? How much more money do you need?

He looked at me like he didn't understand what I was asking, so I sort of explained it. The short answer: he didn't know.

How could he not know? I mean, if you can sit there confidently and say, ''My gosh, we don't have enough money; we are way crazy short of our 2012 strategy'' and you still can't say how short, then you don't have a strategy. We need a strategy to make sure this money is spent wisely.

I will close with a compliment of the chairman for something that he has done. We should also not assume that simply spending more money at the Department of Defense is necessarily going to make us safer. We have to make sure we spend it efficiently and effectively. I think this bill has a lot of very solid efforts to try to make us do that, towards acquisition reform, towards spending the money more wisely.

It is not just a matter of spending more money. We have got to spend it smarter, and we have got to confront the lack of a strategy, and we have got to confront the fact that we still have not resolved our budget resolution problem.

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

Mr. THORNBERRY. Mr. Chair, I am pleased to yield 2 minutes to the gentleman from South Carolina (Mr. WILSON), chairman of the Subcommittee on Readiness.

Mr. WILSON of South Carolina. Mr. Chairman, I appreciate the House Armed Services Committee chairman, MAC THORNBERRY, for his determined leadership to promote peace through strength. I am grateful to support H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018.

First of all, I would like to thank my colleague and ranking member, Congresswoman MADELEINE BORDALLO of Guam, for her tireless efforts and participation in this process, and I also thank the Readiness Subcommittee members of the House Armed Services Committee on both sides of the aisle for bipartisan input on this bill. The creation of the 2018 National Defense Authorization Act truly was bipartisan.

Mr. Chairman, over the past several months, we have heard testimony from every military service branch about their urgent need to address the alarming readiness shortfalls. Their testimonies were sobering, confirming Congress must take bold action.

Here today, we have the responsibility of reducing the risk to our servicemembers by making sure they are well trained, supported, and that the equipment they use is properly maintained and combat ready. There are numerous important readiness provisions in the authorization, including adding over $2 billion to long-neglected facilities sustainment and restoration and modernization accounts.

It gives the Department of Defense more responsive facility construction, repair, and real estate authorities for more efficient use of DOD resources.

It extends multiple temporary hiring authorities to allow the Department of Defense to fill critical manpower gaps, in particular at our defense industrial facilities—our depots, arsenals, and shipyards.

None of the readiness provisions are arbitrary. They are specifically targeted to stop and, as much as possible, to reverse the decline of the readiness of our Armed Forces so we can continue to combat and deter the threats to national security from around the world.

Mr. Chairman, I strongly support H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, and encourage my colleagues in the House to support it as well.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentlewoman from Massachusetts (Ms. TSONGAS), the ranking member of the Subcommittee on Tactical Air and Land Forces.

Ms. TSONGAS. Mr. Chairman, two weeks ago, the Armed Services Committee advanced the National Defense Authorization Act for Fiscal Year 2018 to the House floor with broad bipartisan support. I would like to thank Chairman THORNBERRY and Ranking Member SMITH for their work in developing this year's bill.

I would also like to thank Congressman TURNER, chairman of the Tactical Air and Land Forces Subcommittee, of which I am the ranking member, for his leadership and spirit of bipartisanship this year.

This year's bill includes investments to fill genuine readiness needs and funding that is critical to ensuring that our men and women in uniform have the best cutting-edge resources and best equipment possible to keep them safe when defending our Nation.

I was encouraged that the bill we have passed out of committee directs the Defense Department to provide specific updates and reports on a number of programs and platforms so that we can robustly conduct our oversight responsibility on behalf of the American people.

However, as we consider the bill on the floor today and in the coming days, I remain concerned about how we fund these needs. Substantial budget increases for the Department of Defense at the expense of other vital national programs undermines investments in our national competitiveness and the future of our country and, I believe, makes us less secure over the long term.

Providing our men and women in uniform with the resources they need to carry out their mission is one of our most solemn obligations, but we must also fund these resources responsibly in order to safeguard our economic vitality and our national security.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER), the chairman of the Subcommittee on Tactical Air and Land Forces.

Mr. TURNER. Mr. Chairman, I rise in strong support of H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018.

I have the privilege of serving as the chairman of the Tactical Air and Land Forces Subcommittee, and I want to particularly thank my subcommittee's ranking member, Ms. TSONGAS, for her support in completing the markup of the bill, as well as for her hard work and for the bipartisan work that we have done together on the issue of sexual assault in the military. I appreciate her leadership in that.

I strongly support this bill and can't emphasize enough Chairman THORNBERRY's steadfast leadership in raising the top line in this bill. This bill recommends $631 billion, a significant and needed increase over the original budget request that supports both the base and unfunded requirements, which totaled over $30 billion. Without Chairman THORNBERRY's leadership, this number would not be sufficient.

We are presenting a budget that helps rebuild the readiness of our forces. This increased base funding will begin to rebuild full-spectrum readiness from years of deferred modernization brought on by the previous administration.

Within the Tactical Air and Land Forces Subcommittee jurisdiction, this bill authorizes over $12 billion in additional funds to address critical unfunded modernization requirements identified by the services.

The bill recognizes the importance of land forces in current and future operations and authorizes over $2 billion to accelerate armored brigade team modernization, to include additional Abrams tanks and Bradley fighting vehicles.

The bill addresses strike fighter capability and capacity shortfalls and authorizes another $2 billion in additional funding to secure additional F–35 Strike Fighters and F–18 Super Hornets to address unfunded requirements for the Air Force, Navy, and Marine Corps.

I am also pleased that this bill supports the European Deterrence Initiative, using OCO and addressing the needs of our European allies.

This bill contains language from the BE HEARD sexual assault bill that I worked with Representative TSONGAS on, that we introduced in June, and I am very proud that we continue to advance for the cause of protecting our servicemembers from sexual assault.

I am also pleased to note that Evan's Law is included in this bill. This bill will ensure that the that Department of Defense implements military residential window safety measures to protect against unintentional falls by young children.

Mr. Chair, I urge my colleagues to support the National Defense Authorization Act.

Mr. SMITH of Washington. I yield 3 minutes to the gentlewoman from Guam (Ms. BORDALLO), ranking member of the Subcommittee on Readiness.

Ms. BORDALLO. Mr. Chairman, I would first like to commend Chairman THORNBERRY, Ranking Member SMITH, and the committee staff who have worked many long nights on the National Defense Authorization Act for Fiscal Year 2018.

While there are very real questions about the top line number, and I believe it would be inappropriate and reckless to have any additional funding come off the backs of nondefense spending, this is an important step forward in rebuilding our military readiness.

This bill includes additional operations and maintenance funding to support more combat training center rotations and needed investment in the facilities sustainment, restoration, and modernization accounts, providing more training opportunities and better maintenance facilities to live, work, and operate in. However, readiness cannot be bought back in a year, and these targeted investments must continue.

Furthermore, the bill provides authorities to right-size civilian personnel shortfalls that have stressed maintenance backlogs at our shipyards and our depots. It also will make more effective the Department's Quarterly Readiness Report and raise the minor military construction threshold and clarify unspecified projects to provide additional flexibility to the Department.

I would especially like to thank Chairman THORNBERRY for following through on his commitment last year to work with me to include my provision that would help address critical workforce shortages affecting military

construction and healthcare essential to the military buildup on Guam. I also thank our Ranking Member SMITH and Readiness Subcommittee Chairman JOE WILSON for working with me on this issue and on this bill. I look forward to continuing to work together to protect the full intent of this legislation.

The readiness portion of this bill also includes provisions to support ship repair in the western Pacific, as well as full funding for critical military construction projects.

□ 1945

Given our posture, our strategic needs and challenges in the region, it is essential that we continue to sufficiently resource and support an active and engaged Indo-Asia-Pacific force.

I look forward to working with my colleagues on both sides of the aisle as this process continues.

And lastly, Mr. Chair, I would like to commend Vickie Plunkett for her over two decades of service in the House of Representatives, and 10 years on the House Armed Services Committee.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Alabama (Mr. ROGERS), the chair of our Subcommittee on Strategic Forces.

Mr. ROGERS of Alabama. Mr. Chair, I would like to thank Chairman THORNBERRY and Ranking Member SMITH for their leadership in bringing this years's NDAA. I would also like to thank my friend and colleague from Tennessee, Mr. JIM COOPER, the ranking member on our subcommittee, for being such a great partner as we worked on this important bill.

Now, I would like to focus on some key provisions in the bill. First, space reform. This bill takes two monumental steps to reform national security space. First, the bill provides for the creation of a space core within the Air Force to fix the fragmented space acquisition process.

Second, it provides for the establishment of a subordinate, unified command for space under U.S. Strategic Command to ensure integration of the joint command of all space operations.

I can't stress enough the urgent necessity of these reforms. Our society and our military are enormously dependent on space. Meanwhile, our adversaries continue to grow their counterspace capabilities. These adversaries have already reorganized their space forces toward the goal of neutralizing our advantage in space.

Multiple studies going back almost two decades have recommended a space force to fix our space acquisition and management problems. Regardless, the DOD and the Air Force have yet to fix the problem. Decisionmaking authorities for space acquisitions remain fragmented across over 60 organizations. This bill would consolidate acquisition authority and improve our ability to jointly operate in space.

Earlier this week, I returned from Asia where I got to meet with our troops on the Korean Peninsula. I was in theater when North Korea conducted their intercontinental ballistic missile. We must be vigilant when it comes to our missile defenses, and this year's NDAA does that.

Noteworthy initiatives in the bill include the authorization of approximately $2 billion in additional funds for the Missile Defense Agency. It also accelerates our efforts to develop a space-based sensor and interceptor capabilities. Lastly, the bill supports our nuclear deterrence and includes provisions to improve the oversight of our nuclear command, control, and communications.

Mr. Chair, I urge support of this important legislation.

Mr. SMITH of Washington. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), the ranking member of the Subcommittee on Emerging Threats and Capabilities.

(Mr. LANGEVIN asked and was given permission to revise and extend his remarks.)

Mr. LANGEVIN. Mr. Chair, I want to thank the ranking member for yielding. And, Mr. Chair, I would like to begin by thanking Chairman THORNBERRY, Ranking Member SMITH, and Chairwoman STEFANIK for their collective efforts in crafting this bill that is before us this evening.

I would also like to thank the staff who worked tirelessly on this productive and forward-thinking legislation.

It is an honor and a privilege to serve as a senior member of the House Armed Services Committee on behalf of the selfless servicemen and women who protect our Nation every day, and I am proud of the very strong bipartisan effort represented by this year's NDAA.

Mr. Chair, we accomplish a number of important objectives in this bill. First of all, we enhance our deterrence capabilities in Europe and support our Nation's submarine force. I am very proud of the Virginia class submarines that we build starting right in my district, and we also provide strong support for the Columbia class program that will be the Ohio replacement program.

We also make it clear that climate security is, indeed, national security, backing the Department in its efforts to build resilience, reduce risk, and prepare for all types of threats that may come our way, even if those threats come from climate change.

But as ranking member of the Subcommittee on Emerging Threats and Capabilities, I am particularly proud of the provisions we have included on cybersecurity, special operations, and research and development. We strengthen our cyber cooperation with our partners and allies through both training and collaboration with the NATO Cooperative Cyber Defence Centre of Excellence.

We better leverage the U.S. Global Engagement Center to combat propaganda and information warfare operations conducted against America and her allies, and we grant permanent authority for family support programs within Special Operations Command that reflect the unique needs of these warfighters and their families.

We also reinvigorate the DOD scholarship program so that students are encouraged to pursue information security degrees and can come to work defending our Nation from the get-go. We can have all of the cyber policies in place that we want, but if we don't have the trained workforce to execute those policies, we are going to be behind the curve, and this helps to close that gap.

We advance hypersonic weapons research, development, and especially transition efforts. We prioritized the readiness of U.S. Cyber Command in our Cyber Mission Force, and we strengthen congressional oversight of sensitive cyber military operations and command cyber warfare tools and capabilities.

This approach was deliberate in nature, and it moves us closer to a military that will be able to address the variety of threats that we face in the 21st century.

Again, I would like to thank Chairman THORNBERRY, Ranking Member SMITH, and Chairwoman STEFANIK, and all of my colleagues on the House Armed Services Committee, as well as the staff, for their hard work on this very important bill.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. WITTMAN), the distinguished chair of the Subcommittee on Seapower and Projection Forces.

Mr. WITTMAN. Mr. Chairman, I rise in strong support of H.R. 2810, the FY18 National Defense Authorization Act, but I continue to be surprised at some of the national security pundits who believe that a diminished force structure will improve our national security.

Some have questioned whether we should fully fund national defense. Some have even questioned whether we should continue to expand our armed services to meet the strategic challenges posed by a rising China and Russia, by an unpredictable North Korea, and a belligerent Iran.

Mr. Chairman, our time is up. The time of action is now. The focus of our Nation is upon us to provide for our national security. I am pleased that we appear to have turned the tide in properly resourcing the requirements of our armed services; and I am pleased that we are authorizing the funding to match our strategy and providing what our combatant commanders need to win any future conflicts; and I am pleased that we have acknowledged the importance of our servicemembers and the hardships that they endure so that we can enjoy our free and democratic society.

In reference to the Seapower and Projection Forces Subcommittee, I believe that we have reversed a trend toward a diminishing Navy and are tracking toward a strengthened 355-ship fleet. The bill expands on the eight ships requested by the administration and adds an additional five ships. The bill also recommends additional advance procurement for aircraft carriers and attack submarines, while fully funding the *Columbia* class ballistic missile submarine and the B–21 raider bomber programs.

As to aircraft, the bill recommends an expansion of KC–46As, C–130Js, E–2Ds, and P–8s. Finally, the bill delivers the right authorities that will save the Department of Defense billions—yes, billions—of dollars.

Additionally, I want to recognize Ranking Member JOE COURTNEY. He has done extraordinary work and has been a true partner in this journey and continues to work in a collaborative, bipartisan basis, to deliver the best for our national security.

I continue to be impressed with the results that can be achieved when a subcommittee and the full committee focuses on a common goal and works to achieve bipartisan results.

I urge my colleagues to support the National Defense Authorization Act for Fiscal Year 2018.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. SPEIER), the ranking member of the Subcommittee on Military Personnel.

Ms. SPEIER. Mr. Chair, I thank the gentleman for yielding and for his outstanding leadership and candor on our committee. I want to give a special shout-out to our chairman, Mr. THORNBERRY, who shaved an hour and a half off our deliberations a couple of weeks ago by bringing us into the 21st century, and laptops to look at our amendments. So it was a great improvement.

I also want to thank my chair, Chairman MIKE COFFMAN, for his leadership. We have worked well together, and I look forward to continuing that relationship, and also to a top-notch staff.

This bill includes provisions that will provide the military services flexibility to recruit and retain members of our armed services and continues our commitment to taking care of our military families.

The NDAA continues funding for DOD impact aid for schools with large numbers of military-connected families and authorizes reimbursement, up to $500 for military spouses' expenses related to obtaining a professional license or certification when moving to a new State.

The committee continues to provide oversight of important programs in the bill requiring reviews to ensure the Morale, Welfare, and Recreation programs are properly funded to required levels and the Department of Defense's debt collection practices are fair and do not place undue burdens on servicemembers or their families.

The bill includes the PRIVATE Act, which I cosponsored with Congresswoman MARTHA MCSALLY and other members of the committee to prohibit the wrongful broadcast or distribution of intimate visual images and ensure the military services have the tools to prosecute those who violate the law.

The bill also provides support for victims of sexual assault by mandating training for Special Victims' Counsel to recognize and address unique challenges often faced by male victims of sexual assault.

I am pleased that the bill continues the committee's efforts to assist those with post-traumatic stress disorder and traumatic brain injury, as well as ensuring families are educated on suicide factors that are often associated with TBI or post-traumatic stress.

However, as Ranking Member SMITH has said, this NDAA fails to make the hard choices and trade-offs that are expected of us. The NDAA goes beyond the President's request to provide 2.4 percent pay raises for our servicemen and -women, at an additional cost of $200 million, an expense simply added to the top line.

The NDAA also authorizes an increased end strength for the Army at a cost of $4 billion, again, simply adding it to the top line. Certainly, our troops deserve a pay raise, but the question that must be asked is: Where is the money coming from? And on what basis are these decisions being made?

Congress has not received a strategic plan from the Pentagon that would inform us on how large the military needs to grow. By just adding funding to the NDAA, Congress is not providing the stable, predictive funding the military needs. In order to do that, we need to address the big elephant in the room, the sequestration and budget control act caps.

The CHAIR. The time of the gentlewoman has expired.

Mr. SMITH of Washington. I yield an additional 30 seconds to the gentlewoman.

Ms. SPEIER. Despite all of these additions, the committee was unfortunately unable to find the required offsets to fund an extension to the Special Survivor Indemnity Allowance to ensure it does not expire in May 2018. This falls short of my strong desire, shared by other members of the committee, to permanently fix the survivor benefit compensation.

This also amounts to a shameful tax on over 60,000 surviving spouses who are already struggling emotionally and financially. While the SSIA extension would be an important temporary fix, Congress must make a permanent fix to the offset.

We cannot continue to allow surviving military spouses to suffer from our inaction.

Mr. THORNBERRY. Mr. Chairman, I yield myself 30 seconds just to make two points.

Number one, President Barack Obama was inaugurated in January 2009. The first national security strategy he submitted was in May of 2010, a year-and-a-half later. So I don't think it is completely unreasonable that we haven't yet gotten the national security strategy from the new administration.

Secondly, the pay raise for the troops is based on the statutory formula which is related to the cost of living. That is where it comes from. And it seems to me to say, no, you don't really get what the formula says you deserve, is not appropriate.

Now, the administration did not request it, and the criticism from some is that we should not provide it. I think if the formula is wrong, we should change it, but if the formula says that is how much the cost of living has gone up, we should provide it.

Mr. Chair, I am pleased to yield 2 minutes to the distinguished gentleman from Colorado (Mr. COFFMAN), the chair of the Subcommittee on Personnel.

Mr. COFFMAN. Mr. Chair, I rise today in strong support of H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018.

The bill contains significant policy and funding initiatives that continue our commitment to maintain military personnel and family readiness and address issues important to our troops. The provisions contained in this bill provide our warfighters, retirees, and their families the necessary pay and benefits to sustain them into today's highly stressed force.

To support these efforts, this bill establishes a fully funded by-law pay raise for all of our servicemembers overriding the President's ability to reduce the pay raise. After years of lower than by-law pay raise requests, it is critical that we continue to give our troops and their families the pay increases they deserve.

□ 2000

The bill increases the end-strengths of our Active Duty, National Guard, and Reserve forces, increasing mission readiness while reducing the stress and strain on the force and their families.

The bill further focuses last year's management reform of the Military Health System to provide clear responsibility for the delivery of healthcare services at military medical treatment facilities and for military medical readiness.

The bill also stops an ill-considered, cost-saving measure that would close several U.S. military hospitals overseas. We believe our servicemembers and their families should continue to have the best medical care possible wherever they serve.

It also continues to improve sexual assault prevention and response by adding a new provision to the Uniform Code of Military Justice specifically prohibiting nonconsensual sharing of intimate images, expanding Special Victims' Counsel training to include training on the unique challenges often

faced by male victims, and clarifying the process by which a designated representative can be appointed by a victim prior to a court-martial.

The CHAIR. The time of the gentleman has expired.

Mr. THORNBERRY. Mr. Chairman, I yield an additional 30 seconds to the gentleman from Colorado.

Mr. COFFMAN. Finally, servicemembers returning to civilian life and their spouses are challenged by varying State licensure and certification requirements. Rather than imposing a single Federal standard on the States, we provide for a $500 reimbursement to defray these costs. We ask States to work with the Secretary of Defense to develop common standards where possible.

In conclusion, I want to thank Ms. SPEIER and her staff for their contributions to the mark and support in this process. Of course, we were joined by an active, informed, and dedicated group of subcommittee members. Their recommendations and priorities are clearly reflected in the National Defense Authorization Act for Fiscal Year 2018. Additionally, I appreciate the dedication and hard work of the subcommittee staff.

Mr. Chairman, I strongly urge my colleagues to support this bill.

Mr. SMITH of Washington. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Chairman, I rise to commend the dedicated bipartisan work of the House Armed Services Committee in recognizing our subcommittee chairs, members, and the staff as well in bringing this critical bill to the floor.

But as it has been stated earlier, the budget numbers that we are talking about contained in the bill are, unfortunately, aspirational. We have not passed a budget resolution, and the Budget Control Act is still the law of the land.

While it is true that the BCA was a bipartisan failing—we can all take credit for that—pointing fingers does not solve the problems. We are on an uncertain and dangerous path, one where we have not been honest with ourselves on many levels and where we continue to play games with our men and women serving in the military.

We must recognize that the only path to solving these issues is bipartisan collaboration and legislation to repeal the BCA. Continuing resolutions and unrealistic, deeply partisan budgets amount to nothing more than professional malpractice.

I have to say, Mr. Chairman, that I was encouraged to see that the Senate included a proposal similar to the one I introduced during markup to continue paying the widows of servicemembers who died in defense of our Nation. Their personal compensation is not just a small gesture but our fundamental responsibility.

I am also encouraged by the promise our chairman made regarding this issue. He said that the issue ''has to be fixed and will be,'' but there are, as he acknowledged as well, ''difficult tradeoffs that have to be made.'' I completely agree. We will all have to contribute to the solutions. I am prepared to do that, and I know that my colleagues are as well. We all have to hope together that we move forward and be prepared to do that.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentlewoman from Missouri (Mrs. HARTZLER) who is the distinguished chair of the Subcommittee on Oversight and Investigations.

Mrs. HARTZLER. Mr. Chairman, I rise in support of the National Defense Authorization Act for Fiscal Year 2018. I would like to thank Chairman THORNBERRY and Ranking Member SMITH for bringing this important bill to the floor.

As Members of Congress, it is our responsibility to provide support for our men and women in uniform while they selflessly serve our Nation. This bill takes significant steps to address our military's severe readiness crisis by ensuring that our troops have the resources, training, and capabilities needed to face the growing threats of today.

As chairwoman of the Oversight and Investigations Subcommittee, I am proud of the provisions included in this bill to reform the Foreign Military Sales process, provide funding to address the critical infrastructure needs of the U.S. Nuclear Security Enterprise, and protect our Nation's highly sensitive U.S. military information—information that our adversaries are actively seeking to exploit.

This bill is good news for the warfighter. It authorizes 22 additional F–18 Super Hornets to help fill the Navy's strike fighter shortfall and fully funds the B–21 Raider—a critical platform needed to deter and defeat future aggression around the world.

I am proud to represent Missouri's Fourth Congressional District, which is home to Whiteman Air Force Base and Fort Leonard Wood. This bill funds modernization programs for the B–2 Spirit and authorizes phase one of a new hospital facility at Fort Leonard Wood.

Since arriving to Congress, I have been fighting to address the infrastructure needs of our Army ammunition plants, like the one at Lake City, which is the sole source for our Army's small caliber ammo. These plants are in dire need of modernization, and this bill authorizes much-needed funding to help improve these deteriorating facilities.

Thanks to the leadership of Chairman THORNBERRY, the Armed Services Committee increased defense spending to meet the needs of today's warfighter. I appreciate the opportunity to work with Ranking Member SETH MOULTON and all the committee members on this bill. I am proud of the bipartisan fashion in which we work, and I urge my colleagues to support its passage.

Mr. SMITH of Washington. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. BROWN).

Mr. BROWN of Maryland. Mr. Chairman, first, let me start by thanking Chairman THORNBERRY and Ranking Member SMITH not only for their leadership but the bipartisan collaborative approach to the work of the committee.

Certainly as a new member of the 115th Congress, I find that very refreshing. From what I have seen, it is no surprise that 50-plus years in a row we have successfully passed the NDAA.

Mr. Chairman, the United States faces serious security threats: aggression from North Korea and Russia, long and costly campaigns in Afghanistan and Iraq, and new battlefields in cyberspace and in outer space.

After years of sequestration, there is consensus certainly in the House Armed Services Committee that Congress must address readiness shortfalls and modernization challenges facing our military. So in the NDAA, we made greater investments in training and equipping the forces and prioritized projects that extend our technological and warfighting edge.

But increasing defense authorizations and appropriations, absent a clear national security strategy, will not make our country safer. We need a smart, strategic approach to national security that provides clear goals and objectives and that incorporates an all-of-government approach. That means not only increasing defense spending, but also ensuring funding for the State Department and USAID and reversing proposed cuts to nondefense programs that make the world more stable and secure.

We owe it to our servicemen and -women to provide them with both the resources to accomplish their mission abroad and to pursue the American Dream when they return home, and that is good schools, family-supporting jobs, and safe neighborhoods. We cannot do one at the expense of the other. The long-term success of our country depends on that.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from New York (Ms. STEFANIK) who is the distinguished chair of the Subcommittee on Emerging Threats and Capabilities.

Ms. STEFANIK. Mr. Chairman, today I rise in strong support of the National Defense Authorization Act for Fiscal Year 2018, which increases readiness and ensures that those who serve our Nation are fully equipped, trained, and supported.

As the chairwoman of the Subcommittee on Emerging Threats and Capabilities, I am especially proud of the oversight regarding stronger cyber warfare capabilities, safeguarding technological superiority, enabling our Special Operations Forces around the

globe, providing resources and authorities to counter terrorism and unconventional warfare threats, and energizing programs and activities that counter the spread of weapons of mass destruction.

Our achievements in cybersecurity carry three broad themes: First, the bill increases congressional oversight of cyber operations by including a bill introduced by myself, Ranking Member LANGEVIN, Chairman THORNBERRY, and Ranking Member SMITH that ensures Congress is kept fully informed of sensitive military cyber operations.

Second, we bolster international partnerships for cyber warfare to counter aggressive adversaries, including efforts to counter and mitigate adversarial propaganda efforts and information warfare campaigns.

Third, the bill continues to build and enhance our U.S. cyber warfare capabilities and activities.

Furthermore, Mr. Chairman, this bill reinforces counterterrorism and unconventional warfare capabilities by fully resourcing U.S. Special Operations Command's programs and activities and increasing congressional oversight of intelligence activities.

Finally, I would like to thank Mr. ROGERS, chairman of the Strategic Forces Subcommittee, for including language that supports the decision for a future East Coast missile defense site.

I would like to thank Mr. COFFMAN, chairman of the Military Personnel Subcommittee, for including portions of my bill, the Lift the Relocation Burden From Military Spouses Act.

Before I conclude, I would like to thank Chairman MAC THORNBERRY for his leadership, as well as my subcommittee ranking member, Congressman JIM LANGEVIN of Rhode Island, for his bipartisan energy and cooperation on all of these issues.

Mr. Chairman, I urge my colleagues to vote ''yes'' on H.R. 2810.

Mr. SMITH of Washington. Mr. Chairman, may I inquire as to how much time remains on each side.

The CHAIR. The gentleman from Washington has 9½ minutes remaining. The gentleman from Texas has 8 minutes remaining.

Mr. SMITH of Washington. Mr. Chairman, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Nebraska (Mr. BACON) who is a valued member of the committee and a retired Air Force General.

Mr. BACON. Mr. Chairman, I rise today in staunch support of the National Defense Authorization Act of 2018.

I served in the military under the past five Presidents starting with Ronald Reagan and witnessed firsthand the erosion of our combat edge. When I joined the military, we out-trained our competitors with a 2-to-1 flying-hour advantage. Today, we are lagging behind them in training, and it is unconscionable to send our warriors to fight without every possible advantage. We don't want a close fight, but that is where we are at today.

As a General Officer, I was charged with preparing our forces to prevail over any adversary, a nearly impossible task given the damage done by a 22 percent reduction of defense spending over the last 8 years while we are at war. This act will begin to right the ship with a 10 percent top-line increase providing the means to rebuild readiness, deter aggression, and defeat adversaries. It invests in peace through strength.

The Constitution charges this body with the power to provide for the common defense. For the Armed Services Committee, this is a solemn obligation rooted in over 50 years of bipartisanship, and we meet this obligation with the 2018 NDAA.

Mr. Chairman, I urge support.

Mr. SMITH of Washington. Mr. Chairman, I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from California (Mr. KNIGHT) who is another very valuable member of our committee.

Mr. KNIGHT. Mr. Chairman, I rise in support of H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. This bill is the result of mindful deliberation and absolute dedication to our Nation's soldiers, sailors, airmen, and marines. I am proud to be standing here with fellow members of the Armed Services Committee and speak to the merits of this legislation.

In particular, the acquisition reforms in this bill will help get proven, advanced equipment in the hands of servicemembers faster and for a better price. This bill brings much-needed innovation to the way defense acquisition personnel spend taxpayer dollars and the way commercial businesses engage with the U.S. Government.

It prioritizes oversight of service contracts. This type of contract accounts for over 50 percent of DOD contract expenditures, which up to now was unclear and unanalyzed. It will help secure a better value for precious dollars spent through reforms in the contract auditing process.

The small-business industrial base is a critical part of DOD procurement. Our small businesses have a unique ability to strengthen our contracting process by driving innovation and competition in the marketplace. It is important that we create opportunities for these contractors and strengthen entrepreneurial development programs and help eliminate barriers of entry and diversify our industrial base.

Mr. SMITH of Washington. Mr. Chairman, I yield 3 minutes to the gentleman from Connecticut (Mr. COURTNEY) who is the ranking member of the Subcommittee on Seapower and Projection Forces.

Mr. COURTNEY. Mr. Chairman, I thank Mr. SMITH for yielding and compliments to him and Chairman THORNBERRY for the outstanding work, again, that the two of them have collaborated on to keep this really massive undertaking on schedule. It is really a very truncated schedule this year, but they both did it. Again, it is kudos to both of them in terms of their leadership skills.

Mr. Chairman, I rise in strong support of the 2018 NDAA. Front and center in our deliberations in the Seapower and Projection Forces Subcommittee on which I serve with Chairman WITTMAN, who is in his first term and did an outstanding job, was the build-up of our Navy fleet which has been a multiyear process of strategic planning.

□ 2015

In December of last year, the prior Navy secretary, Ray Mabus, who served in the prior administration, released an updated force structure assessment that laid out the requirement for increasing the Navy's fleet from 308 ships to 355.

Then, in January, Navy officials outlined a plan to get us on a construction plan to get us on a path to a larger fleet. In early May, the chief of naval operations emphasized that ''time is of the essence'' in growing the Navy.

The stage was set to get started on the larger fleet. That was why so many of us were surprised on May 23 and disappointed when the White House sent over basically a 308-ship budget for a 355-ship fleet.

I am proud to say that, on a bipartisan basis, we have done much better in this bill than the budget that came over. Among other things, the bill explicitly makes it the policy of our Nation to achieve a 355-ship Navy. We add five additional ships in 2018, for a total of 12, to get us moving to the larger fleet that the prior administration and the new administration know that we need.

One area I am particularly proud of is the area of undersea forces. Reflecting the urgent testimony of our combatant commanders, our panel once again led the way in forging an aggressive but realistic plan to grow our submarine fleet.

To achieve this, our bill authorizes multiyear procurement authority for 13 *Virginia* class attack submarines for the next 5 years. Not only would this keep us at the two-a-year level we have been on for the last few years, but would go even further by reaching a three-submarine build rate in the coming years.

The seapower portion of the bill does much more to support a range of priorities on the seas and in the skies, far too many to itemize here today.

I will just say that I am proud of the bipartisan contribution of all of our subcommittee members into the product before the House today, and, again, Mr. WITTMAN for his first year as subcommittee chairman.

In particular, I want to highlight the work of our subcommittee staff in

helping us craft the bill. I am joined here today by one of my staff, Stephen Clement, who has been working with us, but he is going to be moving on to better things. I want to publicly thank him for his outstanding work in terms of helping us get to the place we are here today.

In closing, I would urge my colleagues to support the Defense Authorization bill.

Mr. THORNBERRY. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. BANKS), a valuable member of our committee who continues to serve our Nation in the Reserves.

Mr. BANKS of Indiana. Mr. Chair, I rise today to express my strong support for the National Defense Authorization Act for Fiscal Year 2018.

As the most recently deployed veteran serving in Congress, serving in Afghanistan just 2 years ago, I know the national security challenges facing our country firsthand. While these challenges are not easily solved, this legislation represents a significant step forward.

I want to take a moment and specifically thank Chairman THORNBERRY for his leadership and assistance to myself and other freshman members of the committee.

Working together with colleagues on both sides of the aisle, the Armed Services Committee has crafted a bill focused on rebuilding and reforming the Department of Defense. By procuring what we need, fixing what we already have, and by being good stewards of the taxpayers' dollars by proposing new contract audit reforms, this bill begins the hard work of getting our Department back on the right track.

While we cannot control the existential threats facing our Nation, we must ensure those in uniform are ready to address those threats when necessary.

Moreover, as this week's tragic C–130 accident that claimed the lives of 16 servicemembers reminded all Americans, our servicemembers place their lives on the line each day.

The CHAIR. The time of the gentleman has expired.

Mr. THORNBERRY. Mr. Chair, I yield an additional 30 seconds to the gentleman.

Mr. BANKS of Indiana. From giving our troops a well-deserved raise to funding our vital missile defense programs, I believe this legislation begins the process of rebuilding and reforming our military so we are ready for whatever comes next.

Mr. SMITH of Washington. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, what I really want to focus on is the budget problem, because that is really underlying all of this.

We have heard a lot of good speeches from Members talking about what is in this bill, how important it is, how what is in this bill is attempting both to meet our national security threats and, as importantly, to make sure that we take care of the men and women who serve our military, who fight to protect us to make sure, first of all, that they and their families are taken care of from a financial standpoint, but also to make sure they have the equipment and training they need to be ready to fight the fights that we ask them to go to. I think that is one of the great challenges.

Whatever it is we decide ought to be our national security strategy, I think the thing we all agree on is we need to make sure we provide the training, equipment, and support so that the men and women who serve in the military are ready for that fight.

The worst thing we can do is create a hollow force and set up an expectation that: You need to do all of this, but we are only going to train you for that. So if this other stuff comes up, you are not going to be ready.

We have talked about this a lot in our committee to make sure that we are ready for the fight that comes. And that is where the budget creates a very significant problem.

We have talked a lot about the Budget Control Act and sequestration. It is pretty clear why we had the Budget Control Act and sequestration. I was here for it. We were days away from not raising the debt ceiling and basically not meeting our commitments to pay our bills. There are those who figure that that can be a significant problem.

So we made an agreement. We were going to try to get the budget under control. Sequestration was put in place, with the expectation that it wouldn't be implemented because we would come to a grand bargain on revenue and spending that would get our deficit under control. Well, we didn't, and sequestration kicked in.

But as we sit here today, even if we got rid of sequestration, even if we got rid of the budget caps, we are still $20 trillion in debt. We are going to run a $700 billion deficit. This is projected to go nowhere but up in the years ahead. I don't believe that is sustainable.

Now, I don't think we need to balance the budget tomorrow or next year or even in the next 5 years, but we need to get ourselves on a sustainable path. And we flat refuse to do that.

You don't see a lot of campaigns promising to cut specific programs or promising to raise taxes. I love the fact that if you poll the American people, there is a very clear consensus on what they think we ought to do about this problem.

First of all, somewhere in the neighborhood of 80 percent of them support a balanced budget now, by the way. Not 5, 10 years, but right now.

You ask them: Well, here are all the places where the government spends money. What would you like to cut?

The answer to that question is: nothing. Literally nothing.

The Pew Research folks do a poll on this every year, and in every single category a majority of people would rather keep the money the same or increase it, as opposed to decrease it.

Of course, if you ask them what taxes they would like to increase, by and large, they don't want to increase taxes. It is interesting. If you can convince people that the taxes in question will not apply to them, for a brief moment they will be supportive of it. But then someone will come along and convince them that at some point it might apply to them, and then they oppose it.

So our task as Members of Congress is to balance the budget without raising taxes or cutting spending. That, of course, is impossible. So what we have chosen to do is put off that decision for as long as is humanly possible.

That is why we do not have a budget resolution. Any budget resolution this body could create would fail on probably multiple fronts of what the public expects. It wouldn't balance the budget. It would cut spending they didn't want to cut. It probably wouldn't raise taxes, coming from this majority, but if it did, it wouldn't be popular. So we have to start having an honest conversation about the budget.

We hear in the Armed Services Committee all the time about all the needs, all the shortfalls, all the critical things we need to do. We argue about it and argue about it, but in 6 years the Republican majority has not put forward a plan to control mandatory spending. They say that is the problem. No plan to do that. Certainly, they haven't even considered the possibility of increasing revenue.

If we are this serious—and we should be—about making sure that we have the funds necessary to provide an adequate national security, then we should stop cowering from the budget debate.

Personally, I am all for raising taxes because I see the needs that the chairman and everybody else has described, and I am actually prepared to pay for them. So we need to do that. That overarching budget problem is what has put us in this mess.

As we talk about this bill, as I said, it is $72 billion over the budget caps. Unless we get a vote to lift those budget caps—which I just mentioned is politically unpopular, which is why we haven't done it for the full 6 months we have been in session this year—then that $72 billion goes away and the Pentagon is back in chaos.

So this may be a good bill. It may be solid. It doesn't have the backing of the budget.

Let me finally suggest that there are some things that the Department of Defense could do. This is why the strategy is so important.

Yes, the Obama administration waited until May of 2010. They didn't have 6 years of CRs and government shutdowns and threatened shutdowns and the changing threat environment that we have. They had a reasonably consistent set of problems. It was a set of problems, but they had the same Secretary of Defense from the previous administration. They had time to look at that.

We need this strategy urgently because the big question is: Are we spending the money correctly? Is the Department of Defense spending the money in the right way? Do we have a strategy to figure out how we should prioritize?

We don't. With this crushing budget environment, it is absolutely critical that we do. We need to consider the possibility, for instance, that we might be spending some money that we shouldn't be spending.

I will often ask that question of the generals who come over and tell us how short they are of everything. I say: Well, where are we spending money, in your opinion, that we shouldn't be?

They never answer the question. You cannot tell me in a $700 billion budget in a place as large as the Pentagon that there isn't somebody over there who knows to say: Look, we shouldn't be doing this.

Just to give one suggestion, we have had the BRAC debate forever. We have had a shrinking military, yet we have maintained the same infrastructure. We have seen study after study from the Air Force and others about how much excess capacity they have and money that could be saved from doing that. But again this year, for, I submit, political reasons, BRAC is prohibited.

So we need to get a lot smarter about how we are going to spend this money and a lot smarter about our budget if this bill is actually going to become reality.

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

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, as usual, the gentleman from Washington makes a number of good points.

We absolutely need to have national security based on a strategy and fund that strategy. There are many of us who would argue that is not what has happened in recent years.

I would just point out it was not only President Obama, but also President Bush and President Clinton. None of them provided a national security strategy in the first year that they were in office. I have tremendous confidence in Secretary Mattis, among others on the national security team. I believe they are looking at these issues and will provide us with a strategy.

The gentleman is also absolutely correct when he points out that the Defense Authorization bill is only one step in the process. There are many more steps to come.

I think we will have a budget on this floor to vote on shortly. I also expect that we are going to have appropriations to vote on at some point in the coming weeks. I also believe that we are going to have the opportunity to vote on dealing with the sequestration caps, which, by the way, the administration and I think most of us in the House and I presume most in the other body as well are in favor of doing away with because they have not been successful in accomplishing the goal for which they were put in place.

So there are clearly many more debates to have on other days. What we have this week on the floor before us is the Defense Authorization bill. And it is our obligation to authorize the things that the military needs.

I want to go back to the point that Mr. BANKS made a few minutes ago. These are life-and-death decisions. Our hearts break, our prayers go out to the families of the 15 marines and the one sailor who lost their lives Monday of this week in the plane crash in Mississippi, just as our hearts go out and our prayers continue for the family members of the seven sailors who lost their lives off of Japan a few weeks ago.

What it reminds us is exactly what Mr. BANKS said: this is a dangerous business, even on training mission, even on routine deployments. The men and women who volunteer to serve our country to protect us and to secure our freedoms deserve the very best our country can provide them. That is the goal of this bill: support the men and women who serve us and to further the national security of the United States.

You have heard from both sides of the aisle about many good things that are in this bill. We are going to go through a lot of amendments over the next several days. But at the end of the day, the point is, even with the good, the bad, and the ugly that gets put in this bill, to support the men and women who serve by voting ''yes,'' and I hope my colleagues will do that.

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

Mr. THORNBERRY. Mr. Chair, I ask that the following exchange of letters be included in the RECORD on H.R. 2810:

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,
Washington, DC, July 5, 2017.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, Washington, DC.

DEAR CHAIRMAN THORNBERRY: I write concerning H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, as amended. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

However, in order to expedite this legislation for floor consideration, the Committee will forgo action on this bill. This, of course, is conditional on our mutual understanding that forgoing consideration of the bill does not prejudice the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation that fall within the Committee's Rule X jurisdiction. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the committee report on H.R. 2810 and into the Congressional Record during consideration of the measure on the House floor.

Sincerely,

BILL SHUSTER,
Chairman.

COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES,
Washington, DC, July 5, 2017.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. I agree that the Committee on Transportation and Infrastructure 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 foregoing a sequential referral, the Committee on Transportation and Infrastructure is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

HOUSE OF REPRESENTATIVES, COMMITTEE ON VETERANS' AFFAIRS,
Washington, DC, June 30, 2017.

Hon. WILLIAM M. ''MAC'' THORNBERRY,
Chairman, Committee on Armed Services, House of Representatives, Washington, DC.

DEAR MR. THORNBERRY: I write to confirm our mutual understanding regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. This legislation contains subject matter within the jurisdiction of the Veterans' Affairs Committee. However, in order to expedite floor consideration of this important legislation, the committee waives consideration of the bill.

The Veterans' Affairs Committee takes this action only with the understanding that the committee's jurisdictional interests over this and similar legislation are in no way diminished or altered.

The committee also reserves the right to seek appointment to any House-Senate conference on this legislation and requests your support if such a request is made. Finally, I would appreciate your including this letter in the Congressional Record during consideration of H.R. 2810 on the House Floor. Thank you for your attention to these matters.

Sincerely,

DAVID P. ROE, M.D.,
Chairman.

COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES,
Washington, DC, July 5, 2017.

Hon. DAVID P. ROE, M.D.
Chairman, Committee on Veterans' Affairs, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. 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 agree that by foregoing a sequential referral, the Committee on Veterans' Affairs is not waiving its jurisdiction. Further, this exchange of letters will be included in the committee report on the bill.

Sincerely,

WILLIAM M. ''MAC'' THORNBERRY,
Chairman.

Mr. GENE GREEN of Texas. Mr. Chair, I rise in support of our nation's servicemembers, military families, and community colleges in support of the National Defense Authorization Act.

The 2018 NDAA supports our men and women in uniform by providing a much deserved 2.4 percent pay increase and extending special pay and bonuses for servicemembers. This bill further supports military families by prohibiting the proposed reduction in inpatient care for military medical treatment facilities located outside the United States, and will provide up to $500 for a spouse's expense related to obtaining a license or certification in another state because of a military move.

Our nation's military is one of the major economic drivers for the State of Texas. Texas is home to several of America's largest military bases, including Fort Hood in Killeen, Fort Bliss in El Paso, and Joint Base San Antonio. Texas is also home to major defense manufacturing facilities that help our servicemembers protect America and employ thousands of hardworking Texans.

The NDAA includes a provision, Section 3507, that will authorize the U.S. Maritime Administration to designate and provide assistance to certain community colleges and workforce training centers as ''centers of excellence'' that provide valuable skills in the maritime sector.

This language will help community colleges, like San Jacinto College, in our district in Harris County, Texas, that provides a modern, comprehensive training program for working in our maritime industry. San Jacinto College works closely with Houston's maritime community and the Port of Houston, and recently opened a state-of-the-art maritime training center last year.

This provision is modeled after legislation I introduced with Rep. ROBERT WITTMAN earlier this year, the Domestic Maritime Centers of Excellence Act (H.R. 2286). I hope our colleagues will support our Centers of Excellence provision and ensure its inclusion when the NDAA reaches the President's desk.

I ask all my colleagues on both sides of the aisle to join me in supporting the National Defense Authorization Act.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Armed Services, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–23, modified by the amendment printed in part A of House Report 115–212, is adopted. The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is a follows:

H.R. 2810

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 ''National Defense Authorization Act for Fiscal Year 2018''.

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

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

(1) Division A—Department of Defense Authorizations.

(2) Division B—Military Construction Authorizations.

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

(4) Division D—Funding Tables.

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

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

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization Of Appropriations

Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

Sec. 111. Report on acceleration of Increment 2 of the Warfighter Information Network-Tactical.

Subtitle C—Navy Programs

Sec. 121. Aircraft carriers.
Sec. 122. Procurement authority for icebreaker vessels.
Sec. 123. Limitation on availability of funds for procurement of icebreaker vessels.
Sec. 124. Multiyear procurement authority for Virginia class submarine program.
Sec. 125. Multiyear procurement authority for Arleigh Burke class destroyers and associated systems.
Sec. 126. Limitation on availability of funds for Arleigh Burke class destroyer.
Sec. 127. Extensions of authorities relating to construction of certain vessels.
Sec. 128. Multiyear procurement authority for V–22 Osprey aircraft.

Subtitle D—Air Force Programs

Sec. 131. Streamlining acquisition of intercontinental ballistic missile security capability.
Sec. 132. Limitation on selection of single contractor for C–130H avionics modernization program increment 2.
Sec. 133. Limitation on availability of funds for EC–130H Compass Call recapitalization program.
Sec. 134. Cost-benefit analysis of upgrades to MQ–9 Reaper aircraft.

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

Sec. 141. Authority for procurement of economic order quantities for the F–35 aircraft program.
Sec. 142. Limitation on demilitarization of certain cluster munitions.
Sec. 143. Reinstatement of requirement to preserve certain C–5 aircraft.
Sec. 144. Requirement that certain aircraft and unmanned aerial vehicles use specified standard data link.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Subtitle A—Authorization Of Appropriations

Sec. 201. Authorization of appropriations.

Subtitle B—Program Requirements, Restrictions, And Limitations

Sec. 211. Cost controls for presidential aircraft recapitalization program.
Sec. 212. Capital investment authority.
Sec. 213. Modification of authority to award prizes for advanced technology achievements.
Sec. 214. Critical technologies for Columbia class submarine.
Sec. 215. Joint Hypersonics Transition Office.
Sec. 216. Hypersonic airbreathing weapons capabilities.
Sec. 217. Limitation on availability of funds for MQ–25 unmanned air system.
Sec. 218. Limitation on availability of funds for contract writing systems.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

Sec. 301. Authorization of appropriations.

Subtitle B—Energy and Environment

Sec. 311. Codification of and improvements to Department of Defense clearinghouse to coordinate Department review of applications for certain projects that may have adverse impact on military operations and readiness.
Sec. 312. Energy performance goals and master plan.
Sec. 313. Payment to Environmental Protection Agency of stipulated penalty in connection with Umatilla Chemical Depot, Oregon.
Sec. 314. Payment to Environmental Protection Agency of stipulated penalty in connection with Longhorn Army Ammunition Plant, Texas.
Sec. 315. Department of Defense cleanup and removal of petroleum, oil, and lubricant associated with the Prinz Eugen.

Subtitle C—Logistics and Sustainment

Sec. 321. Reauthorization of multi-trades demonstration project.
Sec. 322. Guidance regarding use of organic industrial base.

Subtitle D—Reports

Sec. 331. Quarterly reports on personnel and unit readiness.
Sec. 332. Biennial report on core depot-level maintenance and repair capability.
Sec. 333. Annual report on personnel, training, and equipment needs of non-federalized National Guard.
Sec. 334. Annual report on military working dogs used by the Department of Defense.
Sec. 335. Annual briefings on Army explosive ordnance disposal.
Sec. 336. Report on effects of climate change on Department of Defense.

Subtitle E—Other Matters

Sec. 341. Explosive safety board.
Sec. 342. Department of Defense support for military service memorials and museums that highlight the role of women in the Armed Forces.
Sec. 343. Limitation on availability of funds for advanced skills management software system of the Navy.
Sec. 344. Cost-benefit analysis of uniform specifications for Afghan military or security forces.

TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS

Subtitle A—Active Forces

Sec. 401. End strengths for active forces.
Sec. 402. Revisions in permanent active duty end strength minimum levels.

Subtitle B—Reserve Forces

Sec. 411. End strengths for Selected Reserve.
Sec. 412. End strengths for reserves on active duty in support of the reserves.
Sec. 413. End strengths for military technicians (dual status).
Sec. 414. Fiscal year 2018 limitation on number of non-dual status technicians.
Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.

Subtitle C—Authorization of Appropriations

Sec. 421. Military personnel.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Regular and Reserve Component Management

Sec. 501. Modification of requirements relating to conversion of certain military technician (dual status) positions to civilian positions.

Sec. 502. Pilot program on use of retired senior enlisted members of the Army National Guard as Army National Guard recruiters.

Sec. 503. Equal treatment of orders to serve on active duty under section 12304a and 12304b of title 10, United States Code.

Sec. 504. Direct employment pilot program for members of the National Guard and Reserve.

Subtitle B—General Service Authorities and Correction of Military Records

Sec. 511. Consideration of additional medical evidence by Boards for the Correction of Military Records and liberal consideration of evidence relating to post-traumatic stress disorder or traumatic brain injury.

Sec. 512. Public availability of information related to disposition of claims regarding discharge or release of members of the Armed Forces when the claims involve sexual assault.

Sec. 513. Pilot program on use of video teleconferencing technology by boards for the correction of military records and discharge review boards.

Sec. 514. Inclusion of specific email address block on Certificate of Release or Discharge from Active Duty (DD Form 214).

Sec. 515. Provision of information on naturalization through military service.

Subtitle C—Military Justice and Other Legal Issues

Sec. 521. Clarifying amendments related to the Uniform Code of Military Justice reform by the Military Justice Act of 2016.

Sec. 522. Minimum confinement period required for conviction of certain sex-related offenses committed by members of the Armed Forces.

Sec. 523. Prohibition on wrongful broadcast or distribution of intimate visual images.

Sec. 524. Information for the Special Victims' Counsel or Victims' Legal Counsel.

Sec. 525. Special Victims' Counsel training regarding the unique challenges often faced by male victims of sexual assault.

Sec. 526. Garnishment to satisfy judgment rendered for physically, sexually, or emotionally abusing a child.

Sec. 527. Inclusion of information in annual SAPRO reports regarding military sexual harassment and incidents involving nonconsensual distribution of private sexual images.

Sec. 528. Inclusion of information in annual SAPRO reports regarding sexual assaults committed by a member of the Armed Forces against the member's spouse or other family member.

Sec. 529. Notification of members of the Armed Forces undergoing certain administrative separations of potential eligibility for veterans benefits.

Sec. 530. Consistent access to Special Victims' Counsel for former dependents of members of the Armed Forces.

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

Sec. 541. Prohibition on release of military service academy graduates to participate in professional athletics.

Sec. 542. ROTC Cyber Institutes at the senior military colleges.

Sec. 543. Lieutenant Henry Ossian Flipper Leadership Scholarship Program.

Subtitle E—Defense Dependents' Education and Military Family Readiness Matters

Sec. 551. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.

Sec. 552. Education for dependents of certain retired members of the Armed Forces.

Sec. 553. Codification of authority to conduct family support programs for immediate family members of members of the Armed Forces assigned to special operations forces.

Sec. 554. Reimbursement for State licensure and certification costs of a spouse of a member of the Armed Forces arising from relocation to another State.

Subtitle F—Decorations and Awards

Sec. 561. Replacement of military decorations at the request of relatives of deceased members of the Armed Forces.

Sec. 562. Congressional Defense Service Medal.

Sec. 563. Limitations on authority to revoke certain military decorations awarded to members of the Armed Forces.

Subtitle G—Miscellaneous Reports and Other Matters

Sec. 571. Expansion of United States Air Force Institute of Technology enrollment authority to include civilian employees of the homeland security industry.

Sec. 572. Servicemembers' Group Life Insurance.

Sec. 573. Voter registration.

Sec. 574. Sense of Congress regarding section 504 of title 10, United States Code, on existing authority of the Department of Defense to enlist individuals, not otherwise eligible for enlistment, whose enlistment is vital to the national interest.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

Sec. 601. Annual adjustment of basic monthly pay.

Sec. 602. Limitation on basic allowance for housing modification authority for members of the uniformed services residing in Military Housing Privatization Initiative housing.

Sec. 603. Housing treatment for certain members of the Armed Forces, and their spouses and other dependents, undergoing a permanent change of station within the United States.

Sec. 604. Per diem allowance policies.

Subtitle B—Bonuses and Special and Incentive Pays

Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.

Sec. 612. One-year extension of certain bonus and special pay authorities for health care professionals.

Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.

Sec. 614. One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities.

Sec. 615. One-year extension of authorities relating to payment of other title 37 bonuses and special pays.

Sec. 616. Reimbursement for State licensure and certification costs of a member of the Armed Forces arising from separation from the Armed Forces.

Sec. 617. Increase in maximum amount of aviation bonus for 12-month period of obligated service.

Sec. 618. Technical and clerical amendments relating to 2008 consolidation of certain special pay authorities.

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

Sec. 621. Findings and sense of Congress regarding the Special Survivor Indemnity Allowance.

Subtitle D—Other Matters

Sec. 631. Land conveyance authority, Army and Air Force Exchange Service property, Dallas, Texas.

Sec. 632. Advisory boards regarding military commissaries and exchanges.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

Sec. 701. Physical examinations for members of a reserve component who are separating from the Armed Forces.

Sec. 702. Mental health examinations before members separate from the Armed Forces.

Sec. 703. Provision of hyperbaric oxygen therapy for certain members of the Armed Forces.

Subtitle B—Health Care Administration

Sec. 711. Clarification of roles of commanders of military medical treatment facilities and Surgeons General.

Sec. 712. Maintenance of inpatient capabilities of military medical treatment facilities located outside the United States.

Sec. 713. Regular update of prescription drug pricing standard under TRICARE retail pharmacy program.

Sec. 714. Residency requirements for podiatrists.

Subtitle C—Other Matters

Sec. 721. One year extension of pilot program for prescription drug acquisition cost parity in the TRICARE Pharmacy Benefits Program.

Sec. 722. Pilot program on health care assistance system.

Sec. 723. Research of chronic traumatic encephalopathy.

Sec. 724. Sense of Congress on eligibility of victims of acts of terror for evaluation and treatment at military treatment facilities.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Defense Acquisition Streamlining and Transparency

PART I—ACQUISITION SYSTEM STREAMLINING

Sec. 801. Procurement through online marketplaces.

Sec. 802. Performance of incurred cost audits.

Sec. 803. Modifications to cost or pricing data and reporting requirements.

PART II—EARLY INVESTMENTS IN ACQUISITION PROGRAMS

Sec. 811. Requirement to emphasize reliability and maintainability in weapon system design.

Sec. 812. Licensing of appropriate intellectual property to support major weapon systems.

Sec. 813. Management of intellectual property matters within the Department of Defense.
Sec. 814. Improvement of planning for acquisition of services.
Sec. 815. Improvements to test and evaluation processes and tools.

PART III—ACQUISITION WORKFORCE IMPROVEMENTS

Sec. 821. Enhancements to the civilian program management workforce.
Sec. 822. Improvements to the hiring and training of the acquisition workforce.
Sec. 823. Extension and modifications to acquisition demonstration project.
Sec. 824. Acquisition positions in the Offices of the Secretaries of the Military Departments.

PART IV—TRANSPARENCY IMPROVEMENTS

Sec. 831. Transparency of defense business system data.
Sec. 832. Major defense acquisition programs: display of budget information.
Sec. 833. Enhancements to transparency in test and evaluation processes and data.

Subtitle B—Streamlining of Defense Acquisition Statutes and Regulations

Sec. 841. Modifications to the advisory panel on streamlining and codifying acquisition regulations.
Sec. 842. Extension of maximum duration of fuel storage contracts.
Sec. 843. Exception for business operations from requirement to accept $1 coins.
Sec. 844. Repeal of expired pilot program.

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations

Sec. 851. Limitation on unilateral definitization.
Sec. 852. Codification of requirements pertaining to assessment, management, and control of operating and support costs for major weapon systems.
Sec. 853. Use of program income by eligible entities that carry out procurement technical assistance programs.
Sec. 854. Amendment to sustainment reviews.
Sec. 855. Clarification to other transaction authority.
Sec. 856. Clarifying the use of lowest price technically acceptable source selection process.
Sec. 857. Amendment to nontraditional and small contractor innovation prototyping program.
Sec. 858. Modification to annual meeting requirement of Configuration Steering Boards.
Sec. 859. Change to definition of subcontract in certain circumstances.
Sec. 860. Amendment relating to applicability of inflation adjustments.

Subtitle D—Other Matters

Sec. 861. Exemption from design-build selection procedures.
Sec. 862. Requirement that certain ship components be manufactured in the national technology and industrial base.
Sec. 863. Procurement of aviation critical safety items.
Sec. 864. Milestones and timelines for contracts for foreign military sales.
Sec. 865. Notification requirement for certain contracts for audit services.
Sec. 866. Training in acquisition of commercial items.
Sec. 867. Notice of cost-free Federal procurement technical assistance in connection with registration of small business concerns on procurement websites of the Department of Defense.
Sec. 868. Comptroller General report on contractor business system requirements.
Sec. 869. Standard guidelines for evaluation of requirements for services contracts.
Sec. 870. Temporary limitation on aggregate annual amount available for contract services.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Organization and Management of the Department of Defense Generally

Sec. 901. Responsibility of the Chief Information Officer of the Department of Defense for risk management activities regarding supply chain for information technology systems.
Sec. 902. Repeal of Office of Corrosion Policy and Oversight.
Sec. 903. Designation of corrosion control and prevention executives for the military departments.
Sec. 904. Maintaining civilian workforce capabilities to sustain readiness, the all volunteer force, and operational effectiveness.

Subtitle B—Designation of the Navy and Marine Corps

Sec. 911. Redesignation of the Department of the Navy as the Department of the Navy and Marine Corps.
Sec. 912. Conforming amendments to title 10, United States Code.
Sec. 913. Other provisions of law and other references.
Sec. 914. Effective date.

Subtitle C—Other Matters

Sec. 921. Transition of the Office of the Secretary of Defense to reflect establishment of positions of Under Secretary of Defense for Research and Engineering, Under Secretary of Defense for Acquisition and Sustainment, and Chief Management Officer.
Sec. 922. Extension of deadlines for reporting and briefing requirements for Commission on the National Defense Strategy for the United States.
Sec. 923. Briefing on force management level policy.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

Sec. 1001. General transfer authority.
Sec. 1002. Preparation of consolidated corrective action plan and implementation of centralized reporting system.
Sec. 1003. Additional requirements relating to Department of Defense audits.

Subtitle B—Naval Vessels and Shipyards

Sec. 1011. National Defense Sealift Fund.
Sec. 1012. National Defense Sealift Fund: construction of national icebreaker vessels.
Sec. 1013. Use of National Sea-Based Deterrence Fund for multiyear procurement of certain critical components.
Sec. 1014. Restrictions on the overhaul and repair of vessels in foreign shipyards.
Sec. 1015. Availability of funds for retirement or inactivation of Ticonderoga-class cruisers or dock landing ships.
Sec. 1016. Policy of the United States on minimum number of battle force ships.

Subtitle C—Counterterrorism

Sec. 1021. Termination of requirement to submit annual budget justification display for Department of Defense combating terrorism program.
Sec. 1022. Prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba to the United States.
Sec. 1023. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.
Sec. 1024. Prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba, to certain countries.
Sec. 1025. Biannual report on support of special operations to combat terrorism.

Subtitle D—Miscellaneous Authorities and Limitations

Sec. 1031. Limitation on expenditure of funds for emergency and extraordinary expenses for intelligence and counter-intelligence activities and representation allowances.
Sec. 1032. Modifications to humanitarian demining assistance authorities.
Sec. 1033. Prohibition on charge of certain tariffs on aircraft traveling through channel routes.
Sec. 1034. Limitation on divestment of U-2 or RQ-4 aircraft.
Sec. 1035. Prohibition on use of funds for retirement of legacy maritime mine countermeasures platforms.
Sec. 1036. Restriction on use of certain funds pending solicitation of bids for Western Pacific dry dock.
Sec. 1037. National Guard flyovers of public events.
Sec. 1038. Transfer of funds to World War I Centennial Commission.
Sec. 1039. Rule of construction regarding use of Department of Defense funding of a border wall.

Subtitle E—Studies and Reports

Sec. 1051. Elimination of reporting requirements terminated after November 25, 2017, pursuant to section 1080 of the National Defense Authorization Act for Fiscal Year 2016.
Sec. 1052. Report on Department of Defense arctic capability and resource gaps.
Sec. 1053. Review and assessment of Department of Defense personnel recovery and nonconventional assisted recovery mechanisms.
Sec. 1054. Mine warfare readiness inspection plan and report.
Sec. 1055. Report on civilian casualties from Department of Defense strikes.
Sec. 1056. Reports on infrastructure and capabilities of Lajes Field, Portugal.
Sec. 1057. Report on Joint Pacific Alaska Range Complex modernization.

Subtitle F—Other Matters

Sec. 1061. Technical, conforming, and clerical amendments.
Sec. 1062. Workforce issues for relocation of Marines to Guam.
Sec. 1063. Protection of Second Amendment Rights of Military Families.
Sec. 1064. Transfer of surplus firearms to corporation for the promotion of rifle practice and firearms safety.
Sec. 1065. National Guard accessibility to Department of Defense issued unmanned aircraft.
Sec. 1066. Sense of Congress regarding aircraft carriers.
Sec. 1067. Notice to Congress of terms of Department of Defense settlement agreements.
Sec. 1068. Sense of Congress recognizing the United States Navy Seabees.

Sec. 1069. Recognition of the United States Special Operations Command.
Sec. 1070. Sense of Congress regarding World War I.
Sec. 1071. Findings and sense of Congress regarding the National Guard Youth Challenge Program.
Sec. 1072. Sense of Congress regarding National Purple Heart Recognition Day.

TITLE XI—CIVILIAN PERSONNEL MATTERS

Sec. 1101. Extension of direct hire authority for domestic Defense Industrial Base Facilities and Major Range and Test Facilities Base.
Sec. 1102. Extension of authority to provide voluntary separation incentive pay for civilian employees of the Department of Defense.
Sec. 1103. Additional Department of Defense science and technology reinvention laboratories.
Sec. 1104. One year extension of authority to waive annual limitation on premium pay and aggregate limitation on pay for Federal civilian employees working overseas.
Sec. 1105. Appointment of retired members of the armed forces to positions in or under the Department of Defense.
Sec. 1106. Direct hire authority for financial management experts in the Department of Defense workforce.
Sec. 1107. Extension of authority for temporary personnel flexibilities for domestic defense industrial base facilities and Major Range and Test Facilities Base civilian personnel.
Sec. 1108. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

Sec. 1201. One-year extension of logistical support for coalition forces supporting certain United States military operations.
Sec. 1202. Modification to Special Defense Acquisition Fund.
Sec. 1203. Modification to ministry of defense advisor authority.
Sec. 1204. Modification of authority to build capacity of foreign security forces.
Sec. 1205. Extension and modification of authority on training for Eastern European national military forces in the course of multilateral exercises.
Sec. 1206. Extension of participation in and support of the Inter-American Defense College.

Subtitle B—Matters Relating to Afghanistan and Pakistan

Sec. 1211. Extension of authority to transfer defense articles and provide defense services to the military and security forces of Afghanistan.
Sec. 1212. Report on United States strategy in Afghanistan.
Sec. 1213. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.

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

Sec. 1221. Report on United States strategy in Syria.
Sec. 1222. Extension and modification of authority to provide assistance to counter the Islamic State of Iraq and the Levant.
Sec. 1223. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.
Sec. 1224. Sense of Congress on threats posed by the Government of Iran.

Subtitle D—Matters Relating to the Russian Federation

Sec. 1231. Extension of limitation on military cooperation between the United States and the Russian Federation.
Sec. 1232. Prohibition on availability of funds relating to sovereignty of the Russian Federation over Crimea.
Sec. 1233. Statement of policy on the Russian Federation.
Sec. 1234. Modification and extension of Ukraine Security Assistance Initiative.
Sec. 1235. Limitation on availability of funds relating to implementation of the Open Skies Treaty.
Sec. 1236. Sense of Congress on importance of nuclear capabilities of NATO.
Sec. 1237. Sense of Congress on support for Georgia.
Sec. 1238. Sense of Congress on support for Estonia, Latvia, and Lithuania.

Subtitle E—Intermediate-Range Nuclear Forces (INF) Treaty Preservation Act of 2017

Sec. 1241. Short title.
Sec. 1242. Findings.
Sec. 1243. Compliance enforcement regarding Russian violations of the INF Treaty.
Sec. 1244. Development of INF range ground-launched missile system.
Sec. 1245. Notification requirement related to Russian Federation development of noncompliant systems and United States actions regarding material breach of INF Treaty by the Russian Federation.
Sec. 1246. Limitation on availability of funds to extend the implementation of the New START Treaty.
Sec. 1247. Review of RS–26 ballistic missile.
Sec. 1248. Definitions.

Subtitle F—Fostering Unity Against Russian Aggression Act of 2017

Sec. 1251. Short title.
Sec. 1252. Findings and sense of Congress.
Sec. 1253. Strategy to counter threats by the Russian Federation.
Sec. 1254. Strategy to increase conventional precision strike weapon stockpiles in the United States European Command's areas of responsibility.
Sec. 1255. Plan to counter the military capabilities of the Russian Federation.
Sec. 1256. Plan to increase cyber and information operations, deterrence, and defense.
Sec. 1257. Sense of Congress on enhancing maritime capabilities.
Sec. 1258. Plan to reduce the risks of miscalculation and unintended consequences that could precipitate a nuclear war.
Sec. 1259. Definitions.

Subtitle G—Matters Relating to the Indo-Asia-Pacific Region

Sec. 1261. Sense of Congress on the Indo-Asia-Pacific region.
Sec. 1262. Report on strategy to prioritize United States defense interests in the Indo-Asia-Pacific region.
Sec. 1263. Assessment of United States force posture and basing needs in the Indo-Asia-Pacific region.
Sec. 1264. Extended deterrence commitment to the Asia-Pacific region.
Sec. 1265. Authorization of appropriations to meet United States financial obligations under Compact of Free Association with Palau.
Sec. 1266. Sense of Congress reaffirming security commitments to the Governments of Japan and South Korea and trilateral cooperation between the United States, Japan, and South Korea.
Sec. 1267. Sense of Congress on freedom of navigation operations in the South China Sea.
Sec. 1268. Sense of Congress on strengthening the defense of Taiwan.
Sec. 1269. Sense of Congress on the Association of Southeast Asian Nations.
Sec. 1270. Sense of Congress on reaffirming the importance of the United States-Australia defense alliance.

Subtitle H—Other Matters

Sec. 1271. NATO Cooperative Cyber Defense Center of Excellence.
Sec. 1272. NATO Strategic Communications Center of Excellence.
Sec. 1273. Security and stability strategy for Somalia.
Sec. 1274. Assessment of Global Theater Security Cooperation Management Information System.
Sec. 1275. Future years plan for the European Deterrence Initiative.
Sec. 1276. Extension of authority to enter into agreements with participating countries in the American, British, Canadian, and Australian Armies' Program.
Sec. 1277. Security strategy for Yemen.
Sec. 1278. Limitation on transfer of excess defense articles that are high mobility multi-purpose wheeled vehicles.
Sec. 1279. Department of Defense program to protect United States students against foreign agents.
Sec. 1280. Extension of United States-Israel anti-tunnel cooperation authority.
Sec. 1281. Anticorruption strategy.

TITLE XIII—COOPERATIVE THREAT REDUCTION

Sec. 1301. Specification of cooperative threat reduction funds.
Sec. 1302. Funding allocations.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

Sec. 1401. Working capital funds.
Sec. 1402. Chemical agents and munitions destruction, defense.
Sec. 1403. Drug interdiction and counter-drug activities defense-wide.
Sec. 1404. Defense Inspector General.
Sec. 1405. Defense Health Program.
Sec. 1406. National Defense Sealift Fund.

Subtitle B—Other Matters

Sec. 1411. Authority for transfer of funds to joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.
Sec. 1412. Authorization of appropriations for Armed Forces Retirement Home.

TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR OVERSEAS CONTINGENCY OPERATIONS

Subtitle A—Authorization of Appropriations

Sec. 1501. Purpose and treatment of certain authorizations of appropriations.
Sec. 1502. Procurement.
Sec. 1503. Research, development, test, and evaluation.
Sec. 1504. Operation and maintenance.
Sec. 1505. Military personnel.
Sec. 1506. Working capital funds.
Sec. 1507. Drug Interdiction and Counter-Drug Activities, Defense-wide.
Sec. 1508. Defense Inspector General.
Sec. 1509. Defense Health program.

Subtitle B—Financial Matters

Sec. 1511. Treatment as additional authorizations.
Sec. 1512. Special transfer authority.

Subtitle C—Limitations, Reports, and Other Matters

Sec. 1521. Afghanistan Security Forces Fund.
Sec. 1522. Joint Improvised-Threat Defeat Fund.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Management and Organization of Space Programs

Sec. 1601. Establishment of Space Corps in the Department of the Air Force.
Sec. 1602. Establishment of subordinate unified command of the United States Strategic Command.

Subtitle B—Space Activities

Sec. 1611. Codification, extension, and modification of limitation on construction on United States territory of satellite positioning ground monitoring stations of foreign governments.
Sec. 1612. Foreign commercial satellite services: cybersecurity threats and launches.
Sec. 1613. Extension of pilot program on commercial weather data.
Sec. 1614. Conditional transfer of acquisition and funding authority of certain weather missions to National Reconnaissance Office.
Sec. 1615. Evolved Expendable Launch Vehicle modernization and sustainment of assured access to space.
Sec. 1616. Commercial satellite communications pathfinder program.
Sec. 1617. Demonstration of backup and complementary positioning, navigation, and timing capabilities of Global Positioning System.
Sec. 1618. Enhancement of positioning, navigation, and timing capacity.
Sec. 1619. Establishment of Space Flag training event.
Sec. 1620. Report on operational and contingency plans for loss or degradation of space capabilities.
Sec. 1621. Limitation on availability of funding for Joint Space Operations Center mission system.
Sec. 1622. Limitation on availability of funds relating to advanced extremely high frequency program.

Subtitle C—Defense Intelligence and Intelligence-Related Activities

Sec. 1631. Security clearances for facilities of certain contractors.
Sec. 1632. Extension of authority to engage in certain commercial activities.
Sec. 1633. Submission of audits of commercial activity funds.
Sec. 1634. Clarification of annual briefing on the intelligence, surveillance, and reconnaissance requirements of the combatant commands.
Sec. 1635. Review of support provided by Defense intelligence elements to acquisition activities of the Department.
Sec. 1636. Limitation on availability of funds for certain offensive counterintelligence activities.
Sec. 1637. Prohibition on availability of funds for certain relocation activities for NATO intelligence fusion center.
Sec. 1638. Establishment of chairman's controlled activity within Joint Staff for intelligence, surveillance, and reconnaissance.
Sec. 1639. Sense of Congress and report on geospatial commercial activities for basic and applied research and development.
Sec. 1640. Department of Defense Counterintelligence polygraph program.
Sec. 1641. Security clearance for dual-nationals.
Sec. 1642. Suspension or revocation of security clearances based on unlawful or inappropriate contacts with representatives of a foreign government.

Subtitle D—Cyberspace-Related Matters

Sec. 1651. Notification requirements for sensitive military cyber operations and cyber weapons.
Sec. 1652. Modification to quarterly cyber operations briefings.
Sec. 1653. Cyber Scholarship Program.
Sec. 1654. Plan to increase cyber and information operations, deterrence, and defense.
Sec. 1655. Report on termination of dual-hat arrangement for Commander of the United States Cyber Command.

Subtitle E—Nuclear Forces

Sec. 1661. Notifications regarding dual-capable F–35A aircraft.
Sec. 1662. Oversight of delayed acquisition programs by Council on Oversight of the National Leadership Command, Control, and Communications System.
Sec. 1663. Establishment of Nuclear Command and Control Intelligence Fusion Center.
Sec. 1664. Security of nuclear command, control, and communications system from commercial dependencies.
Sec. 1665. Oversight of aerial-layer programs by Council on Oversight of the National Leadership Command, Control, and Communications System.
Sec. 1666. Security classification guide for programs relating to nuclear command, control, and communications and nuclear deterrence.
Sec. 1667. Evaluation and enhanced security of supply chain for nuclear command, control, and communications and continuity of government programs.
Sec. 1668. Limitation on pursuit of certain command and control concept.
Sec. 1669. Procurement authority for certain parts of intercontinental ballistic missile fuzes.
Sec. 1670. Sense of Congress on importance of independent nuclear deterrent of United Kingdom.
Sec. 1671. Prohibition on availability of funds for mobile variant of ground-based strategic deterrent missile.
Sec. 1672. Report on impacts of nuclear proliferation.

Subtitle F—Missile Defense Programs

Sec. 1681. Administration of missile defense and defeat programs.
Sec. 1682. Preservation of the ballistic missile defense capacity of the Army.
Sec. 1683. Modernization of Army lower tier air and missile defense sensor.
Sec. 1684. Enhancement of operational test and evaluation of ballistic missile defense system.
Sec. 1685. Defense of Hawaii from North Korean ballistic missile attack.
Sec. 1686. Aegis Ashore anti-air warfare capability.
Sec. 1687. Iron Dome short-range rocket defense system, Israeli cooperative missile defense program codevelopment and coproduction, and Arrow 3 testing.
Sec. 1688. Review of proposed ground-based midcourse defense system contract.
Sec. 1689. Sense of Congress and plan for development of space-based sensor layer for ballistic missile defense.
Sec. 1690. Sense of Congress and plan for development of space-based ballistic missile intercept layer.
Sec. 1691. Limitation on availability of funds for ground-based midcourse defense element of the ballistic missile defense system.
Sec. 1692. Conventional prompt global strike weapons system.
Sec. 1693. Determination of location of continental United States interceptor site.

Subtitle G—Other Matters

Sec. 1695. Protection of certain facilities and assets from unmanned aircraft.
Sec. 1696. Use of commercial items in Distributed Common Ground Systems.
Sec. 1697. Independent assessment of costs relating to ammonium perchlorate.
Sec. 1698. Limitation and business case analysis regarding ammonium perchlorate.
Sec. 1699. Industrial base for large solid rocket motors and related technologies.
Sec. 1699A. Pilot program on enhancing information sharing for security of supply chain.
Sec. 1699B. Commission to Assess the Threat to the United States From Electromagnetic Pulse Attacks and Events.
Sec. 1699C. Pilot program on electromagnetic spectrum mapping.

TITLE XVII—MATTERS RELATING TO SMALL BUSINESS PROCUREMENT

Subtitle A—Improving Transparency and Clarity for Small Businesses

Sec. 1701. Improving reporting on small business goals.
Sec. 1702. Uniformity in procurement terminology.
Sec. 1703. Responsibilities of commercial market representatives.
Sec. 1704. Responsibilities of Business Opportunity Specialists.

Subtitle B—Women's Business Programs

Sec. 1711. Office of Women's Business Ownership.
Sec. 1712. Women's Business Center Program.
Sec. 1713. Matching requirements under Women's Business Center Program.

Subtitle C—SCORE Program

Sec. 1721. SCORE reauthorization.
Sec. 1722. SCORE program.
Sec. 1723. Online component.
Sec. 1724. Study and report on the future role of the SCORE program.
Sec. 1725. Technical and conforming amendments.

Subtitle D—Small Business Development Centers Improvements

Sec. 1731. Use of authorized entrepreneurial development programs.
Sec. 1732. Marketing of services.
Sec. 1733. Data collection.
Sec. 1734. Fees from private partnerships and cosponsorships.
Sec. 1735. Equity for small business development centers.
Sec. 1736. Confidentiality requirements.
Sec. 1737. Limitation on award of grants to small business development centers.

Subtitle E—Miscellaneous

Sec. 1741. Modification of past performance pilot program to include consideration of past performance with allies of the United States.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

Sec. 2001. Short title.
Sec. 2002. Expiration of authorizations and amounts required to be specified by law.
Sec. 2003. Effective date.

TITLE XXI—ARMY MILITARY CONSTRUCTION

Sec. 2101. Authorized Army construction and land acquisition projects.
Sec. 2102. Family housing.
Sec. 2103. Improvements to military family housing units.
Sec. 2104. Authorization of appropriations, Army.
Sec. 2105. Modification of authority to carry out certain Fiscal Year 2014 project.
Sec. 2106. Modification of authority to carry out certain Fiscal Year 2015 project.
Sec. 2107. Extension of authorization of certain Fiscal Year 2014 project.
Sec. 2108. Extension of authorizations of certain Fiscal Year 2015 projects.
Sec. 2109. Additional authority to carry out certain Fiscal Year 2000, 2005, 2006, and 2007 projects.

TITLE XXII—NAVY MILITARY CONSTRUCTION

Sec. 2201. Authorized Navy construction and land acquisition projects.
Sec. 2202. Family housing.
Sec. 2203. Improvements to military family housing units.
Sec. 2204. Authorization of appropriations, Navy.
Sec. 2205. Extension of authorizations for certain Fiscal Year 2014 projects.
Sec. 2206. Extension of authorizations of certain Fiscal Year 2015 projects.

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

Sec. 2301. Authorized Air Force construction and land acquisition projects.
Sec. 2302. Family housing.
Sec. 2303. Improvements to military family housing units.
Sec. 2304. Authorization of appropriations, Air Force.
Sec. 2305. Modification of authority to carry out certain Fiscal Year 2017 projects.
Sec. 2306. Extension of authorizations of certain fiscal year 2015 projects.

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.
Sec. 2402. Authorized energy resiliency and conservation projects.
Sec. 2403. Authorization of appropriations, Defense Agencies.
Sec. 2404. Modification of authority to carry out certain Fiscal Year 2017 project.
Sec. 2405. Extension of authorizations of certain Fiscal Year 2014 projects.
Sec. 2406. Extension of authorizations of certain Fiscal Year 2015 projects.

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

Sec. 2501. Authorized NATO construction and land acquisition projects.
Sec. 2502. Authorization of appropriations, NATO.

Subtitle B—Host Country In-Kind Contributions

Sec. 2511. Republic of Korea funded construction projects.
Sec. 2512. Modification of authority to carry out certain Fiscal Year 2017 projects.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorizations of Appropriations

Sec. 2601. Authorized Army National Guard construction and land acquisition projects.
Sec. 2602. Authorized Army Reserve construction and land acquisition projects.
Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.
Sec. 2604. Authorized Air National Guard construction and land acquisition projects.
Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.
Sec. 2606. Authorization of appropriations, National Guard and Reserve.

Subtitle B—Other Matters

Sec. 2611. Modification of authority to carry out certain Fiscal Year 2015 project.
Sec. 2612. Extension of authorizations of certain Fiscal Year 2014 projects.
Sec. 2613. Extension of authorizations of certain Fiscal Year 2015 projects.

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.
Sec. 2702. Prohibition on conducting additional base realignment and closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing

Sec. 2801. Elimination of written notice requirement for military construction activities and reliance on electronic submission of notifications and reports.
Sec. 2802. Modification of thresholds applicable to unspecified minor construction projects.
Sec. 2803. Extension of temporary, limited authority to use operation and maintenance funds for construction projects outside the United States.
Sec. 2804. Use of operation and maintenance funds for military construction projects to replace facilities damaged or destroyed by natural disasters or terrorism incidents.

Subtitle B—Real Property and Facilities Administration

Sec. 2811. Elimination of written notice requirement for military real property transactions and reliance on electronic submission of notifications and reports.
Sec. 2812. Clarification of applicability of fair market value consideration in grants of easements on military lands for rights-of-way.
Sec. 2813. Criteria for exchanges of property at military installations.
Sec. 2814. Prohibiting use of updated assessment of public schools on Department of Defense installations to supersede funding of certain projects.
Sec. 2815. Requirements for window fall prevention devices in military family housing.
Sec. 2816. Authorizing reimbursement of States for costs of suppressing wildfires caused by Department of Defense activities on State lands; restoration of lands of other Federal agencies for damage caused by Department of Defense vehicle mishaps.
Sec. 2817. Prohibiting collection of additional amounts from members living in units under Military Housing Privatization Initiative.

Subtitle C—Land Conveyances

Sec. 2821. Land exchange, Naval Industrial Reserve Ordnance Plant, Sunnyvale, California.
Sec. 2822. Land conveyance, Naval Ship Repair Facility, Guam.
Sec. 2823. Lease of real property to the United States Naval Academy Alumni Association and Naval Academy Foundation at United States Naval Academy, Annapolis, Maryland.
Sec. 2824. Land Conveyance, Natick Soldier Systems Center, Massachusetts.
Sec. 2825. Imposition of additional conditions on land conveyance, Castner Range, Fort Bliss, Texas.
Sec. 2826. Land conveyance, Wasatch-Cache National Forest, Rich County, Utah.
Sec. 2827. Land conveyance, former missile alert facility known as Quebec-01, Laramie County, Wyoming.

Subtitle D—Military Land Withdrawals

Sec. 2831. Indefinite duration of certain military land withdrawals and reservations and improved management of withdrawn and reserved lands.
Sec. 2832. Temporary segregation from public land laws of property subject to proposed military land withdrawal; temporary use permits and transfers of small parcels of land between Departments of Interior and military departments; more efficient surveying of lands.

Subtitle E—Military Memorials, Monuments, and Museums

Sec. 2841. Modification of prohibition on transfer of veterans memorial objects to foreign governments without specific authorization in law.
Sec. 2842. Recognition of the National Museum of World War II Aviation.
Sec. 2843. Principal office of Aviation Hall of Fame.

Subtitle F—Shiloh National Military Park

Sec. 2851. Short title.
Sec. 2852. Definitions.
Sec. 2853. Areas to be added to Shiloh National Military Park.
Sec. 2854. Establishment of affiliated area.
Sec. 2855. Private Property Protection.

Subtitle G—Other Matters

Sec. 2861. Modification of Department of Defense guidance on use of airfield pavement markings.
Sec. 2862. Authority of Chief Operating Officer of Armed Forces Retirement Home to acquire and lease property.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

Sec. 2901. Authorized Army construction and land acquisition projects.
Sec. 2902. Authorized Navy construction and land acquisition project.
Sec. 2903. Authorized Air Force construction and land acquisition projects.
Sec. 2904. Authorized Defense Agencies construction and land acquisition project.
Sec. 2905. Authorization of appropriations.
Sec. 2906. Extension of authorization of certain Fiscal Year 2015 projects.

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs Authorizations

Sec. 3101. National Nuclear Security Administration.

Sec. 3102. Defense environmental cleanup.
Sec. 3103. Other defense activities.
Sec. 3104. Nuclear energy.

Subtitle B—Program Authorizations, Restrictions, and Limitations

Sec. 3111. Nuclear security enterprise infrastructure recapitalization and repair.
Sec. 3112. Incorporation of integrated surety architecture in transportation.
Sec. 3113. Cost estimates for life extension program and major alteration projects.
Sec. 3114. Budget requests and certification regarding nuclear weapons dismantlement.
Sec. 3115. Improved information relating to defense nuclear nonproliferation research and development program.
Sec. 3116. Research and development of advanced naval reactor fuel based on low-enriched uranium.
Sec. 3117. Prohibition on availability of funds for programs in Russian Federation.
Sec. 3118. National Nuclear Security Administration pay and performance system.
Sec. 3119. Disposition of weapons-usable plutonium.
Sec. 3120. Modification of minor construction threshold for plant projects.
Sec. 3121. Design competition.
Sec. 3122. Department of Energy Counterintelligence polygraph program.
Sec. 3123. Security clearance for dual-nationals employed by National Nuclear Security Agency.

Subtitle C—Plans and Reports

Sec. 3131. Modification of certain reporting requirements.
Sec. 3132. Assessment of management and operating contracts of national security laboratories.
Sec. 3133. Evaluation of classification of certain defense nuclear waste.
Sec. 3134. Report on Critical Decision–1 on Material Staging Facility project.
Sec. 3135. Modification to stockpile stewardship, management, and responsiveness plan.
Sec. 3136. Improved reporting for anti-smuggling radiation detection systems.
Sec. 3137. Annual selected acquisition reports on certain hardware relating to defense nuclear nonproliferation.
Sec. 3138. Assessment of design trade options of W80-4 warhead.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

Sec. 3201. Authorization.

TITLE XXXIV—NAVAL PETROLEUM RESERVES

Sec. 3401. Authorization of appropriations.

TITLE XXXV—MARITIME ADMINISTRATION

Sec. 3501. Authorization of the Maritime Administration.
Sec. 3502. Merchant Ship Sales Act of 1946.
Sec. 3503. Maritime Security Fleet Program; restriction on operation for new entrants.
Sec. 3504. Codification of sections relating to acquisition, charter, and requisition of vessels.
Sec. 3505. Assistance for small shipyards.
Sec. 3506. Report on sexual assault victim recovery in the Coast Guard.
Sec. 3507. Centers of excellence.

DIVISION D—FUNDING TABLES

Sec. 4001. Authorization of amounts in funding tables.

TITLE XLI—PROCUREMENT

Sec. 4101. Procurement.
Sec. 4102. Procurement for overseas contingency operations.
Sec. 4103. Procurement for overseas contingency operations for base requirements.

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

Sec. 4201. Research, development, test, and evaluation.
Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.
Sec. 4203. Research, development, test, and evaluation for overseas contingency operations for base requirements.

TITLE XLIII—OPERATION AND MAINTENANCE

Sec. 4301. Operation and maintenance.
Sec. 4302. Operation and maintenance for overseas contingency operations.
Sec. 4303. Operation and maintenance for overseas contingency operations for base requirements.

TITLE XLIV—MILITARY PERSONNEL

Sec. 4401. Military personnel.
Sec. 4402. Military personnel for overseas contingency operations.
Sec. 4403. Military personnel for overseas contingency operations for base requirements.

TITLE XLV—OTHER AUTHORIZATIONS

Sec. 4501. Other authorizations.
Sec. 4502. Other authorizations for overseas contingency operations.

TITLE XLVI—MILITARY CONSTRUCTION

Sec. 4601. Military construction.
Sec. 4602. Military construction for overseas contingency operations.

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Sec. 4701. Department of Energy national security programs.

SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.

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

DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS

TITLE I—PROCUREMENT

Subtitle A—Authorization Of Appropriations

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2018 for procurement for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in the funding table in section 4101.

Subtitle B—Army Programs

SEC. 111. REPORT ON ACCELERATION OF INCREMENT 2 OF THE WARFIGHTER INFORMATION NETWORK-TACTICAL.

(a) REPORT.—Not later than January 30, 2018, the Secretary of the Army shall submit to the congressional defense committees a report on options for the acceleration of the procurement and fielding of Increment 2 of the Warfighter Information Network-Tactical program of the Army (referred to in this section as ''WIN-T Increment 2'').

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

(1) An estimate of the level of funding required to procure a sufficient quantity of WIN-T Increment 2 components to field thirty Brigade Combat Teams or equivalent units in the period beginning with fiscal year 2018 and ending with fiscal year 2022.

(2) A plan for fielding WIN-T Increment 2 to all Armored Brigade Combat Teams of the Army and associated combat vehicles, including the Armored Multipurpose Vehicle.

(3) A plan for integrating WIN-T Increment 2 on the Stryker combat vehicles fielded to Stryker Brigade Combat Teams of the Army.

(4) A list of potential upgrades to WIN-T Increment 2 that may improve program capabilities, including size, weight, and complexity, and the impact of these improvements on the cost of the program.

(5) Options for fielding an Expeditionary Command Post capability that effectively integrates WIN-T Increment 2 and command post infrastructure.

(6) A detailed plan for upgrading the existing WIN-T Increment 1 system to the latest WIN-T Increment 2 configuration that includes—

(A) an estimate of the level of funding required to implement the plan; and

(B) the effect of the plan on the fielding of mobile mission command to the reserve components of the Army.

(7) Any other matters the Secretary determines to be appropriate.

Subtitle C—Navy Programs

SEC. 121. AIRCRAFT CARRIERS.

(a) SENSE OF CONGRESS ON INCREASE IN NUMBER OF OPERATIONAL AIRCRAFT CARRIERS.—

(1) FINDINGS.—Congress finds the following:

(A) Aircraft carriers are an essential element of the Navy's core missions of forward presence, sea control, ensuring safe sea lanes, and power projection, and provide the flexibility and versatility necessary for the execution of a wide range of additional missions.

(B) Forward airpower is integral to the security and joint forces operations of the United States. Carriers play a central role in delivering forward airpower from sovereign territory of the United States in both permissive and nonpermissive environments.

(C) Aircraft carriers provide the Nation the ability to rapidly and decisively respond to national threats, to conduct worldwide, on-station diplomacy, and to deter threats to allies, partners, and friends of the United States.

(D) Since the end of the cold war, aircraft carrier deployments have increased while the aircraft carrier force structure has declined.

(E) Due to the increased array of complex threats across the globe, the Navy's aircraft carriers are operating at maximum capacity, increasing deployment lengths and decreasing maintenance periods in order to meet operational requirements.

(F) To meet global peacetime and wartime requirements, the Navy has indicated a requirement to maintain two aircraft carriers deployed overseas and to have three additional aircraft carriers capable of deploying within 90 days. However, the Navy has indicated that the existing aircraft carrier force structure cannot support these military requirements.

(G) Despite the requirement to maintain an aircraft carrier strike group in both the United States Central Command and the United States Pacific Command, the Navy has been unable to generate sufficient capacity to support combatant commanders and has developed significant carrier gaps in these critical areas.

(H) The continued use of a diminished aircraft carrier force structure has resulted in extensive maintenance availabilities which typically exceed program costs and increase time in shipyards. These expansive maintenance availabilities exacerbate existing carrier gaps.

(I) Because of maintenance overhaul extensions, the Navy is truncating basic aircraft carrier training to expedite the deployment of available aircraft carriers. Limiting aircraft carrier training decreases operational capabilities and increases risks to sailors.

(J) Despite the objections of the Navy, the Under Secretary of Defense for Acquisition, Technology, and Logistics directed the Navy on August 7, 2015, to perform shock trials on the U.S.S. Gerald R. Ford (CVN–78). The Assistant Deputy Chief of Naval Operations for Operations, Plans and Strategy indicated that this action could delay the introduction of the U.S.S. Gerald R. Ford (CVN–78) to the fleet by up to two years, exacerbating existing carrier gaps.

(K) The Navy has adopted a two-phase acquisition strategy for the U.S.S. John F. Kennedy (CVN–79), an action that will delay the introduction of this aircraft carrier by up to two years, exacerbating existing carrier gaps.

(L) Developing an alternative design to the Ford class aircraft carrier is not cost beneficial. A smaller design is projected to incur significant design and engineering cost while significantly reducing magazine size, carrier air wing size, sortie rate, and on-station effectiveness among other vital factors as compared to the Ford class. Furthermore, a new design will delay the introduction of future aircraft carriers, exacerbating existing carrier gaps and threatening the national security of the United States.

(M) The 2016 Navy Force Structure Assessment states ''A minimum of 12 aircraft carriers are required to meet the increased warfighting response requirements of the Defense Planning Guidance Defeat/Deny force sizing direction.'' Furthermore, a new National Defense Strategy is being prepared that will assess the defeat/deny force sizing direction and may increase the force structure associated with aircraft carriers.

(2) SENSE OF CONGRESS.—It is the sense of Congress that—

(A) the United States should expedite delivery of 12 aircraft carriers;

(B) an aircraft carrier should be authorized every three years;

(C) shock trials should be conducted on the U.S.S. John F. Kennedy (CVN–79), as initially proposed by the Navy;

(D) construction for the U.S.S. John F. Kennedy (CVN–79) should be accomplished in a single phase; and

(E) the United States should continue the Ford class design for the aircraft carrier designated CVN–81.

(b) INCREASE IN NUMBER OF OPERATIONAL AIRCRAFT CARRIERS.—

(1) INCREASE.—Section 5062(b) of title 10, United States Code, is amended by striking ''11 operational aircraft carriers'' and inserting ''12 operational aircraft carriers''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall take effect on September 30, 2023.

(c) SHOCK TRIALS FOR CVN–78.—Section 128 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 751) is amended—

(1) by striking subsections (a) and (b); and

(2) by redesignating subsections (c) and (d) as subsections (a) and (b), respectively.

(d) PROCUREMENT AUTHORITY FOR AIRCRAFT CARRIER PROGRAMS.—

(1) PROCUREMENT AUTHORITY IN SUPPORT OF CONSTRUCTION OF FORD CLASS AIRCRAFT CARRIERS.—

(A) AUTHORITY FOR ECONOMIC ORDER QUANTITY.—The Secretary of the Navy may procure materiel and equipment in support of the construction of the Ford class aircraft carriers designated CVN–81 and CVN–82 in economic order quantities when cost savings are achievable.

(B) LIABILITY.—Any contract entered into under subparagraph (A) shall provide that any obligation of the United States to make a payment under the contract is subject to the availability of appropriations for that purpose, and that total liability to the Government for termination of any contract entered into shall be limited to the total amount of funding obligated at time of termination.

(2) REFUELING AND COMPLEX OVERHAUL OF NIMITZ CLASS AIRCRAFT CARRIERS.—

(A) IN GENERAL.—The Secretary of the Navy may carry out the nuclear refueling and complex overhaul of each of the following Nimitz class aircraft carriers:

(i) U.S.S. John C. Stennis (CVN–74).

(ii) U.S.S. Harry S. Truman (CVN–75).

(iii) U.S.S. Ronald Reagan (CVN–76).

(iv) U.S.S. George H.W. Bush (CVN–77).

(B) USE OF INCREMENTAL FUNDING.—With respect to any contract entered into under subparagraph (A) for the nuclear refueling and complex overhaul of a Nimitz class aircraft carrier, the Secretary may use incremental funding for a period not to exceed six years after advance procurement funds for such nuclear refueling and complex overhaul effort are first obligated.

(C) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—Any contract entered into under subparagraph (A) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2018 is subject to the availability of appropriations for that purpose for that later fiscal year.

SEC. 122. PROCUREMENT AUTHORITY FOR ICEBREAKER VESSELS.

(a) AUTHORITY.—The Secretary of the Department in which the Coast Guard is operating may enter into a contract or other agreement with the Secretary of the Navy under which the Navy shall act as general agent for the Department in which the Coast Guard is operating for the purpose of entering into a contract on behalf of such Department, beginning with the fiscal year 2018 program year, for the procurement of the following:

(1) Not more than three heavy icebreaker vessels.

(2) Not more than three medium icebreaker vessels.

(b) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2018 is subject to the availability of appropriations for that purpose for such later fiscal year.

(c) DEFINITIONS.—In this section:

(1) HEAVY ICEBREAKER VESSEL.—The term ''heavy icebreaker vessel'' means a vessel that is able—

(A) to break through nonridged ice that is not less than six feet thick at a speed of three knots;

(B) to break through ridged ice that is not less than 21 feet thick; and

(C) to operate continuously for 80 days without replenishment.

(2) MEDIUM ICEBREAKER VESSEL.—The term ''medium icebreaker vessel'' means a vessel that is able—

(A) to break through nonridged ice that is not less than four and one-half feet thick at a speed of three knots; and

(B) to operate continuously for 80 days without replenishment.

SEC. 123. LIMITATION ON AVAILABILITY OF FUNDS FOR PROCUREMENT OF ICEBREAKER VESSELS.

(a) LIMITATION.—Except as provided in subsection (b), none of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 may be obligated or expended for the procurement of an icebreaker vessel.

(b) EXCEPTION.—Notwithstanding the limitation in subsection (a), the Secretary of the Navy may use funds described in such subsection to act as general agent for the Department in which the Coast Guard is operating pursuant to a contract or other agreement entered into under section 122.

SEC. 124. MULTIYEAR PROCUREMENT AUTHORITY FOR VIRGINIA CLASS SUBMARINE PROGRAM.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the fiscal year 2019 program year, for the procurement of up to 13 Virginia class submarines at a rate of not more than 3 submarines per year during the covered period.

(b) BASELINE ESTIMATE.—Before entering into any contract for the procurement of a Virginia class submarine under subsection (a), the Secretary of Navy shall determine a baseline estimate for the submarine in accordance with section 2435 of title 10, United States Code.

(c) LIMITATION.—The Secretary of the Navy may not enter into a contract for the procurement of a Virginia class submarine under subsection (a) if the contract would increase the cost of the submarine by more than 10 percent above the baseline estimate for the submarine determined under subsection (b).

(d) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts, beginning in fiscal year 2018, for advance procurement—

(1) associated with the vessels for which authorization to enter into a multiyear procurement contract is provided under subsection (a); and

(2) for other equipment and subsystems associated with the Virginia class submarine program.

(e) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2018 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(f) DEFINITIONS.—In this section:

(1) COVERED PERIOD.—The term ''covered period'' means the 5-year period beginning with the fiscal year 2019 program year and ending with the fiscal year 2023 program year.

(2) VIRGINIA CLASS SUBMARINE.—The term ''Virginia class submarine'' means a block V configured Virginia class submarine.

SEC. 125. MULTIYEAR PROCUREMENT AUTHORITY FOR ARLEIGH BURKE CLASS DESTROYERS AND ASSOCIATED SYSTEMS.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code, the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the fiscal year 2018 program year, for the procurement of—

(1) up to 15 Arleigh Burke class Flight III guided missile destroyers at a rate of not more than three such destroyers per year during the covered period; and

(2) the Aegis weapon systems, AN/SPY–6(v) air and missile defense radar systems, MK 41 vertical launching systems, and commercial broadband satellite systems associated with such vessels.

(b) BASELINE ESTIMATE.—Before entering into any contract for the procurement of an Arleigh Burke class destroyer under subsection (a), the Secretary of Navy shall determine a baseline estimate for the destroyer in accordance with section 2435 of title 10, United States Code.

(c) LIMITATION.—The Secretary of the Navy may not enter into a contract for the procurement of a Arleigh Burke class destroyer or any major subprogram under subsection (a) if the contract would increase the cost of the destroyer by more than 10 percent above the baseline estimate for the destroyer determined under subsection (b).

(d) AUTHORITY FOR ADVANCE PROCUREMENT.—The Secretary may enter into one or more contracts, beginning in fiscal year 2018, for advance procurement associated with the vessels and systems for which authorization to enter into a multiyear procurement contract is provided under subsection (a).

(e) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2018 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

(f) COVERED PERIOD DEFINED.—The term ''covered period'' means the 5-year period beginning with the fiscal year 2018 program year and ending with the fiscal year 2022 program year.

SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR ARLEIGH BURKE CLASS DESTROYER.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise

made available for fiscal year 2017 for procurement, that are unobligated as of the date of the enactment of this Act, may be obligated or expended to procure an Arleigh Burke class destroyer (DDG–51) unless not fewer than two covered destroyers include an AN/SPY–6(V) air and missile defense radar system.

(b) WAIVER.—The Secretary of the Navy may waive the limitation in subsection (a) if the Secretary determines that the cost or schedule risk associated with the integration of the AN/SPY–6(V) air and missile defense radar is unacceptable or incongruous with a business case that relies on stable design, technology maturity, and realistic cost and schedule estimates.

(c) COVERED DESTROYER DEFINED.—In this section, the term ''covered destroyer'' means an Arleigh Burke class destroyer (DDG–51) for which funds were authorized to be appropriated by the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) or the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328).

SEC. 127. EXTENSIONS OF AUTHORITIES RELATING TO CONSTRUCTION OF CERTAIN VESSELS.

(a) EXTENSION OF AUTHORITY TO USE INCREMENTAL FUNDING FOR LHA REPLACEMENT.—Section 122(a) of the National Defense Authorization Act for fiscal year 2017 (114–328; 130 Stat. 2030) is amended by striking ''for fiscal years 2017 and 2018'' and inserting ''for fiscal years 2017, 2018, and 2019''.

(b) EXTENSION OF FORD CLASS AIRCRAFT CARRIER CONSTRUCTION AUTHORITY.—Section 121(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 120 Stat. 2104), as most recently amended by section 121 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1654), is amended by striking ''five fiscal years'' and inserting ''seven fiscal years''.

SEC. 128. MULTIYEAR PROCUREMENT AUTHORITY FOR V–22 OSPREY AIRCRAFT.

(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—Subject to section 2306b of title 10, United States Code (except as provided in subsection (b)), the Secretary of the Navy may enter into one or more multiyear contracts, beginning with the 2018 program year, for the procurement of the following:

(1) V–22 Osprey aircraft.

(2) Common configuration-readiness and modernization upgrades for V–22 Osprey aircraft.

(b) CONTRACT PERIOD.—Notwithstanding section 2306b(k) of title 10, United States Code, the period covered by a contract entered into on a multiyear basis under the authority of subsection (a) may exceed five years, but may not exceed seven years.

(c) CONDITION FOR OUT-YEAR CONTRACT PAYMENTS.—A contract entered into under subsection (a) shall provide that any obligation of the United States to make a payment under the contract for a fiscal year after fiscal year 2018 is subject to the availability of appropriations or funds for that purpose for such later fiscal year.

Subtitle D—Air Force Programs

SEC. 131. STREAMLINING ACQUISITION OF INTERCONTINENTAL BALLISTIC MISSILE SECURITY CAPABILITY.

(a) FINDINGS.—Congress finds the following:

(1) On September 25, 2014, then Secretary of the Air Force, Deborah Lee James, submitted a report to Congress on the replacement strategy of the Air Force for the UH–1N helicopter, which included the following information:

(A) On the age of the airframe: ''The UH–1N is a versatile utility helicopter that was accepted into service from 1968-1969.''.

(B) On the ability to meet requirements: ''The entire fleet supports five general homeland security missions. . .The ability of the UH–1N to accomplish these missions was evaluated in 2006, and the aircraft was found to be 'not effective.' The shortcomings of the UH–1N were derived from specific mission requirements for carrying capacity, airspeed, unrefueled endurance, mission range, force protection for the floor, specific protection for all aircrew and passengers, survivability, and materiel availability.''.

(C) Regarding previous efforts to acquire a replacement aircraft, the report identified efforts that date back to 2006, including—

(i) an initial analysis of alternatives by Air Force Space Command in 2006;

(ii) the common vertical lift support platform program, which was cancelled in 2013;

(iii) two RAND corporation studies funded in 2013; and

(iv) the then-current proposal of the Air Force to procure modified Army UH–60 helicopters.

(2) On February 24, 2016, at a hearing before the Committee on Armed Services of the House of Representatives, in response to concerns related to lift, capacity, and hover time of the UH–1N, then Commander of the United States Strategic Command, Admiral Cecil Haney stated: ''Congressman, absolutely, in terms of thinking very crisply associated with what we need to do to improve security of our missile fields. . . the attributes you listed are the attributes that concern me in terms of the capability, not just now, but into the future.''.

(3) On March 2, 2016, at a hearing before the Committee on Armed Services of the House of Representatives, the Commander of Air Force Global Strike Command, General Robin Rand stated: ''We will not meet the emergency security response with the present helicopter.''.

(4) On April 4, 2017, at a hearing before the Committee on Armed Services of the Senate, the Commander of the United States Strategic Command, General John E. Hyten stated: ''Of all the things in my portfolio, I can't even describe how upset I get about the helicopter replacement program. It's a helicopter, for gosh sakes. We ought to be able to go out and buy a helicopter and put it in the hands of the people that need it. And we should be able to do that quickly. We've been building combat helicopters for a long time in this country. I don't understand why the heck it is so hard to buy a helicopter.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that, based on the findings under subsection (a), the Secretary of Defense should have the authority to expedite the procurement of a replacement aircraft for the UH–1N helicopter.

(c) WAIVER AND CONTRACT AUTHORITY.—Subject to subsection (d), in procuring a replacement aircraft for the UH–1N helicopter, the Secretary of Defense may—

(1) waive any provision of law requiring the use of competitive procedures for the procurement; and

(2) enter into a contract for the procurement on a sole-source basis.

(d) NOTICE AND CERTIFICATION.—Not later than 15 days before exercising the authority under subsection (c), the Secretary shall submit to the congressional defense committees, in writing—

(1) notice of the intent of the Secretary to exercise such authority; and

(2) a certification that—

(A) the Secretary has reviewed—

(i) the threshold requirements for the UH–1N replacement aircraft program; and

(ii) any delays that may have occurred while the Air Force pursued strategies for the procurement of such aircraft on an other than sole-source basis; and

(B) after conducting such review, the Secretary has determined that entering into a contract on a sole-source basis under subsection (c)—

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

(ii) is necessary to ensure that a UH–1N replacement aircraft enters service by not later than September 30, 2020.

SEC. 132. LIMITATION ON SELECTION OF SINGLE CONTRACTOR FOR C–130H AVIONICS MODERNIZATION PROGRAM INCREMENT 2.

(a) LIMITATION.—The Secretary of the Air Force may not select only a single prime contractor to carry out increment 2 of the C–130H avionics modernization program until the Secretary submits to the congressional defense committees a written certification that, in selecting such a single prime contractor—

(1) the Secretary will ensure, to the extent practicable, that commercially available off-the-shelf items are used under the program, including technology solutions and nondevelopmental items; and

(2) excessively restrictive military specification standards will not be used to restrict or eliminate full and open competition in the selection process.

(b) DEFINITIONS.—In this section, the terms ''commercially available off-the-shelf item'', ''full and open competition'', and ''nondevelopmental item'' have the meanings given the terms in chapter 1 of title 41, United States Code.

SEC. 133. LIMITATION ON AVAILABILITY OF FUNDS FOR EC–130H COMPASS CALL RECAPITALIZATION PROGRAM.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for any fiscal year for the EC–130H Compass Call recapitalization program of the Air Force may be obligated or expended until a period of 30 days has elapsed following the date on which the Under Secretary of Defense for Acquisition, Technology, and Logistics submits to the congressional defense committees the certification described in subsection (b).

(b) CERTIFICATION.—The certification described in this subsection is a written statement certifying that—

(1) an independent review of the acquisition process for the EC–130H Compass Call recapitalization program of the Air Force has been conducted; and

(2) as a result of such review, it has been determined that the acquisition process for such program complies with all applicable laws, guidelines, and best practices.

SEC. 134. COST-BENEFIT ANALYSIS OF UPGRADES TO MQ–9 REAPER AIRCRAFT.

(a) IN GENERAL.—The Secretary of Defense, in consultation with the Secretary of the Air Force, shall conduct an analysis that compares the costs and benefits of the following:

(1) Upgrading fielded MQ–9 Reaper aircraft to a Block 5 configuration.

(2) Proceeding with the procurement of MQ–9B aircraft instead of upgrading fielded MQ–9 Reaper aircraft to a Block 5 configuration.

(b) REPORT REQUIRED.—

(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 the results of the cost-benefit analysis conducted under subsection (a).

(2) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

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

SEC. 141. AUTHORITY FOR PROCUREMENT OF ECONOMIC ORDER QUANTITIES FOR THE F–35 AIRCRAFT PROGRAM.

(a) AUTHORITY FOR PROCUREMENT OF ECONOMIC ORDER QUANTITIES.—Subject to subsection (c), the Secretary of Defense may enter into one or more contracts, beginning with the fiscal year 2018 program year, for the procurement of economic order quantities of the material and equipment described in subsection (b).

(b) MATERIAL AND EQUIPMENT DESCRIBED.—The material and equipment described in this subsection is material and equipment—

(1) that has completed formal hardware qualification testing for the F–35 aircraft program; and

(2) is to be used in procurement contracts to be awarded under the F–35 aircraft program in fiscal years 2019 and 2020.

(c) LIMITATIONS.—

(1) MAXIMUM AMOUNT.—Of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 or any fiscal year thereafter for the F–35 aircraft program, not more than $661,000,000 may be obligated or expended to enter into contracts under subsection (a).

(2) CERTIFICATION.—The Secretary of Defense may not enter into a contract under subsection (a) until a period of 15 days has elapsed following the date on which the Secretary submits to the congressional defense committees a written certification that the contract to be entered into under such subsection meets the following conditions:

(A) The contract will result in significant cost savings as compared to the total anticipated costs of procuring the property through contracts that are not for economic order quantities.

(B) The estimates of the cost of the contract and the anticipated cost savings resulting from the contract are realistic.

(C) The minimum need for the property that is to be procured under the contract is expected to remain substantially unchanged during the contract period.

(D) There is a reasonable expectation that, throughout the contract period, the head of the relevant military department or defense agency will request funding for the contract at the level required to avoid contract cancellation.

(E) The design of the property that is to be procured under the contract is expected to remain substantially unchanged and the technical risks associated with such design are not excessive.

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

(G) The contract satisfies the conditions described in subparagraphs (C) through (F) of section 2306b(i)(3) of title 10, United States Code.

SEC. 142. LIMITATION ON DEMILITARIZATION OF CERTAIN CLUSTER MUNITIONS.

(a) LIMITATION.—Except as provided in subsection (c), the Secretary of Defense may not demilitarize any cluster munitions until the date on which the Secretary of Defense submits to the congressional defense committees the certification described in subsection (b).

(b) CERTIFICATION.—The certification described in this subsection is a written certification that the Department of Defense has an inventory of covered munitions that meets not less than 75 percent of the operational requirements of the Department with respect to cluster munitions across the full range of military operational environments.

(c) EXCEPTION FOR SAFETY.—The limitation under subsection (a) shall not apply to the demilitarization of cluster munitions that the Secretary determines—

(1) are unserviceable as a result of an inspection, test, field incident, or other significant failure to meet performance or logistics requirements; or

(2) are unsafe or could pose a safety risk if not demilitarized or destroyed.

(d) DEFINITIONS.—In this section:

(1) CLUSTER MUNITION.—The term ''cluster munition'' means a munition that is composed of a nonreusable canister or delivery body that contains multiple, conventional submunitions, without regard to the mode by which the munition is delivered. The term does not include—

(A) nuclear, chemical, or biological weapons;

(B) obscurants;

(C) pyrotechnics;

(D) non-lethal systems;

(E) non-explosive kinetic effect submunitions;

(F) electronic effects; or

(G) landmines.

(2) COVERED MUNITIONS.—The term ''covered munitions'' means cluster munitions containing submunitions that, after arming, do not result in more than 1 percent unexploded ordnance (as that term is defined in section 101(e)(5) of title 10, United States Code) across the range of intended operational environments.

(3) DEMILITARIZE.—The term ''demilitarize'', when used with respect to a cluster munition or components of a cluster munition—

(A) means to destroy the military offensive or defensive advantages inherent in the munition or its components; and

(B) includes any mutilation, scrapping, melting, burning, or alteration that prevents the use of the munition or its components for the military purposes for which the munition or its components was designed or for a lethal purpose.

SEC. 143. REINSTATEMENT OF REQUIREMENT TO PRESERVE CERTAIN C–5 AIRCRAFT.

Section 141 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1659), as amended by section 132 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), is amended by inserting after subsection (c) the following:

''(d) PRESERVATION OF CERTAIN RETIRED C–5 AIRCRAFT.—The Secretary of the Air Force shall preserve each C–5 aircraft that is retired by the Secretary during a period in which the total inventory of strategic airlift aircraft of the Secretary is less than 301, such that the retired aircraft—

''(1) is stored in flyable condition;

''(2) can be returned to service; and

''(3) is not used to supply parts to other aircraft unless specifically authorized by the Secretary of Defense upon a request by the Secretary of the Air Force.''.

SEC. 144. REQUIREMENT THAT CERTAIN AIRCRAFT AND UNMANNED AERIAL VEHICLES USE SPECIFIED STANDARD DATA LINK.

Section 157 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1667) is amended—

(1) by amending subsection (b) to read as follows:

''(b) SOLICITATIONS.—The Secretary of Defense shall—

''(1) ensure that any solicitation issued for a Common Data Link described in subsection (a), regardless of whether the solicitation is issued by a military department or a contractor with respect to a subcontract—

''(A) conforms to a Department of Defense specification standard, including interfaces and waveforms, existing as of the date of the solicitation; and

''(B) does not include any proprietary or undocumented waveforms or control interfaces or data interfaces as a requirement or criterion for evaluation; and

''(2) notify the congressional defense committees not later than 15 days after issuing a solicitation for a Common Data Link to be sunset (CDL-TBS) waveform.''; and

(2) in subsection (c), in the matter preceding paragraph (1)—

(A) by striking ''Under Secretary of Defense for Acquisition, Technology, and Logistics'' and inserting ''Deputy Secretary of Defense'';

(B) by striking ''Under Secretary'' and inserting ''Deputy Secretary of Defense'' ; and

(C) by inserting ''before October 1, 2023'' after ''committees''.

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 2018 for the use of the Department of Defense for research, development, test, and evaluation, as specified in the funding table in section 4201.

Subtitle B—Program Requirements, Restrictions, And Limitations

SEC. 211. COST CONTROLS FOR PRESIDENTIAL AIRCRAFT RECAPITALIZATION PROGRAM.

(a) FIXED CAPABILITY REQUIREMENTS.—Except as provided in subsection (b), the capability requirements for aircraft procured under the presidential aircraft recapitalization program of the Air Force (referred to in this section as the ''PAR Program'') shall be the capability requirements identified in version 7.0 of the system requirement document for the PAR Program dated December 14, 2016.

(b) ADJUSTMENTS.—The Secretary of the Air Force may adjust the capability requirements described in subsection (a) only if the Secretary submits to the congressional defense committees a written determination that such adjustment is necessary—

(1) to resolve an ambiguity relating to the capability requirement;

(2) to address a problem with the administration of the capability requirement;

(3) to lower the development cost or life-cycle cost of the PAR program;

(4) to comply with a change in international, Federal, State, or local law or regulation that takes effect after September 30, 2017;

(5) to address a safety issue; or

(6) subject to subsection (c), to address an emerging threat or vulnerability.

(c) LIMITATION ON ADJUSTMENT FOR EMERGING THREAT OR VULNERABILITY.—The Secretary of the Air Force may use the authority under paragraph (6) of subsection (b) to adjust the requirements described in subsection (a) only if the Secretary and the Chief of Staff of the Air Force, on a nondelegable basis—

(1) jointly determine that such adjustment is necessary and in the interests of the national security of the United States; and

(2) submit to the congressional defense committees notice of such joint determination.

(d) FORM OF CONTRACTS.—

(1) REQUIREMENT FOR FIXED-PRICE TYPE CONTRACTS.—Of the total amount of funds obligated or expended for contracts for engineering and manufacturing development under the PAR program, not less than 50 percent shall be for fixed-price type contracts.

(2) OTHER CONTRACT TYPES.—Except as provided in paragraph (1), a contract other than a fixed-price type contract may be entered into under the PAR Program only if the service acquisition executive of the Air Force, on a nondelegable basis, approves the contract.

(e) QUARTERLY BRIEFINGS.—

(1) IN GENERAL.—Beginning not later than October 1, 2017, and on a quarterly basis thereafter through October 1, 2022, the Secretary of the Air Force shall provide to the Committee on Armed Services of the House of Representatives a briefing on the efforts of the Secretary to control costs under the PAR Program.

(2) ELEMENTS.—Each briefing under paragraph (1) shall include, with respect to the PAR Program, the following:

(A) An overview of the program schedule.

(B) A description of each contract awarded under the program, including a description of the type of contract and the status of the contract.

(C) An assessment of the status of the program with respect to—

(i) modification;

(ii) testing;

(iii) delivery; and

(iv) sustainment.

(f) SERVICE ACQUISITION EXECUTIVE DEFINED.—In this section, the term ''service acquisition executive'' has the meaning given that term in section 101(a)(10) of title 10, United States Code.

SEC. 212. CAPITAL INVESTMENT AUTHORITY.

Section 2208(k)(2) of title 10, United States Code, is amended by striking ''$250,000'' and inserting ''$500,000''.

SEC. 213. MODIFICATION OF AUTHORITY TO AWARD PRIZES FOR ADVANCED TECHNOLOGY ACHIEVEMENTS.

Section 2374a of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''to award cash prizes'' and inserting ''to award prizes, which may be cash prizes or nonmonetary prizes,'';

(2) in subsection (b), by striking ''cash prizes'' and inserting ''prizes'';

(3) in subsection (c)—

(A) in paragraph (1), by striking ''cash prize of'' and inserting ''prize valued at''; and

(B) by adding at the end the following:

''(3) No prize competition may result in the award of a nonmonetary prize valued at more than $10,000 without the approval of the Under Secretary of Defense for Acquisition, Technology, and Logistics.'';

(4) in subsection (e)—

(A) by inserting ''or nonmonetary items'' after ''accept funds''; and

(B) by striking ''and from State and local governments,'' and inserting ''from State and local governments, and from other nongovernmental sources,''; and

(5) by striking subsection (f).

SEC. 214. CRITICAL TECHNOLOGIES FOR COLUMBIA CLASS SUBMARINE.

(a) IN GENERAL.—For purposes of sections 2366b and 2448b(a)(2) of title 10, United States Code, the components identified in subsection (b) are deemed to be critical technologies for the Columbia class ballistic missile submarine construction program.

(b) CRITICAL TECHNOLOGIES.—The components identified in this subsection are—

(1) the coordinated stern for the Columbia class ballistic missile submarine;

(2) the electric drive system for the submarine; and

(3) the nuclear reactor for the submarine.

SEC. 215. JOINT HYPERSONICS TRANSITION OFFICE.

(a) REDESIGNATION.—The joint technology office on hypersonics in the Office of the Secretary of Defense is redesignated as the ''Joint Hypersonics Transition Office''. Any reference in a law (other than this section), map, regulation, document, paper, or other record of the United States to the joint technology office on hypersonics shall be deemed to be a reference to the Joint Hypersonics Transition Office.

(b) HYPERSONICS DEVELOPMENT.—Section 218 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 10 U.S.C. 2358 note), as amended by section 1079(f) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–192; 129 Stat. 999), is amended—

(1) in the heading of subsection (a), by striking ''JOINT TECHNOLOGY OFFICE ON HYPERSONICS'' and inserting ''JOINT HYPERSONICS TRANSITION OFFICE'';

(2) in subsection (a)—

(A) in the first sentence, by striking ''joint technology office on hypersonics'' and inserting ''Joint Hypersonics Transition Office (in this section referred to as the 'Office')''; and

(B) in the second sentence, by striking ''office'' and inserting ''Office'';

(3) in subsection (b), by striking ''joint technology office established under subsection (a)'' and inserting ''Office''; and

(4) by amending subsection (c) to read as follows:

''(c) RESPONSIBILITIES.—In carrying out the program required by subsection (b), the Office shall do the following:

''(1) Coordinate and integrate current and future research, development, test, and evaluation programs and system demonstration programs of the Department of Defense on hypersonics.

''(2) Undertake appropriate actions to ensure—

''(A) close and continuous integration of the programs on hypersonics of the military departments and the Defense Agencies with the programs on hypersonics across the Federal Government; and

''(B) that both foundational research and developmental testing resources are adequate and well funded, and that facilities are made available in a timely manner to support hypersonics research, demonstration programs, and system development.

''(3) Approve demonstration programs on hypersonic systems to speed the maturation and deployment of the systems to the warfighter,.

''(4) Ensure that any demonstration program on hypersonic systems that is carried out in any year after its approval under paragraph (3) is carried out only if certified under subsection (e) as being consistent with the roadmap under subsection (d).

''(5) Develop a well-defined path for hypersonic technologies to transition to operational capabilities for the warfighter.'';

(5) in subsection (d)(1), by striking ''joint technology office established under subsection (a)'' and inserting ''Office''; and

(6) in subsection (e)—

(A) in paragraph (1), by striking ''joint technology office established under subsection (a)'' and inserting ''Office''; and

(B) in paragraph (2), by striking ''joint technology office'' and inserting ''Office''.

SEC. 216. HYPERSONIC AIRBREATHING WEAPONS CAPABILITIES.

(a) IN GENERAL.—The Secretary of Defense may transfer oversight and management of the Hypersonic Airbreathing Weapons Concept from the Defense Advanced Research Projects Agency to a responsible entity of the Air Force. The Secretary of the Air Force, acting through the head of the Air Force Research Laboratory, shall continue—

(1) to develop a reusable hypersonics test bed to further probe the high speed flight corridor and to facilitate the testing and development of hypersonic airbreathing weapon systems;

(2) to explore emerging concepts and technologies for reusable hypersonics weapons systems beyond current hypersonics programs, focused on experimental flight test capabilities; and

(3) to develop defensive technologies and countermeasures against potential and identified hypersonic threats.

(b) HYPERSONIC AIRBREATHING WEAPON SYSTEM DEFINED.—In this section, the term ''hypersonic airbreathing weapon system'' means a missile or platform with military utility that operates at speeds near or beyond approximately five times the speed of sound, and that is propelled through the atmosphere with an engine that burns fuel with oxygen from the atmosphere that is collected in an inlet.

SEC. 217. LIMITATION ON AVAILABILITY OF FUNDS FOR MQ–25 UNMANNED AIR SYSTEM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Navy, for the MQ–25 unmanned air system, not more than 75 percent may be obligated or expended until a period of 60 days has elapsed following the date on which the certification and report under subsection (b) have been submitted to the congressional defense committees.

(b) CERTIFICATION AND REPORT.—

(1) CERTIFICATION.—The Secretary of the Navy shall submit to the congressional defense committees a written certification that—

(A) the MQ–25 unmanned air system is required to fill a validated capability gap of the Department of the Navy;

(B) the Chief of Naval Operations has reviewed and approved the initial capability document and the capability development document relating to such system; and

(C) the initial capability document and the capability development document have been provided to the congressional defense committees.

(2) REPORT.—The Assistant Secretary of the Navy for Research, Development, and Acquisition shall submit to the congressional defense committees a report that includes—

(A) an identification of threshold and objective key performance parameters for the MQ–25 unmanned air system;

(B) a certification that the threshold and objective key performance parameters for such system have been established and are achievable; and

(C) a description of the requirements of such system with respect to—

(i) fuel transfer;

(ii) equipment for intelligence, surveillance, and reconnaissance;

(iii) equipment for electronic attack and electronic protection;

(iv) communications equipment;

(v) weapons payload;

(vi) range;

(vii) mission endurance for unrefueled and aerial refueled operations;

(viii) affordability;

(ix) survivability; and

(x) interoperability with other Navy and joint-service unmanned aerial systems and mission control stations.

SEC. 218. LIMITATION ON AVAILABILITY OF FUNDS FOR CONTRACT WRITING SYSTEMS.

(a) LIMITATION.—Of the funds specified in subsection (c), not more than 75 percent may be obligated or expended until the date on which the Secretary of Defense submits to the congressional defense committees the assessment required under subsection (b).

(b) ASSESSMENT REQUIRED.—The Secretary of Defense, in coordination with the Secretaries of the military departments, shall submit to the congressional defense committees a written assessment of the requirements for each contract writing information technology system of the Department of Defense and the military departments. Such assessment shall include the following:

(1) Analysis of the requirements for each such contract writing system, including identification of common requirements and any requirements unique to each military department.

(2) Identification of legacy systems that provide data to, or receive data from, such contract writing systems.

(3) Projected timelines showing when each contract writing system is expected to become fully operationally capable and when each legacy system is expected to terminate, based on budget projections included in the most recent future-years defense program submitted to Congress under section 221 of title 10, United States Code.

(4) Assessment of how a shared services model might be applied to replace specific contract writing systems, including analysis of the business process reengineering necessary to move to a shared services model and how shared services can be integrated into the business enterprise architecture of the Department.

(5) Identification of available shared services for contract writing systems, such as those offered by the General Services Administration or by other sources, that might provide viable alternatives to current contract writing systems.

(6) Identification of any gaps in the capabilities of available shared services for contract writing systems, and recommendations for addressing such gaps.

(7) Identification of any policy, legal, or statutory constraints that would have to be addressed in order to move to a share services model for contract writing systems.

(c) FUNDS SPECIFIED.—The funds specified in this subsection are the following—

(1) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation for each system described in subsection (d).

(2) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for procurement for each system described in subsection (d).

(d) SYSTEMS DESCRIBED.—The systems described in this subsection are the following:

(1) The Contract Writing System of the Army.

(2) The Electronic Procurement System of the Navy.

(3) The Automated Contract Preparation System of the Air Force.

(4) The Contract Writing and Administration System of the Defense Contract Management Agency.

(5) The Standard Procurement System of the Defense Logistics Agency.

TITLE III—OPERATION AND MAINTENANCE

Subtitle A—Authorization of Appropriations

SEC. 301. AUTHORIZATION OF APPROPRIATIONS.

Funds are here by authorized to be appropriated for fiscal year 2018 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in the funding table in section 4301.

Subtitle B—Energy and Environment

SEC. 311. CODIFICATION OF AND IMPROVEMENTS TO DEPARTMENT OF DEFENSE CLEARINGHOUSE TO COORDINATE DEPARTMENT REVIEW OF APPLICATIONS FOR CERTAIN PROJECTS THAT MAY HAVE ADVERSE IMPACT ON MILITARY OPERATIONS AND READINESS.

(a) ESTABLISHMENT OF MILITARY AVIATION, RANGE, AND INSTALLATION ASSURANCE PROGRAM OFFICE.—

(1) CODIFICATION AND IMPROVEMENT OF EXISTING LAW.—Chapter 7 of title 10, United States Code, is amended by inserting after section 183 the following new section:

"§ 183a. Military Aviation, Range, and Installation Assurance Program Office for review of mission obstructions

''(a) ESTABLISHMENT.—(1) The Secretary of Defense shall establish a Military Aviation, Range, and Installation Assurance Program Office.

''(2) The Military Aviation, Range, and Installation Assurance Program Office shall be—

''(A) organized under the authority, direction, and control of an Assistant Secretary of Defense designated by the Secretary; and

''(B) assigned such personnel and resources as the Secretary considers appropriate to carry out this section.

''(b) FUNCTIONS.—(1)(A) The Military Aviation, Range, and Installation Assurance Program Office shall serve as a clearinghouse to coordinate Department of Defense review of applications for energy projects filed with the Secretary of Transportation pursuant to section 44718 of title 49 and received by the Department of Defense from the Secretary of Transportation.

''(B) To facilitate the review of an application for an energy project submitted pursuant to such section, the Military Aviation, Range, and Installation Assurance Program Office shall accelerate the development, in coordination with other departments and agencies of the Federal Government, of—

''(i) an integrated review process to ensure timely notification and consideration of any application that may have an adverse impact on military operations and readiness; and

''(ii) planning tools necessary to determine the acceptability to the Department of Defense of the energy project proposal included in the application.

''(2) The Military Aviation, Range, and Installation Assurance Program Office shall establish procedures for the Department of Defense for the coordinated consideration of and response to a request for a review received from another Federal agency, a State government, an Indian tribal government, a local government, a landowner, or the developer of an energy project, including guidance to personnel at each military installation in the United States on how to initiate such procedures and ensure a coordinated Department response.

''(3) The Military Aviation, Range, and Installation Assurance Program Office shall consult with affected military installations for the review and consideration of proposed energy projects.

''(4) The Military Aviation, Range, and Installation Assurance Program Office shall develop procedures for conducting early outreach to parties carrying out energy projects that could have an adverse impact on military operations and readiness and to clearly communicate to such parties actions being taken by the Department under this section.

''(5) The Military Aviation, Range, and Installation Assurance Program Office shall perform such other functions as the Secretary of Defense assigns.

''(c) REVIEW OF PROPOSED ACTIONS.—(1) Not later than 30 days after receiving from the Secretary of Transportation a proper application for an energy project under section 44718 of title 49 that may have an adverse impact on military operations and readiness, the Military Aviation, Range, and Installation Assurance Program Office shall conduct a preliminary review of such application. Such review shall—

''(A) assess the likely scope, duration, and level of risk of any adverse impact of such energy project on military operations and readiness; and

''(B) identify any feasible and affordable actions that could be taken by the Department, the developer of such energy project, or others to mitigate such adverse impact and to minimize risks to national security while allowing such energy project to proceed with development.

''(2) If the Military Aviation, Range, and Installation Assurance Program Office determines under paragraph (1) that an energy project will have an adverse impact on military operations and readiness, the Military Aviation, Range, and Installation Assurance Program Office, with the approval of the Secretary of Defense, shall issue to the applicant a notice of presumed risk that describes the concerns identified by the Department in the preliminary review and requests a discussion of possible mitigation actions.

''(d) COMPREHENSIVE REVIEW.—(1) The Secretary of Defense shall develop a comprehensive strategy for addressing the military impacts of projects filed with the Secretary of Transportation pursuant to section 44718 of title 49.

''(2) In developing the strategy required by paragraph (1), the Secretary of Defense shall—

''(A) assess the magnitude of interference posed by projects filed with the Secretary of Transportation pursuant to section 44718 of title 49;

''(B) identify geographic areas in which projects filed, or which may be filed in the future, with the Secretary of Transportation pursuant to section 44718 of title 49, could have an adverse impact on military operations and readiness, including military training routes, and categorize the risk of adverse impact in each geographic area for the purpose of informing preliminary reviews under subsection (c)(1), early outreach efforts under subsection (b)(4), and online dissemination efforts under paragraph (3);

''(C) develop procedures to periodically review and modify geographic areas identified under subparagraph (B) and to solicit and identify additional geographic areas as appropriate; and

''(D) specifically identify feasible and affordable long-term actions that may be taken to mitigate adverse impacts of projects filed, or which may be filed in the future, with the Secretary of Transportation pursuant to section 44718 of title 49, on military operations and readiness, including—

''(i) investment priorities of the Department of Defense with respect to research and development;

''(ii) modifications to military operations to accommodate applications for such projects;

''(iii) recommended upgrades or modifications to existing systems or procedures by the Department of Defense;

''(iv) acquisition of new systems by the Department and other departments and agencies of the Federal Government and timelines for fielding such new systems; and

''(v) modifications to the projects for which such applications are filed, including changes in size, location, or technology.

''(3) The Military Aviation, Range, and Installation Assurance Program Office shall make available online access to data reflecting geographic areas identified under subparagraph (B) of paragraph (2) and reviewed and modified under subparagraph (C) of such paragraph.

''(e) DEPARTMENT OF DEFENSE DETERMINATION OF UNACCEPTABLE RISK.—(1) The Secretary of Defense may not object to an energy project filed with the Secretary of Transportation pursuant to section 44718 of title 49 unless the Secretary of Defense determines, after giving full consideration to mitigation actions identified pursuant to this section, that the project would result in an unacceptable risk to the national security of the United States. Such a determination shall constitute a finding pursuant to section 44718(f) of title 49.

''(2) Not later than 30 days after making a determination under paragraph (1), the Secretary of Defense shall submit to the congressional defense committees, the Committee on Transportation and Infrastructure of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate a report on such determination and the basis for such determination. Such report shall include an explanation of the basis of the determination, a discussion of the mitigation options considered, and an explanation of why, in the case of a determination of unacceptable risk, the mitigation options were not feasible or did not resolve the conflict. The Secretary of Defense may provide public notice through the Federal Register of the determination.

''(3) The Secretary of Defense may only delegate the responsibility for making a determination under paragraph (1) to the Deputy Secretary of Defense, an Under Secretary of Defense, or a Principal Deputy Under Secretary of Defense.

''(f) AUTHORITY TO ACCEPT CONTRIBUTIONS OF FUNDS.—The Secretary of Defense is authorized to request and accept a voluntary contribution of funds from an applicant for a project filed with the Secretary of Transportation pursuant to section 44718 of title 49. Amounts so accepted shall remain available until expended for the purpose of offsetting the cost of measures undertaken by the Secretary of Defense to mitigate adverse impacts of such a project on military operations and readiness or to conduct studies of potential measures to mitigate such impacts.

''(g) EFFECT OF DEPARTMENT OF DEFENSE HAZARD ASSESSMENT.—An action taken pursuant to this section shall not be considered to be a substitute for any assessment or determination required of the Secretary of Transportation under section 44718 of title 49.

''(h) SAVINGS CLAUSE.—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

''(i) DEFINITIONS.—In this section:

''(1) The term 'adverse impact on military operations and readiness' means any adverse impact upon military operations and readiness, including flight operations, research, development, testing, and evaluation, and training, that is demonstrable and is likely to impair or degrade the ability of the armed forces to perform their warfighting missions.

''(2) The term 'energy project' means a project that provides for the generation or transmission of electrical energy.

''(3) The term 'landowner' means a person that owns a fee interest in real property on which a proposed energy project is planned to be located.

''(4) The term 'military installation' has the meaning given that term in section 2801(c)(4) of this title.

''(5) The term 'military readiness' includes any training or operation that could be related to combat readiness, including testing and evaluation activities.

''(6) The term 'military training route' means a training route developed as part of the Military Training Route Program, carried out jointly by the Federal Aviation Administration and the Secretary of Defense, for use by the armed forces for the purpose of conducting low-altitude, high-speed military training.

''(7) The term 'unacceptable risk to the national security of the United States' means the construction, alteration, establishment, or expansion, or the proposed construction, alteration, establishment, or expansion, of a structure or sanitary landfill that would—

''(A) endanger safety in air commerce, related to the activities of the Department of Defense;

''(B) interfere with the efficient use and preservation of the navigable airspace and of airport traffic capacity at public-use airports, related to the activities of the Department of Defense; or

''(C) impair or degrade the capability of the Department of Defense to conduct training, research, development, testing, evaluation, and operations or to maintain military readiness.''.

(2) CONFORMING AND CLERICAL AMENDMENTS.—

(A) REPEAL OF EXISTING PROVISION.—Section 358 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 49 U.S.C. 44718 note) is repealed.

(B) REFERENCE TO DEFINITIONS.—Section 44718(g) of title 49, United States Code, is amended by striking ''211.3 of title 32, Code of Federal Regulations, as in effect on January 6, 2014'' both places it appears and inserting ''183a(i) of title 10''.

(C) TABLE OF SECTIONS AMENDMENT.—The table of sections at the beginning of chapter 7 of title 10, United States Code, is amended by inserting after the item relating to section 183 the following new item:

''183a. Military Aviation, Range, and Installation Assurance Program Office for review of mission obstructions.''.

(3) DEADLINE FOR INITIAL IDENTIFICATION OF GEOGRAPHIC AREAS.—The initial identification of geographic areas under subsection (d)(2)(B) of section 183a of title 10, United States Code, as added by paragraph (1), shall be completed not later than 180 days after the date of the enactment of this Act.

(4) APPLICABILITY OF EXISTING RULES AND REGULATIONS.—Notwithstanding the amendments made by paragraphs (1) and (2), any rule or regulation promulgated to carry out section 358 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 49 U.S.C. 44718 note) that is in effect on the day before the date of the enactment of this Act shall continue in effect and apply to the extent such rule or regulation is consistent with the authority under section 183a of title 10, United States Code, as added by paragraph (1), until such rule or regulation is otherwise amended or repealed.

(b) CONFORMING AMENDMENT REGARDING CRITICAL MILITARY-USE AIRSPACE AREAS.—Section 44718 of title 49, United States Code, as amended by subsection (a)(2)(B), is further amended—

(1) by redesignating subsection (g) as subsection (h); and

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

''(g) SPECIAL RULE FOR IDENTIFIED GEOGRAPHIC AREAS.—In the case of a proposed structure to be located within a geographic area identified under subsection (d)(2)(B) of section 183a of title 10, the Secretary of Transportation may not issue a determination until the Secretary of Defense issues a determination under subsection (e) of such section as to whether or not the proposed structure represents an unacceptable risk to the national security of the United States (as defined in subsection (i)(7) of such section).''.

SEC. 312. ENERGY PERFORMANCE GOALS AND MASTER PLAN.

Section 2911(c) of title 10, United States Code, is amended—

(1) in paragraph (1), by inserting before the period at the end the following: '', the future demand for energy, and the requirements for the use of energy'';

(2) in paragraph (2), by striking ''reduce the future demand and the requirements for the use of energy'' and inserting ''enhance energy resilience to ensure the Department of Defense has the ability to prepare for and recover from energy disruptions that affect mission assurance on military installations''; and

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

''(13) Opportunities to leverage financing provided by a non-Department entity to address installation energy needs.''.

SEC. 313. PAYMENT TO ENVIRONMENTAL PROTECTION AGENCY OF STIPULATED PENALTY IN CONNECTION WITH UMATILLA CHEMICAL DEPOT, OREGON.

(a) AUTHORITY TO TRANSFER FUNDS.—

(1) TRANSFER AMOUNT.—The Secretary of the Army may transfer an amount of not more than $125,000 to the Hazardous Substance Superfund established under subchapter A of chapter 98 of the Internal Revenue Code of 1986. Any such transfer shall be made without regard to section 2215 of title 10, United States Code.

(2) SOURCE OF FUNDS.—Any transfer under subsection (a) shall be made using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for Base Realignment and Closure, Army.

(b) PURPOSE OF TRANSFER.—A transfer under subsection (a) shall be for the purpose of satisfying a stipulated penalty assessed by the Environmental Protection Agency in the settlement agreement approved by the Army on July 14, 2016, against the Umatilla Chemical Depot, Oregon under the Federal Facility Agreement between the Army and the Environmental Protection Agency dated September 19, 1989.

(c) ACCEPTANCE OF PAYMENT.—If the Secretary of the Army makes a transfer under subsection (a), the Administrator of the Environmental Protection Agency shall accept the amount transferred as payment in full of the penalty referred to in subsection (b).

SEC. 314. PAYMENT TO ENVIRONMENTAL PROTECTION AGENCY OF STIPULATED PENALTY IN CONNECTION WITH LONGHORN ARMY AMMUNITION PLANT, TEXAS.

(a) AUTHORITY TO TRANSFER FUNDS.—

(1) TRANSFER AMOUNT.—The Secretary of the Army may transfer an amount of not more than $1,185,000 to the Hazardous Substance Superfund established under subchapter A of chapter 98 of the Internal Revenue Code of 1986. Any such transfer shall be made without regard to section 2215 of title 10, United States Code.

(2) SOURCE OF FUNDS.—Any transfer under subsection (a) shall be made using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for Environmental Restoration, Army.

(b) PURPOSE OF TRANSFER.—A transfer under subsection (a) shall be for the purpose of satisfying a stipulated penalty assessed by the Environmental Protection Agency on April 5, 2013, against Longhorn Army Ammunition Plant, Texas, under the Federal Facility Agreement for Longhorn Army Ammunition Plant, which was entered into between the Army and the Environmental Protection Agency in 1991.

(c) ACCEPTANCE OF PAYMENT.—If the Secretary of the Army makes a transfer under subsection (a), the Administrator of the Environmental Protection Agency shall accept the amount transferred as payment in full of the penalty referred to in subsection (b).

SEC. 315. DEPARTMENT OF DEFENSE CLEANUP AND REMOVAL OF PETROLEUM, OIL, AND LUBRICANT ASSOCIATED WITH THE PRINZ EUGEN.

Amounts authorized to be appropriated for the Department of Defense may by used for all necessary expenses for the removal and cleanup of petroleum, oil, and lubricants associated with the heavy cruiser Prinz Eugen, which was transferred from the United States to the Republic of the Marshall Islands in 1986.

Subtitle C—Logistics and Sustainment

SEC. 321. REAUTHORIZATION OF MULTI-TRADES DEMONSTRATION PROJECT.

Section 338 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 5013 note), as most recently amended by section 321 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1694) is amended—

(1) in subsection (d), by striking ''2018'' and inserting ''2023''; and

(2) in subsection (e), by striking ''2019'' and inserting ''2024''.

SEC. 322. GUIDANCE REGARDING USE OF ORGANIC INDUSTRIAL BASE.

The Secretary of the Army shall maintain the arsenals with sufficient workloads to ensure affordability and technical competence in all critical capability areas by establishing, not later than 90 days after the enactment of this Act, clear, step-by-step, prescriptive guidance on the process for conducting make-or-buy analyses, including the use of the organic industrial base.

Subtitle D—Reports

SEC. 331. QUARTERLY REPORTS ON PERSONNEL AND UNIT READINESS.

(a) MODIFICATION AND IMPROVEMENT.—Section 482 of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) by striking ''Each report'' and inserting ''The reports for the first and third quarters of a calendar year''; and

(B) by adding at the end the following new sentence: ''The reports for the second and fourth quarters of a calendar year shall contain the information required by subsection (j).'';

(2) in subsection (b)—

(A) in the subsection heading, by striking ''AND REMEDIAL ACTIONS'';

(B) in the matter preceding paragraph (1), by striking ''Each report'' and inserting ''A report for the second or fourth quarter of a calendar year'';

(C) in paragraph (1), by inserting ''and'' after the semicolon;

(D) by striking paragraph (2); and

(E) by redesignating paragraph (3) as paragraph (2);

(3) in subsection (d)(1), by striking ''Each report'' and inserting ''A report for the second or fourth quarter of a calendar year'';

(4) in subsection (e), by striking ''Each report'' and inserting ''A report for the second or fourth quarter of a calendar year'';

(5) in subsection (f)(1), by striking ''Each report'' and inserting ''A report for the second or fourth quarter of a calendar year'';

(6) in subsection (g)(1), by striking ''Each report'' and inserting ''A report for the second or fourth quarter of a calendar year''; and

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

''(j) REMEDIAL ACTIONS.—A report for the first or third quarter of a calendar year shall include—

''(1) a description of the mitigation plans of the Secretary to address readiness shortfalls and operational deficiencies identified in the report submitted for the preceding calendar quarter; and

''(2) for each such shortfall or deficiency, a timeline for resolution, the cost necessary for such resolution, the mitigation strategy the Department will employ until the resolution is in place, and any legislative remedies required.''.

(b) CONFORMING AMENDMENTS.—Section 117 of title 10, United States Code, is amended—

(1) in subsection (d)—

(A) in the subsection heading, by striking ''QUARTERLY''and inserting ''SEMI-ANNUAL''; and

(B) in paragraph (1)(A), by striking ''quarterly'' and inserting ''semi-annual''; and

(2) in subsection (e), by striking ''each quarter'' and inserting ''semi-annually''.

SEC. 332. BIENNIAL REPORT ON CORE DEPOT-LEVEL MAINTENANCE AND REPAIR CAPABILITY.

Section 2464(d) of title 10, United States Code, is amended by adding at the end the following new paragraphs:

''(4) Any workload shortfalls at any work breakdown structure category designated as a lower-level category pursuant to Department of Defense Instruction 4151.20, or any successor instruction.

''(5) A description of any workload executed at a category designated as a first-level category pursuant to such Instruction, or any successor instruction, that could be used to mitigate shortfalls in similar categories.

''(6) A description of any progress made on implementing mitigation plans developed pursuant to paragraph (3).

''(7) A description of core capability requirements and corresponding workloads at the first level category.

''(8) In the case of any shortfall that is identified, a description of the shortfall and an identification of the subcategory of the work breakdown structure in which the shortfall occurred.

''(9) In the case of any work breakdown structure category designated as a special interest item or other pursuant to such Instruction, or any successor instruction, an explanation for such designation.

''(10) Whether the core depot-level maintenance and repair capability requirements described in the report submitted under this subsection for the preceding fiscal year have been executed.''.

SEC. 333. ANNUAL REPORT ON PERSONNEL, TRAINING, AND EQUIPMENT NEEDS OF NON-FEDERALIZED NATIONAL GUARD.

(a) ANNUAL REPORT REQUIRED.—Section 10504 of title 10, United States Code, as amended by section 1051, is further amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking ''REPORT.—'' and inserting ''REPORT ON STATE OF THE NATIONAL GUARD.—(1)''; and

(B) by striking ''The report'''' and inserting the following:

''(2) The annual report required by paragraph (1)''; and

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

''(b) ANNUAL REPORT ON NON-FEDERALIZED SERVICE NATIONAL GUARD PERSONNEL, TRAINING, AND EQUIPMENT REQUIREMENTS.—(1) Not later than January 31 of each of calendar years 2018 through 2022, the Chief of the National Guard Bureau shall submit to the recipients described in paragraph (3) a report that identifies the personnel, training, and equipment required by the non-federalized National Guard—

''(A) to support civilian authorities in connection with natural and man-made disasters during the covered period; and

''(B) to carry out prevention, protection, mitigation, response, and recovery activities relating to such disasters during the covered period.

''(2) In preparing each report under paragraph (1), the Chief of the National Guard Bureau shall—

''(A) consult with the chief executive of each State, the Council of Governors, and other appropriate civilian authorities;

''(B) collect and validate information from each State relating to the personnel, training, and equipment requirements described in paragraph (1);

''(C) set forth separately the personnel, training, and equipment requirements for—

''(i) each of the emergency support functions of the National Response Framework; and

''(ii) each of the Federal Emergency Management Agency regions;

''(D) assess core civilian capability gaps relating to natural and man-made disasters, as identified by States in submissions to the Department of Homeland Security; and

''(E) take into account threat and hazard identifications and risk assessments of the Department of Defense, the Department of Homeland Security, and the States.

''(3) The annual report required by paragraph (1) shall be submitted to the following officials:

''(A) The congressional defense committees, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Governmental Affairs of the Senate.

''(B) The Secretary of Defense.

''(C) The Secretary of Homeland Security.

''(D) The Council of Governors.

''(E) The Secretary of the Army.

''(F) The Secretary of the Air Force.

''(G) The Commander of the United States Northern Command.

''(H) The Commander of the United States Pacific Command.

''(I) The Commander of the United States Cyber Command.

''(4) In this subsection, the term 'covered period' means the fiscal year beginning after the date on which a report is submitted under paragraph (1).''.

(b) CLERICAL AMENDMENTS.—

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

''§ 10504. Chief of National Guard Bureau: annual reports''.

(2) TABLE OF CONTENTS.—The table of sections at the beginning of chapter 1011 of title 10, United States Code, is amended by striking the item relating to section 10504 and inserting the following:

''10504. Chief of National Guard Bureau: annual reports.''.

SEC. 334. ANNUAL REPORT ON MILITARY WORKING DOGS USED BY THE DEPARTMENT OF DEFENSE.

(a) CAPACITY.—The Secretary of Defense, acting through the Executive Agent for Military Working Dogs (hereinafter in this section referred to as the ''Executive Agent''), shall—

(1) identify the number of military working dogs required to fulfill the various missions of the Department of Defense for which such dogs are used, including force protection, facility and check point security, and explosives and drug detection;

(2) take such steps as are practicable to ensure an adequate number of military working dog teams are available to meet and sustain the mission requirements identified in paragraph (1);

(3) ensure that the Department's needs and performance standards with respect to military working dogs are readily available to dog breeders and trainers; and

(4) coordinate with other Federal, State, and local agencies, nonprofit organizations, universities, and private sector entities, as appropriate, to increase the training capacity for military working dog teams.

(b) MILITARY WORKING DOG PROCUREMENT.—The Secretary, acting through the Executive Agent, shall work to ensure that military working dogs are procured as efficiently as possible and at the best value to the Government, while maintaining the necessary level of quality and encouraging increased domestic breeding.

(c) ANNUAL REPORT.—Not later than 90 days after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018, and annually thereafter until September 30, 2021, the Secretary, acting through the Executive Agent, shall submit to the congressional defense committees a report on the procurement and retirement of military working dogs for the fiscal year preceding the fiscal year during which the report is submitted. Each report under this subsection shall include the following for the fiscal year covered by the report:

(1) The number of military working dogs procured, by source, by each military department or Defense Agency.

(2) The cost of procuring military working dogs incurred by each military department or Defense Agency.

(3) The number of domestically bred and sourced military working dogs procured by each military department or Defense Agency, including a list of vendors, their location, cost, and the quantity of dogs procured from each vendor.

(4) The number of non-domestically bred military working dogs procured from non-domestic sources by each military department or Defense Agency, including a list of vendors, their location, cost, and the quantity of dogs procured from each vendor.

(5) The cost of procuring pre-trained and green dogs for force protection, facility and checkpoint security, and improvised explosive device, other explosives, and drug detection.

(6) An analysis of the procurement practices of each military department or Defense Agency that limit market access for domestic canine vendors and breeders.

(7) The total cost of procuring domestically bred military working dogs versus the total cost of procuring dogs from non-domestic sources.

(8) The total number of domestically bred dogs and the number of dogs from foreign sources procured by each military department or Defense Agency and the number and percentage of those dogs that are ultimately deployed for their intended use.

(9) An explanation for any significant difference in the cost of procuring military working dogs from different sources.

(10) An estimate of the number of military working dogs expected to retire annually and an identification of the primary cause of the retirement of such dogs.

(11) An identification of the final disposition of military working dogs no longer in service.

(d) MILITARY WORKING DOG DEFINED.—For purposes of this section, the term ''military working dog'' means a dog used in any official military capacity, as defined by the Secretary of Defense.

SEC. 335. ANNUAL BRIEFINGS ON ARMY EXPLOSIVE ORDNANCE DISPOSAL.

Not later than 60 days after the last day of each of fiscal years 2018 through 2021, the Secretary of the Army shall provide to the Committees on Armed Services of the Senate and House of Representatives briefings on the actions the Army has taken to address the following:

(1) Programmed funding and manpower to establish and implement the explosive ordnance disposal (hereinafter referred to as ''EOD'') assistant commandant position in the Army Ordnance School.

(2) EOD personnel talent management, including command opportunities and promotion within the Army logistics cohort, and career broadening opportunities, including participation in joint, interagency, and multinational EOD commissioned officer and non-commissioned officer positions.

(3) How the EOD career path ensures and maintains technical proficiency for EOD-qualified personnel.

(4) Efforts to improve EOD proponency and advocacy across the Army, including activities of the EOD Board of Advisors.

(5) Efforts to enhance synchronization of EOD with other Army missions and functions and retain critical interdependencies.

(6) Annual funding programmed through the future-years defense program and executed during the preceding fiscal year for EOD requirements including personnel, training, and equipment.

SEC. 336. REPORT ON EFFECTS OF CLIMATE CHANGE ON DEPARTMENT OF DEFENSE.

(a) FINDINGS.—Congress makes the following findings:

(1) Secretary of Defense James Mattis has stated: ''It is appropriate for the Combatant Commands to incorporate drivers of instability that impact the security environment in their areas into their planning.''.

(2) Secretary of Defense James Mattis has stated: ''I agree that the effects of a changing climate — such as increased maritime access to the Arctic, rising sea levels, desertification, among others — impact our security situation.''.

(3) Chairman of the Joint Chiefs of Staff Joseph Dunford has stated: ''It's a question, once again, of being forward deployed, forward engaged, and be in a position to respond to the kinds of natural disasters that I think we see as a second or third order effect of climate change.''.

(4) Former Secretary of Defense Robert Gates has stated: ''Over the next 20 years and more, certain pressures-population, energy, climate, economic, environmental-could combine with rapid cultural, social, and technological change to produce new sources of deprivation, rage, and instability.''.

(5) Former Chief of Staff of the U.S. Army Gordon Sullivan has stated: ''Climate change is a national security issue. We found that climate instability will lead to instability in geopolitics and impact American military operations around the world.''.

(6) The Office of the Director of National Intelligence (ODNI) has stated: ''Many countries will encounter climate-induced disruptions—such as weather-related disasters, drought, famine, or damage to infrastructure—that stress their capacity to respond, cope with, or adapt. Climate-related impacts will also contribute to increased migration, which can be particularly disruptive if, for example, demand for food and shelter outstrips the resources available to assist those in need.''.

(7) The Government Accountability Office (GAO) has stated: ''DOD links changes in precipitation patterns with potential climate change impacts such as changes in the number of consecutive days of high or low precipitation as well as increases in the extent and duration of droughts, with an associated increase in the risk of wildfire. . . this may result in mission vulnerabilities such as reduced live-fire training due to drought and increased wildfire risk.''.

(8) A three-foot rise in sea levels will threaten the operations of more than 128 United States military sites, and it is possible that many of these at-risk bases could be submerged in the coming years.

(9) As global temperatures rise, droughts and famines can lead to more failed states, which are breeding grounds of extremist and terrorist organizations.

(10) In the Marshall Islands, an Air Force radar installation built on an atoll at a cost of $1,000,000,000 is projected to be underwater within two decades.

(11) In the western United States, drought has amplified the threat of wildfires, and floods have damaged roads, runways, and buildings on military bases.

(12) In the Arctic, the combination of melting sea ice, thawing permafrost, and sea-level rise is eroding shorelines, which is damaging radar and communication installations, runways, seawalls, and training areas.

(13) In the Yukon Training Area, units conducting artillery training accidentally started a wildfire despite observing the necessary practices during red flag warning conditions.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) climate change is a direct threat to the national security of the United States and is impacting stability in areas of the world both where the United States Armed Forces are operating today, and where strategic implications for future conflict exist;

(2) there are complexities in quantifying the cost of climate change on mission resiliency, but the Department of Defense must ensure that it is prepared to conduct operations both today and in the future and that it is prepared to address the effects of a changing climate on threat assessments, resources, and readiness; and

(3) military installations must be able to effectively prepare to mitigate climate damage in their master planning and infrastructure planning and design, so that they might best consider the weather and natural resources most pertinent to them.

(c) REPORT.—

(1) 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 to military installations and combatant commander requirements resulting from climate change over the next 20 years.

(2) ELEMENTS.—The report on vulnerabilities to military installations and combatant commander requirements required by paragraph (1) shall include the following:

(A) A list of the ten most vulnerable military installations within each service based on the effects of rising sea tides, increased flooding, drought, desertification, wildfires, thawing permafrost, and any other categories the Secretary determines necessary.

(B) An overview of mitigations that may be necessary to ensure the continued operational viability and to increase the resiliency of the identified vulnerable military installations and the cost of such mitigations.

(C) A discussion of the climate-change related effects on the Department, including the increase in the frequency of humanitarian assistance and disaster relief missions and the theater campaign plans, contingency plans, and global posture of the combatant commanders.

(D) An overview of mitigations that may be necessary to ensure mission resiliency and the cost of such mitigations.

(3) FORM.—The report required subparagraph (1) shall be submitted in unclassified form, but may contain a classified annex.

Subtitle E—Other Matters

SEC. 341. EXPLOSIVE SAFETY BOARD.

(a) MODIFICATION AND IMPROVEMENT OF AMMUNITION STORAGE BOARD.—Section 172 of title 10, United States Code, is amended—

(1) by striking ''Secretaries of the military departments'' and inserting ''Secretary of Defense'';

(2) by inserting ''that includes members'' after ''joint board'';

(3) by striking ''selected by them'' and inserting ''selected by the Secretaries of the military departments,'';

(4) by inserting ''military'' before ''officers'';

(5) by inserting ''designated as the chair and voting members of the board for each military department'' after ''officers'';

(6) by inserting ''and other'' before ''civilian officers'';

(7) by striking ''or both'' and inserting ''as necessary''; and

(8) by striking ''keep informed on stored'' and inserting ''provide oversight on storage and transportation of''.

(b) CLERICAL AMENDMENTS.—

*(1) SECTION HEADING.—The heading of section 172 of title 10, United States Code, is amended by striking ''**Ammunition storage**'' and inserting ''**Explosive safety**''.*

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 7 of such title is amended by striking the item relating to section 172 and inserting the following new item:

''172. Explosive safety board.''.

SEC. 342. DEPARTMENT OF DEFENSE SUPPORT FOR MILITARY SERVICE MEMORIALS AND MUSEUMS THAT HIGHLIGHT THE ROLE OF WOMEN IN THE ARMED FORCES.

The Secretary of Defense may provide financial support for the acquisition, installation, and maintenance of exhibits, facilities, historical displays, and programs at military service memorials and museums that highlight the role of women in the Armed Forces. The Secretary may enter into a contract with a nonprofit organization for the purpose of performing such acquisition, installation, and maintenance.

SEC. 343. LIMITATION ON AVAILABILITY OF FUNDS FOR ADVANCED SKILLS MANAGEMENT SOFTWARE SYSTEM OF THE NAVY.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended for the enhancement of the advanced skills management software system of the Navy until a period of 60 days has elapsed following the date on which Secretary of the Navy makes the submission required under subsection (b)(3).

(b) BRIEFING AND CERTIFICATION.—The Secretary of the Navy shall—

(1) provide to the Committee on Armed Services of the House of Representatives a briefing on any enhancements that are needed for the advanced skills management software system of the Navy;

(2) after providing the briefing under paragraph (1), issue a request for information for such enhancements in accordance with part 15.2 of the Federal Acquisition Regulation; and

(3) submit to the Committee on Armed Services of the House of Representatives—

(A) the results of the request for information issued under paragraph (2); and

(B) a written certification that—

(i) as part of the request for information, the Secretary solicited information on commercially available off-the-shelf software solutions that may be used to enhance the advanced skills management software system of the Navy; and

(ii) the Secretary has considered using such solutions.

(c) ADVANCED SKILLS MANAGEMENT SOFTWARE SYSTEM DEFINED.—In this section, the term ''advanced skills management software system'' means a software application designed to—

(1) identify job task requirements for Navy personnel;

(2) assist in determining the proficiencies of such personnel;

(3) document qualifications and certifications of such personnel; and

(4) track the technical training completed by Navy aviation maintenance personnel.

SEC. 344. COST-BENEFIT ANALYSIS OF UNIFORM SPECIFICATIONS FOR AFGHAN MILITARY OR SECURITY FORCES.

Beginning on the date of the enactment of this Act, whenever the Secretary of Defense enters into a contract for the provision of uniforms for Afghan military or security forces, the Secretary shall require, as a condition of the contract, that the contract include a requirement that the contractor conduct a cost-benefit analysis of the uniform specification for the Afghan military or security forces uniform. Such analysis shall determine—

(1) whether there is a more effective alternative uniform specification, considering both operational environment and cost, available to the Afghan military or security forces;

(2) the efficacy of the existing pattern compared to other alternatives (both proprietary and non-proprietary patterns); and

(3) the costs and feasibility of transitioning the uniforms of the Afghan military or security forces to a pattern owned by the United States, using existing excess inventory where available, and acquiring the rights to the Spec4ce Forest pattern.

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, 2018, as follows:

(1) The Army, 486,000.

(2) The Navy, 327,900.

(3) The Marine Corps, 185,000.

(4) The Air Force, 325,100.

SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END STRENGTH MINIMUM LEVELS.

Section 691(b) of title 10, United States Code, is amended by striking paragraphs (1) through (4) and inserting the following new paragraphs:

''(1) For the Army, 486,000.

''(2) For the Navy, 327,900.

''(3) For the Marine Corps, 185,000.

''(4) For the Air Force, 325,100.''.

Subtitle B—Reserve Forces

SEC. 411. END STRENGTHS FOR SELECTED RESERVE.

(a) IN GENERAL.—The Armed Forces are authorized strengths for Selected Reserve personnel of the reserve components as of September 30, 2018, as follows:

(1) The Army National Guard of the United States, 347,000.

(2) The Army Reserve, 202,000.

(3) The Navy Reserve, 59,000.

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

(5) The Air National Guard of the United States, 106,600.

(6) The Air Force Reserve, 69,800.

(7) The Coast Guard Reserve, 7,000.

(b) END STRENGTH REDUCTIONS.—The end strengths prescribed by subsection (a) for the Selected Reserve of any reserve component shall be proportionately reduced by—

(1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at the end of the fiscal year; and

(2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at the end of the fiscal year.

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

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

Within the end strengths prescribed in section 411(a), the reserve components of the Armed Forces are authorized, as of September 30, 2018, the following number of Reserves to be serving on full-time active duty or full-time duty, in the case of members of the National Guard, for the purpose of organizing, administering, recruiting, instructing, or training the reserve components:

(1) The Army National Guard of the United States, 30,155.

(2) The Army Reserve, 16,261.

(3) The Navy Reserve, 10,101.

(4) The Marine Corps Reserve, 2,261.

(5) The Air National Guard of the United States, 16,260.

(6) The Air Force Reserve, 3,588.

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

(a) IN GENERAL.—The authorized number of military technicians (dual status) as of September 30, 2018, for the reserve components of the Army and the Air Force (notwithstanding section 129 of title 10, United States Code) shall be the following:

(1) For the Army National Guard of the United States, 25,507.

(2) For the Army Reserve, 7,427.

(3) For the Air National Guard of the United States, 21,893.

(4) For the Air Force Reserve, 10,160.

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

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

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

SEC. 414. FISCAL YEAR 2018 LIMITATION ON NUMBER OF NON-DUAL STATUS TECHNICIANS.

(a) LIMITATIONS.—

(1) NATIONAL GUARD.—Within the limitation provided in section 10217(c)(2) of title 10, United States Code, the number of non-dual status technicians employed by the National Guard as of September 30, 2018, may not exceed the following:

(A) For the Army National Guard of the United States, 1,600.

(B) For the Air National Guard of the United States, 350.

(2) ARMY RESERVE.—The number of non-dual status technicians employed by the Army Reserve as of September 30, 2018, may not exceed 420.

(3) AIR FORCE RESERVE.—The number of non-dual status technicians employed by the Air Force Reserve as of September 30, 2018, may not exceed 90.

(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In this section, the term ''non-dual status technician'' has the meaning given that term in section 10217(a) of title 10, United States Code.

SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AUTHORIZED TO BE ON ACTIVE DUTY FOR OPERATIONAL SUPPORT.

During fiscal year 2018, the maximum number of members of the reserve components of the Armed Forces who may be serving at any time on full-time operational support duty under section 115(b) of title 10, United States Code, is the following:

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

(2) The Army Reserve, 13,000.

(3) The Navy Reserve, 6,200.

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

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

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

Subtitle C—Authorization of Appropriations

SEC. 421. MILITARY PERSONNEL.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal year 2018 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in the funding table in section 4401.

(b) CONSTRUCTION OF AUTHORIZATION.—The authorization of appropriations in subsection (a) supersedes any other authorization of appropriations (definite or indefinite) for such purpose for fiscal year 2018.

TITLE V—MILITARY PERSONNEL POLICY

Subtitle A—Regular and Reserve Component Management

SEC. 501. MODIFICATION OF REQUIREMENTS RELATING TO CONVERSION OF CERTAIN MILITARY TECHNICIAN (DUAL STATUS) POSITIONS TO CIVILIAN POSITIONS.

(a) REVISED REDUCTION AND DEADLINE.—Section 1053(a)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 10 U.S.C. 10216 note), as amended by section 1084(a)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2421), is further amended—

(1) by striking ''October 1, 2017'' and inserting ''October 1, 2018''; and

(2) by striking ''20 percent'' and inserting ''10 percent''.

(b) REPORTING REQUIREMENT.—Not later than March 1, 2018, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing such recommendations as the Secretary considers appropriate for revising section 709 of title 32, United States Code, regarding the employment, use, and status of military technicians in the National Guard. The Secretary shall prepare the recommendations in consultation with the Secretary of the Army, the Secretary of the Air Force, and the Chief of the National Guard Bureau.

SEC. 502. PILOT PROGRAM ON USE OF RETIRED SENIOR ENLISTED MEMBERS OF THE ARMY NATIONAL GUARD AS ARMY NATIONAL GUARD RECRUITERS.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of the Army may carry out a pilot program for the Army National Guard under which retired senior enlisted members of the Army National Guard would serve as contract recruiters for the Army National Guard.

(b) OBJECTIVES OF PILOT PROGRAM.—The Secretary of the Army shall design any pilot program conducted under this section to determine the following:

(1) The feasibility and effectiveness of hiring retired senior enlisted members of the Army National Guard who have retired within the previous two years to serve as recruiters.

(2) The merits of hiring such retired senior enlisted members as contractors or as employees of the Department of Defense.

(3) The best method of providing a competitive compensation package for such retired senior enlisted members.

(4) The merits of requiring such retired senior enlisted members to wear a military uniform while performing recruiting duties under the pilot program.

(c) CONSULTATION.—In developing a pilot program under this section, the Secretary of the Army shall consult with the operators of a previous pilot program carried out by the Army involving the use of contract recruiters.

(d) COMMENCEMENT AND DURATION.—The Secretary of the Army may commence a pilot program under this section on or after January 1, 2018, and all activities under such a pilot program shall terminate no later than December 31, 2022.

(e) REPORTING REQUIREMENT.—If a pilot program is conducted under this section, the Secretary of the Army shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing an evaluation of the success of the pilot program, including the determinations described in subsection (b). The report shall be submitted not later than January 1, 2020.

SEC. 503. EQUAL TREATMENT OF ORDERS TO SERVE ON ACTIVE DUTY UNDER SECTION 12304A AND 12304B OF TITLE 10, UNITED STATES CODE.

(a) ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR PRE-MOBILIZATION HEALTH CARE.—Section 1074(d)(2) of title 10, United States Code, is amended by striking ''in support

of a contingency operation under'' and inserting ''under section 12304b of this title or''.

(b) ELIGIBILITY OF RESERVE COMPONENT MEMBERS FOR TRANSITIONAL HEALTH CARE.—Section 1145(a)(2)(B) of title 10, United States Code, is amended by striking ''in support of a contingency operation'' and inserting ''under section 12304b of this title or a provision of law referred to in section 101(a)(13)(B) of this title''.

SEC. 504. DIRECT EMPLOYMENT PILOT PROGRAM FOR MEMBERS OF THE NATIONAL GUARD AND RESERVE.

(a) PROGRAM AUTHORITY.—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 directly to members in the National Guard and Reserves.

(b) ADMINISTRATION.—The pilot program shall be offered to, and administered by, the adjutants general appointed under section 314 of title 32, United States Code.

(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 30 percent of the funds provided by the Secretary of Defense under this section.

(d) DIRECT EMPLOYMENT PROGRAM MODEL.—The pilot program should follow a job placement program model that focuses on working one-on-one with a member of a reserve component to cost-effectively provide job placement services, including services such as identifying unemployed and under employed members, job matching services, resume editing, interview preparation, and post-employment follow up. Development of the pilot program should be informed by State direct employment programs for members of the reserve components, such as the programs conducted in California and South Carolina.

(e) EVALUATION.—The Secretary of Defense shall develop outcome measurements to evaluate the success of the pilot program.

(f) REPORTING REQUIREMENTS.—

(1) REPORT REQUIRED.—Not later than January 31, 2022, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report describing the results of the pilot program. The Secretary shall prepare the report in coordination with 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 hired and the cost-per-placement of participating members.

(B) An assessment of the impact of the pilot program and increased reserve component employment levels on the readiness of members of the reserve components.

(C) Any other matters considered appropriate by the Secretary.

(g) DURATION OF AUTHORITY.—

(1) IN GENERAL.—The authority to carry out the pilot program expires September 30, 2020.

(2) EXTENSION.—Upon the expiration of the authority under paragraph (1), the Secretary of Defense may extend the pilot program for not more than two additional fiscal years.

Subtitle B—General Service Authorities and Correction of Military Records

SEC. 511. CONSIDERATION OF ADDITIONAL MEDICAL EVIDENCE BY BOARDS FOR THE CORRECTION OF MILITARY RECORDS AND LIBERAL CONSIDERATION OF EVIDENCE RELATING TO POST-TRAUMATIC STRESS DISORDER OR TRAUMATIC BRAIN INJURY.

(a) IN GENERAL.—Section 1552 of title 10, United States Code, is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following new subsection (h):

''(h)(1) This subsection applies to a former member of the armed forces whose claim under this section for review of a discharge or dismissal is based in whole or in part on matters relating to post-traumatic stress disorder or traumatic brain injury as supporting rationale, or as justification for priority consideration, and whose post-traumatic stress disorder or traumatic brain injury is related to combat or military sexual trauma, as determined by the Secretary concerned.

''(2) In the case of a claimant described in paragraph (1), a board established under subsection (a)(1) shall—

''(A) review medical evidence of the Secretary of Veterans Affairs or a civilian health care provider that is presented by the claimant; and

''(B) review the claim with liberal consideration to the claimant that post-traumatic stress disorder or traumatic brain injury potentially contributed to the circumstances resulting in the discharge or dismissal or to the original characterization of the claimant's discharge or dismissal.''.

(b) CONFORMING AMENDMENT.—Section 1553(d)(3)(A)(ii) of title 10, United States Code, is amended by striking ''discharge of a lesser characterization'' and inserting ''discharge or dismissal or to the original characterization of the member's discharge or dismissal''.

SEC. 512. PUBLIC AVAILABILITY OF INFORMATION RELATED TO DISPOSITION OF CLAIMS REGARDING DISCHARGE OR RELEASE OF MEMBERS OF THE ARMED FORCES WHEN THE CLAIMS INVOLVE SEXUAL ASSAULT.

(a) BOARDS FOR THE CORRECTION OF MILITARY RECORDS.—Subsection (i) of section 1552, United States Code, as redesignated by section 511, is amended by adding at the end the following new paragraph:

''(4) The number and disposition of claims decided during the calendar quarter preceding the calendar quarter in which such information is made available in which sexual assault is alleged to have contributed, whether in whole or in part, to the original characterization of the discharge or release of the claimant.''.

(b) DISCHARGE REVIEW BOARDS.—Section 1553(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4) The number and disposition of claims decided during the calendar quarter preceding the calendar quarter in which such information is made available in which sexual assault is alleged to have contributed, whether in whole or in part, to the original characterization of the discharge or release of the claimant.''.

SEC. 513. PILOT PROGRAM ON USE OF VIDEO TELECONFERENCING TECHNOLOGY BY BOARDS FOR THE CORRECTION OF MILITARY RECORDS AND DISCHARGE REVIEW BOARDS.

(a) PILOT PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a pilot program under which boards for the correction of military records established under section 1552 of title 10, United States Code, and discharge review boards established under section 1553 of such title are authorized to utilize video teleconferencing technology in the performance of their duties.

(b) PURPOSE.—The purpose of the pilot program is to evaluate the feasibility and cost-effectiveness of utilizing video teleconferencing technology to allow persons who raise a claim before a board for the correction of military records, persons who request a review by a discharge review board, and witnesses who present evidence to such a board to appear before such a board without being physically present.

(c) IMPLEMENTATION.—As part of the pilot program, the Secretary of Defense shall make funds available to develop the capabilities of boards for the correction of military records and discharge review boards to effectively use video teleconferencing technology.

(d) NO EXPANSION OF ELIGIBILITY.—Nothing in the pilot program is intended to alter the eligibility criteria of persons who may raise a claim before a board for the correction of military records, request a review by a discharge review board, or present evidence to such a board.

(e) TERMINATION.—The authority of the Secretary of Defense to carry out the pilot program shall terminate on December 31, 2020.

SEC. 514. INCLUSION OF SPECIFIC EMAIL ADDRESS BLOCK ON CERTIFICATE OF RELEASE OR DISCHARGE FROM ACTIVE DUTY (DD FORM 214).

(a) MODIFICATION REQUIRED.—The Secretary of Defense shall modify the Certificate of Release or Discharge from Active Duty (DD Form 214) to include a specific block explicitly identified as the location in which a member of the Armed Forces may provide one or more email addresses by which the member may be contacted after discharge or release from active duty in the Armed Forces.

(b) DEADLINE FOR MODIFICATION.—The Secretary of Defense shall release a revised Certificate of Release or Discharge from Active Duty (DD Form 214), modified as required by subsection (a), not later than one year after the date of the enactment of this Act.

SEC. 515. PROVISION OF INFORMATION ON NATURALIZATION THROUGH MILITARY SERVICE.

The Secretary of Defense shall ensure that members of the Army, Navy, Air Force, and Marine Corps who are aliens lawfully admitted to the United States for permanent residence are informed of the availability of naturalization through service in the Armed Forces under section 328 of the Immigration and Nationality Act (8 U.S.C. 1439) and the process by which to pursue naturalization. The Secretary shall ensure that resources are available to assist qualified members of the Armed Forces to navigate the application and naturalization process.

Subtitle C—Military Justice and Other Legal Issues

SEC. 521. CLARIFYING AMENDMENTS RELATED TO THE UNIFORM CODE OF MILITARY JUSTICE REFORM BY THE MILITARY JUSTICE ACT OF 2016.

(a) ENFORCEMENT OF RIGHTS OF VICTIMS OF OFFENSES UNDER UCMJ.—Section 806b(e)(3) of title 10, United States Code (article 6b(e)(3) of the Uniform Code of Military Justice), is amended—

(1) by inserting ''(A)'' after ''(3)'';

(2) by striking ''President, and, to the extent practicable, shall have priority over all other proceedings before the court.'' and inserting the following; ''President, subject to section 830a of this title (article 30a).''; and

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

''(B) To the extent practicable, a petition for a writ of mandamus described in this subsection shall have priority over all other proceedings before the Court of Criminal Appeals.

''(C) Review of any decision by the Court of Criminal Appeals on a petition for a writ of mandamus described in this subsection shall have priority in the Court of Appeals for the Armed Forces, as determined under the rules of the Court of Appeals for the Armed Forces.''.

(b) REVIEW OF CERTAIN MATTERS BEFORE REFERRAL OF CHARGES AND SPECIFICATIONS.—Subsection (a)(1) of section 830a of title 10, United States Code (article 30a of the Uniform Code of Military Justice), as added by section 5202 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2904), is amended by adding at the end the following new subparagraph:

''(D) Pre-referral matters under subsection (c) or (e) of section 806b of this title (article 6b).''.

(c) DEFENSE COUNSEL ASSISTANCE IN POST-TRIAL MATTERS FOR ACCUSED CONVICTED BY COURT-MARTIAL.—Section 838(c)(2) of title 10, United States Code (article 38(c)(2) of the Uniform Code of Military Justice), is amended by

striking ''section 860 of this title (article 60)'' and inserting ''section 860, 860a, or 860b of this title (article 60, 60a, or 60b)''.

(d) LIMITATION ON ACCEPTANCE OF PLEA AGREEMENTS.—Subsection (b) of section 853a of title 10, United States Code (article 53a of the Uniform Code of Military Justice), as added by section 5237 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2917), is amended—

(1) in paragraph (2), by striking ''or'' after the semicolon;

(2) in paragraph (3), by striking the period and inserting a semicolon; and

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

''(4) is prohibited by law; or

''(5) is contrary to, or is inconsistent with, a regulation prescribed by the President with respect to terms, conditions, or other aspects of plea agreements.''.

(e) APPLICABILITY OF STANDARDS AND PROCEDURES TO SENTENCE APPEAL BY THE UNITED STATES.—Subsection (d)(1) of section 856 of title 10, United States Code (article 56 of the Uniform Code of Military Justice), as added by section 5301 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2919), is amended—

(1) in the matter preceding subparagraph (A), by inserting after ''concerned,'' the following: ''and consistent with standards and procedures set forth in regulations prescribed by the President,''; and

(2) in subparagraph (B), by inserting before the period at the end the following: '', as determined in accordance with standards and procedures prescribed by the President''.

(f) SENTENCE OF REDUCTION IN ENLISTED GRADE.—

(1) IN GENERAL.—Subsection (a) of section 858a of title 10, United States Code (article 58a of the Uniform Code of Military Justice), as amended by section 5303(1) of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2923), is further amended in the matter after paragraph (3) by striking '', effective on the date'' and inserting the following: '', if such a reduction is authorized by regulation prescribed by the President. The reduction in pay grade shall take effect on the date''.

(2) SECTION HEADING.—The heading of section 858a of title 10, United States Code (article 58a of the Uniform Code of Military Justice), is amended to read as follows:

''§ 858a. Art 58a. Sentences: reduction in enlisted grade''.

(3) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter VIII of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) is amended by striking the item relating to section 858a (article 58a) and inserting the following new item:

''858a. 58a. Sentences: reduction in enlisted grade.''.

(g) CONVENING AUTHORITY AUTHORITIES.—Section 858b(b) of title 10, United States Code (article 58b(b) of the Uniform Code of Military Justice), is amended in the first sentence by striking ''section 860 of this title (article 60)'' and inserting ''section 860a or 860b of this title (article 60a or 60b)''.

(h) APPEAL BY THE UNITED STATE.—Section 862(b) of title 10, United States Code (article 62(b) of the Uniform Code of Military Justice), is amended by striking '', notwithstanding section 866(c) of this title (article 66(c))''.

(i) REHEARING AND SENTENCING.—Subsection (b) of section 863 of title 10, United States Code (article 63 of the Uniform Code of Military Justice), as added by section 5327 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2929), is amended by inserting before the period at the end the following: '', subject to such limitations as the President may prescribe by regulation''.

(j) COURTS OF CRIMINAL APPEALS.—Section 866 of title 10, United States Code (article 66 of the Uniform Code of Military Justice), as amended by section 5330 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2932), is further amended—

(1) in subsection (e)(2)(C), by inserting after ''required'' the following: ''by regulation prescribed by the President or''; and

(2) in subsection (f)(3), by adding at the end the following new sentence: ''If the Court of Appeals for the Armed Forces determines that additional proceedings are warranted, the Court of Criminal Appeals shall order a hearing or other proceeding in accordance with the direction of the Court of Appeals for the Armed Forces.''.

(k) MILITARY JUSTICE REVIEW PANEL.—Subsection (f) of section 946 of title 10, United States Code (article 146 of the Uniform Code of Military Justice), as added by section 5521 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2962), is amended—

(1) in paragraph (1), by striking ''fiscal year 2020'' in the first sentence and inserting ''fiscal year 2021'';

(2) in paragraph (2), by striking the sentence beginning ''Not later than'' and inserting the following new sentence: ''The analysis under this paragraph shall be included in the assessment required by paragraph (1).''; and

(3) by striking paragraph (5) and inserting the following new paragraph (5):

''(5) REPORTS.—With respect to each review and assessment under this subsection, the Panel shall submit a report to the Committees on Armed Services of the Senate and the House of Representatives. Each report—

''(A) shall set forth the results of the review and assessment concerned, including the findings and recommendations of the Panel; and

''(B) shall be submitted not later than December 31 of the calendar year in which the review and assessment is concluded.''.

(l) TRANSITIONAL COMPENSATION FOR DEPENDENTS OF MEMBERS SEPARATED FOR DEPENDENT ABUSE.—Section 1059(e) of title 10, United States Code, is amended—

(1) in paragraph (1)(A)(ii), by striking ''the approval of'' and all that follows through ''as approved,'' and inserting ''entry of judgment under section 860c of this title (article 60c of the Uniform Code of Military Justice) if the sentence''; and

(2) in paragraph (3)(A), by striking ''by a court-martial'' the second place it appears and all that follows through ''include any such punishment,'' and inserting ''for a dependent-abuse offense and the conviction is disapproved or is otherwise not part of the judgment under section 860c of this title (article 60c of the Uniform Code of Military Justice) or the punishment is disapproved or is otherwise not part of the judgment under such section (article),''.

(m) BENEFITS FOR DEPENDENTS WHO ARE VICTIMS OF ABUSE BY MEMBERS LOSING RIGHT TO RETIRED PAY.—Section 1408(h)(10)(A) of title 10, United States Code, is amended by striking ''the approval'' and all that follows through the end of the subparagraph and inserting ''entry of judgment under section 860c of this title (article 60c of the Uniform Code of Military Justice).''.

(n) TREATMENT OF CERTAIN OFFENSES PENDING EXECUTION OF MILITARY JUSTICE ACT OF 2016 AMENDMENTS.—

(1) CHILD ABUSE OFFENSES.—With respect to offenses committed before the date designated by the President under section 5542(a) of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2967), subsection (b)(2)(B) of section 843 of title 10, United States Code (article 43 of the Uniform Code of Military Justice), shall be applied as in effect on December 22, 2016.

(2) FRAUDULENT ENLISTMENT OR APPOINTMENT OFFENSES.—With respect to the period beginning on December 23, 2016, and ending on the day before the date designated by the President under section 5542(a) of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2967), in the application of subsection (h) of section 843 of title 10, United States Code (article 43 of the Uniform Code of Military Justice), as added by section 5225(b) of that Act (130 Stat. 2909), the reference in such subsection (h) to section 904a(1) of title 10, United States Code (article 104a(1) of the Uniform Code of Military Justice), shall be deemed to be a reference to section 883(1) of title 10, United States Code (article 83(1) of the Uniform Code of Military Justice).

(o) EFFECTIVE DATE.—The amendments made by this section shall take effect immediately after the amendments made by the Military Justice Act of 2016 (division E of Public Law 114–328) take effect as provided for in section 5542 of that Act (130 Stat. 2967).

SEC. 522. MINIMUM CONFINEMENT PERIOD REQUIRED FOR CONVICTION OF CERTAIN SEX-RELATED OFFENSES COMMITTED BY MEMBERS OF THE ARMED FORCES.

(a) MANDATORY PUNISHMENTS.—Section 856(b)(1) of title 10, United States Code (article 56(b)(1) of the Uniform Code of Military Justice), as amended by section 5301 of the Military Justice Act of 2016 (division E of Public Law 114–328; 130 Stat. 2919), is further amended by striking ''shall include dismissal or dishonorable discharge, as applicable.'' and inserting the following: ''shall include, at a minimum—

''(A) dismissal or dishonorable discharge, as applicable; and

''(B) confinement for two years.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect immediately after the amendments made by the Military Justice Act of 2016 (division E of Public Law 114–328) take effect as provided for in section 5542 of that Act (130 Stat. 2967).

SEC. 523. PROHIBITION ON WRONGFUL BROADCAST OR DISTRIBUTION OF INTIMATE VISUAL IMAGES.

(a) PROHIBITION.—Subchapter X of chapter 47 of title 10, United States Code, is amended by inserting after section 917 (article 117 of the Uniform Code of Military Justice) the following new section (article):

''§ 917a. Art. 117a. Wrongful broadcast or distribution of intimate visual images

''(a) PROHIBITION.—Any person subject to this chapter who—

''(1) knowingly and wrongfully broadcasts or distributes an intimate visual image of a private area of another person who—

''(A) is at least 18 years of age at the time the intimate visual image was created;

''(B) is identifiable from the image itself or from information displayed in connection with the image; and

''(C) does not explicitly consent to the broadcast or distribution of the intimate visual image;

''(2) knows or reasonably should have known that the intimate visual image was made under circumstances in which the person depicted in the intimate visual image retained a reasonable expectation of privacy regarding any broadcast or distribution of the intimate visual image; and

''(3) knows or reasonably should have known that the broadcast or distribution of the intimate visual image is likely—

''(A) to cause harm, harassment, intimidation, emotional distress, or financial loss for the person depicted in the intimate visual image; or

''(B) to harm substantially the depicted person with respect to that person's health, safety, business, calling, career, financial condition, reputation, or personal relationships;

is guilty of wrongful distribution of intimate visual images and shall by punished as a court-martial may direct.

''(b) DEFINITIONS.—In this section (article):

''(1) BROADCAST.—The term 'broadcast' means to electronically transmit a visual image with the intent that it be viewed by a person or persons.

''(2) DISTRIBUTE.—The term 'distribute' means to deliver to the actual or constructive possession of another person, including transmission by mail or electronic means.

''(3) INTIMATE VISUAL IMAGE.—The term 'intimate visual image' means a photograph, video, film, or recording made by any means that depicts a private area of a person.

''(4) PRIVATE AREA.—The term 'private area' means the naked or underwear-clad genitalia, anus, buttocks, or female areola or nipple.

''(5) REASONABLE EXPECTATION OF PRIVACY.—The term 'reasonable expectation of privacy' refers to circumstances in which a reasonable person would believe that an intimate visual image of a private area of the person would not be broadcast or distributed to another person.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter X of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), is amended by inserting after the item relating to section 917 (article 117) the following new item:

''917a. 117a. Wrongful broadcast or distribution of intimate visual images.''.

SEC. 524. INFORMATION FOR THE SPECIAL VICTIMS' COUNSEL OR VICTIMS' LEGAL COUNSEL.

Section 1044e(b)(6) of title 10, United States Code, is amended by adding at the end the following new sentence: ''If there is a military prosecution of the alleged sex-related offense, the Special Victims' Counsel or Victims' Legal Counsel shall be entitled to a copy of all case information and documentation that is in the possession of the prosecutor, relevant to such military prosecution, and not privileged.''

SEC. 525. SPECIAL VICTIMS' COUNSEL TRAINING REGARDING THE UNIQUE CHALLENGES OFTEN FACED BY MALE VICTIMS OF SEXUAL ASSAULT.

The baseline Special Victims' Counsel training established under section 1044e(d)(2) of title 10, United States Code, shall include training for Special Victims' Counsel to recognize and deal with the unique challenges often faced by male victims of sexual assault.

SEC. 526. GARNISHMENT TO SATISFY JUDGMENT RENDERED FOR PHYSICALLY, SEXUALLY, OR EMOTIONALLY ABUSING A CHILD.

(a) GARNISHMENT AUTHORITY.—Section 1408 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(l) GARNISHMENT TO SATISFY A JUDGMENT RENDERED FOR PHYSICALLY, SEXUALLY, OR EMOTIONALLY ABUSING A CHILD.—(1) Subject to paragraph (2), any payment of retired pay that would otherwise be made to a member shall be paid (in whole or in part) by the Secretary concerned to another person if and to the extent expressly provided for in the terms of a child abuse garnishment order.

''(2) A court order providing for the payment of child support or alimony or, with respect to a division of property, specifically providing for the payment of an amount of the disposable retired pay from a member to the spouse or a former spouse of the member, shall be given priority over a child abuse garnishment order. However, the limitations on the amount of disposable retired pay available for payments set forth in paragraphs (1) and (4)(B) of subsection (e) do not apply to a child abuse garnishment order.

''(3) In this section, the term 'court order' includes a child abuse garnishment order.

''(4) In this subsection, the term 'child abuse garnishment order' means a final decree issued by a court that—

''(A) is issued in accordance with the laws of the jurisdiction of that court; and

''(B) provides in the nature of garnishment for the enforcement of a judgment rendered against the member for physically, sexually, or emotionally abusing a child.

''(5) For purposes of this subsection, a judgment rendered for physically, sexually, or emotionally abusing a child is any legal claim perfected through a final enforceable judgment, which claim is based in whole or in part upon the physical, sexual, or emotional abuse of an individual under 18 years of age, whether or not that abuse is accompanied by other actionable wrongdoing, such as sexual exploitation or gross negligence.

''(6) If the Secretary concerned is served with more than one court order with respect to the retired pay of a member, the disposable retired pay of the member shall be available to satisfy such court orders on a first-come, first-served basis, with any such process being satisfied out of such moneys as remain after the satisfaction of all such processes which have been previously served.

''(7) The Secretary concerned shall not be required to vary normal pay and disbursement cycles for retired pay in order to comply with a child abuse garnishment order.''.

(b) APPLICATION OF AMENDMENT.—Subsection (l) of section 1408 of title 10, United States Code, as added by subsection (a), shall apply with respect to a court order received by the Secretary concerned on or after the date of the enactment of this Act, regardless of the date of the court order.

SEC. 527. INCLUSION OF INFORMATION IN ANNUAL SAPRO REPORTS REGARDING MILITARY SEXUAL HARASSMENT AND INCIDENTS INVOLVING NONCONSENSUAL DISTRIBUTION OF PRIVATE SEXUAL IMAGES.

(a) ADDITIONAL REPORTING REQUIREMENTS.—Section 1631(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note) is amended by adding at the end the following new paragraphs:

''(13) Information and data collected on official and unofficial reports of sexual harassment involving members of the Armed Forces during the year covered by the report, as follows:

''(A) The number of substantiated and unsubstantiated reports.

''(B) A synopsis of each substantiated report.

''(C) The action taken in the case of each substantiated report, including the type of disciplinary or administrative sanction imposed, if any, such as—

''(i) conviction and sentence by court-martial;

''(ii) imposition of non-judicial punishment under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice); or

''(iii) administrative separation or other type of administrative action imposed.

''(14) Information and data collected during the year covered by the report on each reported incident involving the nonconsensual distribution by a person subject to chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) of a private sexual image of another person, including the following:

''(A) The number of substantiated and unsubstantiated reports.

''(B) A synopsis of each substantiated report.

''(C) The action taken in the case of each substantiated report, including the type of disciplinary or administrative sanction imposed, if any, such as—

''(i) conviction and sentence by court-martial;

''(ii) imposition of non-judicial punishment under section 815 of title 10, United States Code (article 15 of the Uniform Code of Military Justice); or

''(iii) administrative separation or other type of administrative action imposed.''.

(b) APPLICATION OF AMENDMENT.—The amendment made by this section shall take effect on the date of the enactment of this Act and apply beginning with the reports required to be submitted by March 1, 2018, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note).

SEC. 528. INCLUSION OF INFORMATION IN ANNUAL SAPRO REPORTS REGARDING SEXUAL ASSAULTS COMMITTED BY A MEMBER OF THE ARMED FORCES AGAINST THE MEMBER'S SPOUSE OR OTHER FAMILY MEMBER.

Beginning with the reports required to be submitted by March 1, 2018, under section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 1561 note), information regarding a sexual assault committed by a member of the Armed Forces against the spouse or intimate partner of the member or another dependent of the member shall be included in such reports in addition to the annual Family Advocacy Program report. The information shall be provided in such reports in the same manner as information is provided with respect to other official and unofficial reports of sexual assault.

SEC. 529. NOTIFICATION OF MEMBERS OF THE ARMED FORCES UNDERGOING CERTAIN ADMINISTRATIVE SEPARATIONS OF POTENTIAL ELIGIBILITY FOR VETERANS BENEFITS.

(a) NOTIFICATION REQUIRED.—A member of the Armed Forces who receives an administrative separation or mandatory discharge under conditions other than honorable shall be provided written notification that the member may petition the Veterans Benefits Administration of the Department of Veterans Affairs to receive, despite the characterization of the member's service, certain benefits under the laws administered by the Secretary of Veterans Affairs.

(b) DEADLINE FOR NOTIFICATION.—Notification under subsection (a) shall be provided to a member described in such subsection in conjunction with the member's notification of the administrative separation or mandatory discharge or as soon thereafter as practicable.

SEC. 530. CONSISTENT ACCESS TO SPECIAL VICTIMS' COUNSEL FOR FORMER DEPENDENTS OF MEMBERS OF THE ARMED FORCES.

Not later than one year after the date of the enactment of this Act, the Secretary of the Navy shall revise Navy policy regarding the eligibility of former dependents of members of the Armed Forces to representation by a Victims' Legal Counsel so that Navy policy is consistent with Army and Air Force policy regarding Special Victims' Counsel, which provides that a former dependent is eligible for such representation if, while entitled to legal assistance, the dependent was the victim of an alleged sex-related offense by a member of the Armed Forces.

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

SEC. 541. PROHIBITION ON RELEASE OF MILITARY SERVICE ACADEMY GRADUATES TO PARTICIPATE IN PROFESSIONAL ATHLETICS.

(a) UNITED STATES MILITARY ACADEMY.—Section 4348(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) That the cadet will not seek release from the commissioned service obligation of the cadet to pursue a career as a professional athlete and understands that the appointment alternative described in paragraph (3) will not be used to allow the cadet to pursue such a career.''.

(b) UNITED STATES NAVAL ACADEMY.—Section 6959(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) That the midshipman will not seek release from the commissioned service obligation of the midshipman to pursue a career as a professional athlete and understands that the appointment alternative described in paragraph (3) will not be used to allow the midshipman to pursue such a career.''.

(c) UNITED STATES AIR FORCE ACADEMY.—Section 9348(a) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) That the cadet will not seek release from the commissioned service obligation of the cadet to pursue a career as a professional athlete and understands that the appointment alternative described in paragraph (2) will not be used to allow the cadet to pursue such a career.''.

(d) APPLICATION OF AMENDMENTS.—The Secretaries of the military departments shall

promptly revise the cadet and midshipman service agreements under sections 4348, 6959, and 9348 of title 10, United States Code, to reflect the amendments made by this section. The revised agreement shall apply to cadets and midshipmen who are attending the United States Military Academy, the United States Naval Academy, or the United States Air Force Academy on the date of the enactment of this Act and to persons who begin attendance at such military service academies on or after that date.

SEC. 542. ROTC CYBER INSTITUTES AT THE SENIOR MILITARY COLLEGES.

(a) PROGRAM AUTHORIZED.—The Secretary of Defense may carry out a program to establish a Reserve Officers' Training Corps Cyber Institute (referred to in this Act as an ''ROTC Cyber Institute'') at each of the senior military colleges for purposes of accelerating the development of foundational expertise in critical cyber operational skills for future military and civilian leaders of the Armed Forces and Department of Defense including such leaders of the reserve components.

(b) ELEMENTS.—Each ROTC Cyber Institute established under the program authorized by subsection (a) shall include the following:

(1) Programs to provide future military and civilian leaders of the Armed Forces or the Department of Defense, as the case may be, who possess cyber operational expertise from beginning through advanced skill levels. Such programs shall include instruction and practical experiences that lead to recognized certifications in the cyber field.

(2) Programs of targeted strategic foreign language proficiency training for such future leaders that—

(A) are designed to significantly enhance critical cyber operational capabilities; and

(B) are tailored to current and anticipated readiness requirements.

(3) Programs related to mathematical foundations of cryptography and courses in cryptographic theory and practice designed to complement and reinforce cyber education along with the strategic language programs critical to cyber operations.

(4) Programs designed to develop early interest and cyber talent through summer programs for elementary school and secondary school students and dual enrollment opportunities for cyber, strategic language, and cryptography related courses.

(5) Training and education programs to expand the pool of qualified cyber instructors necessary to support cyber education in regional school systems.

(c) PARTNERSHIPS WITH DEPARTMENT OF DEFENSE AND THE ARMED FORCES.—Any ROTC Cyber Institute established under the program authorized by subsection (a) may enter into a partnership with one or more components of the Armed Forces, active or reserve, or any agency of the Department of Defense to facilitate the development of critical cyber skills for students who may pursue a military career.

(d) PARTNERSHIPS WITH OTHER SCHOOLS.—Any ROTC Cyber Institute established under the program authorized by subsection (a) may enter into a partnership with one or more local educational agencies to facilitate the development of critical cyber skills under the program among students attending the elementary schools and secondary schools of such agencies who may pursue a military career.

(e) DEFINITIONS.—In this section:

(1) ESEA TERMS.—The terms ''elementary school'', ''secondary school'', and ''local educational agency'' have the meanings given the terms in section 8101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(2) SENIOR MILITARY COLLEGES.—The term ''senior military colleges'' means the senior military colleges described in section 2111a(f) of title 10, United States Code.

SEC. 543. LIEUTENANT HENRY OSSIAN FLIPPER LEADERSHIP SCHOLARSHIP PROGRAM.

(a) AUTHORITY.—The Secretary of the Army shall carry out a program to be known as the ''Lieutenant Henry Ossian Flipper Leadership Scholarship Program'' under which the Secretary may provide financial assistance, in accordance with this section, to a person—

(1) who is pursuing a recognized postsecondary credential at a minority-serving institution; and

(2) who enters into an agreement with the Secretary as described in subsection (b).

(b) SERVICE AGREEMENT FOR SCHOLARSHIP RECIPIENTS.—

(1) IN GENERAL.—To receive financial assistance under this section—

(A) a member of the Army shall enter into an agreement to serve on active duty in the Army for the period of obligated service determined under paragraph (2); and

(B) a person who is not a member of the Army shall enter into an agreement to enlist or accept a commission in the Army and to serve on active duty in Army for the period of obligated service determined under paragraph (2).

(2) PERIOD OF OBLIGATED SERVICE.—The period of obligated service for a recipient of financial assistance under this section shall be the period determined by the Secretary of Army as being appropriate to obtain adequate service in exchange for the financial assistance. The period of service required of a recipient shall be not less than the period equal to three-fourths of the total period of pursuit of a credential for which the Secretary agrees to provide the recipient with financial assistance under this section. The period of obligated service is in addition to any other period for which the recipient is obligated to serve on active duty.

(3) TERMS OF AGREEMENT.—An agreement entered into under this section by a person pursuing a recognized postsecondary credential shall include the following terms:

(A) SERVICE START DATE.—The period of obligated service will begin on a date after the award of the credential, as determined by the Secretary of the Army.

(B) ACADEMIC PROGRESS.—The person will maintain satisfactory academic progress, as determined by the Secretary, and that failure to maintain such progress constitutes grounds for termination of the financial assistance for the person under this section.

(C) OTHER TERMS.—Any other terms and conditions that the Secretary determines to be appropriate for carrying out this section.

(c) AMOUNT OF ASSISTANCE.—The amount of the financial assistance provided for a person under this section shall be the amount determined by the Secretary of the Army as being necessary to pay the person's cost of attendance at the minority-serving institution.

(d) USE OF ASSISTANCE FOR SUPPORT OF INTERNSHIPS.—The financial assistance for a person under this section may also be provided to support internship activities of the person at the Department of Defense in periods between the academic years leading to the credential for which assistance is provided the person under this section.

(e) REPAYMENT FOR PERIOD OF UNSERVED OBLIGATED SERVICE.—A member of the Army who does not complete the period of active duty specified in the service agreement under subsection (b) shall be subject to the repayment provisions of section 303a(e) of title 37.

(f) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of the Army shall submit to the congressional defense committees a report that includes—

(1) an assessment of the progress of the Secretary in carrying out the scholarship program under this section;

(2) the number of scholarships that the Secretary intends to award in the academic year beginning after the date of the submission of the report; and

(3) a description of the Secretary's efforts to promote the scholarship program at minority-serving institutions.

(g) DEFINITIONS.—In this Act:

(1) COST OF ATTENDANCE.—The term ''cost of attendance'' has the meaning given the term in section 472 of the Higher Education Act of 1965 (20 U.S.C. 1087ll).

(2) MINORITY-SERVING INSTITUTION.—The term ''minority-serving institution'' means an institution of higher education described in section 371(a) of the Higher Education Act of 1965 (20 U.S.C. 1067q(a)).

(3) RECOGNIZED POSTSECONDARY CREDENTIAL.—The term ''recognized postsecondary credential'' has the meaning given the term in section 3 of the Workforce Innovation and Opportunity Act (29 U.S.C. 3102).

Subtitle E—Defense Dependents' Education and Military Family Readiness Matters

SEC. 551. CONTINUATION OF AUTHORITY TO ASSIST LOCAL EDUCATIONAL AGENCIES THAT BENEFIT DEPENDENTS OF MEMBERS OF THE ARMED FORCES AND DEPARTMENT OF DEFENSE CIVILIAN EMPLOYEES.

(a) ASSISTANCE TO SCHOOLS WITH SIGNIFICANT NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the amount authorized to be appropriated for fiscal year 2018 by section 301 and available for operation and maintenance for Defense-wide activities as specified in the funding table in division D, $30,000,000 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) LOCAL EDUCATIONAL AGENCY DEFINED.—In this section, the term ''local educational agency'' has the meaning given that term in section 7013(9) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).

SEC. 552. EDUCATION FOR DEPENDENTS OF CERTAIN RETIRED MEMBERS OF THE ARMED FORCES.

Section 2164(a) of title 10, United States Code, is amended—

(1) in paragraph (1)—

(A) by inserting '', dependents of retirees,'' after ''dependents of members of the armed forces''; and

(B) by inserting ''and the dependents of such retirees'' after ''such members of the armed forces''; and

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

''(4) For purposes of this subsection, the term 'retiree' means a member or former member of the armed forces, not including a member or former member of the Coast Guard, who is entitled to retired or retainer pay under this title, or who, but for age, would be eligible for retired or retainer pay under chapter 1223 of this title.''.

SEC. 553. CODIFICATION OF AUTHORITY TO CONDUCT FAMILY SUPPORT PROGRAMS FOR IMMEDIATE FAMILY MEMBERS OF MEMBERS OF THE ARMED FORCES ASSIGNED TO SPECIAL OPERATIONS FORCES.

(a) CODIFICATION OF EXISTING AUTHORITY.—Chapter 88 of title 10, United States Code, is amended by inserting after section 1788 a new section 1788a consisting of—

(1) a heading as follows:

''§1788a. Family support programs: immediate family members of members of special operations forces''; and

(2) a text consisting of subsections (a), (b), (d), and (e) of section 554 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1788 note), redesignated as subsections (a), (b), (c), and (d), respectively.

(b) FUNDING.—Subsection (c) of section 1788a of title 10, United States Code, as added and redesignated by subsection (a) of this section, is amended by striking ''specified'' and all that follows through the end of the subsection and

inserting '', from funds available for Major Force Program 11, to carry out family support programs under this section.''.

(c) ELIMINATION OF PILOT PROGRAM REFERENCES AND OTHER CONFORMING AMENDMENTS.—Section 1788a of title 10, United States Code, as added by subsection (a) of this section, is further amended—

(1) by striking ''Armed Forces'' each place it appears and inserting ''armed forces'';

(2) by striking ''pilot'' each place it appears;

(3) in subsection (a)—

(A) in the subsection heading, by striking ''PILOT''; and

(B) by striking ''up to three'' and all that follows through ''providing'' and inserting ''programs to provide''; and

(4) in subsection (d), as redesignated by subsection (a) of this section—

(A) in paragraph (2). by striking ''title 10, United States Code'' and inserting ''this title''; and

(B) in paragraph (3), by striking ''such title'' and inserting ''this title''.

(d) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of chapter 88 of title 10, United States Code, is amended by inserting after the item relating to section 1788 the following new item:

''1788a. Family support programs: immediate family members of members of special operations forces.''.

(e) CONFORMING REPEAL.—Section 554 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 1788 note) is repealed.

SEC. 554. REIMBURSEMENT FOR STATE LICENSURE AND CERTIFICATION COSTS OF A SPOUSE OF A MEMBER OF THE ARMED FORCES ARISING FROM RELOCATION TO ANOTHER STATE.

(a) REIMBURSEMENT AUTHORIZED.—Section 476 of title 37, United States Code, is amended by adding at the end the following new subsection:

''(p)(1) The Secretary concerned may reimburse a member of the armed forces for qualified relicensing costs of the spouse of the member when—

''(A) the member is reassigned, either as a permanent change of station or permanent change of assignment, from a duty station in one State to a duty station in another State; and

''(B) the movement of the member's dependents is authorized at the expense of the United States under this section as part of the reassignment.

''(2) Reimbursement provided to a member under this subsection may not exceed $500 in connection with each reassignment described in paragraph (1).

''(3) In this subsection, the term 'qualified relicensing costs' means costs, including exam and registration fees, that—

''(A) are imposed by the State of the new duty station to secure a license or certification to engage in the same profession that the spouse of the member engaged in while in the State of the original duty station; and

''(B) are paid or incurred by the member or spouse to secure the license or certification from the State of the new duty station after the date on which the orders directing the reassignment described in paragraph (1) are issued.''.

(b) DEVELOPMENT OF RECOMMENDATIONS TO EXPEDITE LICENSE PORTABILITY FOR MILITARY SPOUSES.—

(1) CONSULTATION WITH STATES.—The Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard, shall consult with States—

(A) to identify barriers to the portability between States of a license, certification, or other grant of permission held by the spouse of a member of the Armed Forces to engage in an occupation when the spouse moves between States as part of a permanent change of station or permanent change of assignment of the member; and

(B) to develop recommendations for the Federal Government and the States, together or separately, to expedite the portability of such licenses, certifications, and other grants of permission for military spouses.

(2) SPECIFIC CONSIDERATIONS.—In conducting the consultation and preparing the recommendations under paragraph (1), the Secretaries shall consider the feasibility of—

(A) States accepting licenses, certifications, and other grants of permission described in paragraph (1) issued by another State and in good standing in that State;

(B) the issuance of a temporary license pending completion of State-specific requirements; and

(C) the establishment of an expedited review process for military spouses.

(3) REPORT REQUIRED.—Not later than March 15, 2018, the Secretaries shall submit to the appropriate congressional committees and the States a report containing the recommendations developed under this subsection.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means the congressional defense committees, the Committee on Homeland Security and Government Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives.

Subtitle F—Decorations and Awards

SEC. 561. REPLACEMENT OF MILITARY DECORATIONS AT THE REQUEST OF RELATIVES OF DECEASED MEMBERS OF THE ARMED FORCES.

Subsection (a) of section 1135 of title 10, United States Code, is amended to read as follows:

''(a) REPLACEMENT.—(1) The Secretary concerned shall replace, on a one-time basis, a military decoration upon the request of—

''(A) the recipient of the military decoration;

''(B) the immediate next of kin of a deceased recipient of a military decoration; or

''(C) a relative of a deceased recipient of a military decoration who is related within the second or third degree of consanguinity to the deceased recipient.

''(2) The replacement of a military decoration under subparagraph (A) or (B) of paragraph (1) shall be provided without charge. The replacement of a military decoration under subparagraph (C) of such paragraph shall be provided at no cost to the Department of Defense.

''(3) The authority provided by this subsection is in addition to any other authority available to the Secretary concerned to replace a military decoration.''.

SEC. 562. CONGRESSIONAL DEFENSE SERVICE MEDAL.

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

''§ 1136. Congressional Defense Service Medal

''(a) ESTABLISHMENT.—The Secretary of Defense shall award, at the behest of and on behalf of Congress, a Congressional Defense Service Medal to a group or other entity to recognize, subject to subsection (c)(1), the exemplary service or significant achievement of the group or other entity in furtherance of the defense and national security of the United States.

''(b) DESIGN AND CONTENT.—A Congressional Defense Service Medal shall be a gold medal of appropriate design, with suitable emblems, devices, and inscriptions. The Secretary of Defense may design a Congressional Defense Service Medal to recognize the specific group or other entity and the service or achievement for which the Congressional Defense Service Medal is being awarded.

''(c) ELIGIBILITY LIMITATIONS.—

''(1) NATURE OF SERVICE OR ACHIEVEMENT.—For a group or other entity to be eligible for the award of a Congressional Defense Service Medal, the service or achievement to be recognized must—

''(A) be in the field of endeavor of the group or other entity; and

''(B) represent either a lengthy period of continuous superior service or achievement or a single act of service or achievement so significant that the group or other entity is recognized and acclaimed by others in the same field of endeavor, as evidenced by the recipient having received the highest honors in the field.

''(2) EFFECT OF OTHER FEDERAL RECOGNITION.—A group or other entity may not receive a Congressional Defense Service Medal in recognition of service or achievement for which the group or other entity received a medal from the United States previously for the same or substantially the same service or achievement.

''(3) PROHIBITION ON AWARD TO AN INDIVIDUAL.—A Congressional Defense Service Medal may not be awarded to a single individual.

''(d) TIME LIMITATIONS.—A Congressional Defense Service Medal may not be awarded to a group or entity—

''(1) until at least five years after the conclusion of the exemplary service or significant achievement for which the Congressional Defense Service Medal is being awarded; and

''(2) unless the award is made within 25 years after the conclusion of the exemplary service or significant achievement for which the Congressional Defense Service Medal is being awarded.

''(e) DUPLICATE MEDALS.—The Secretary of Defense may arrange for the striking and sale of duplicates in bronze of a Congressional Defense Service Medal, at a price sufficient to cover the cost thereof, including labor, materials, dies, use of machinery, and overhead expenses, and the cost of the gold Congressional Defense Service Medal.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 57 of title 10, United States Code, is amended by adding at the end the following new item:

''1136. Congressional Defense Service Medal.''.

SEC. 563. LIMITATIONS ON AUTHORITY TO REVOKE CERTAIN MILITARY DECORATIONS AWARDED TO MEMBERS OF THE ARMED FORCES.

(a) ARMY.—

(1) LIMITATIONS.—Chapter 357 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 3757. Military decorations: limitations on revocation

''(a) LIMITATIONS.—Except as provided in subsection (b), the President or the Secretary of the Army may not authorize the revocation of a military decoration after the actual award of the military decoration to a member of the armed forces under the jurisdiction of the Secretary.

''(b) EXCEPTIONS.—(1) Subsection (a) does not apply to the revocation of a military decoration if the revocation is ordered on account of —

''(A) the acquisition of new or additional information that calls into question the service for which the member was awarded the military decoration; or

''(B) the conviction of the member for a serious violent felony.

''(2) In applying the exception described in paragraph (1)(B), the President and the Secretary of the Army shall take into account, as an extenuating factor, whether the member has been diagnosed with Traumatic Brain Injury (TBI) or Post-Traumatic Stress Disorder (PTSD).

''(c) DEFINITIONS.—In this section:

''(1) The term 'military decoration' means the distinguished-service cross, distinguished-service medal, silver star, distinguished flying cross, or Soldier's Medal. The term does not include the medal of honor.

''(2) The term 'serious violent felony' has the meaning given that term in section 3559(c)(2)(F) of title 18.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''3757. Military decorations: limitations on revocation.''.

(b) NAVY AND MARINE CORPS.—

(1) LIMITATIONS.—Chapter 567 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 6259. Military decorations: limitations on revocation

''(a) LIMITATIONS.—Except as provided in subsection (b), the President or the Secretary of the Navy may not authorize the revocation of a military decoration after the actual award of the military decoration to a member of the armed forces under the jurisdiction of the Secretary.

''(b) EXCEPTIONS.—(1) Subsection (a) does not apply to the revocation of a military decoration if the revocation is ordered on account of —

''(A) the acquisition of new or additional information that calls into question the service for which the member was awarded the military decoration; or

''(B) the conviction of the member for a serious violent felony.

''(2) In applying the exception described in paragraph (1)(B), the President and the Secretary of the Navy shall take into account, as an extenuating factor, whether the member has been diagnosed with Traumatic Brain Injury (TBI) or Post-Traumatic Stress Disorder (PTSD).

''(c) DEFINITIONS.—In this section:

''(1) The term 'military decoration' means the Navy cross, distinguished-service medal, silver star medal, distinguished flying cross, or Navy and Marine Corps Medal. The term does not include the medal of honor.

''(2) The term 'serious violent felony' has the meaning given that term in section 3559(c)(2)(F) of title 18.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''6259. Military decorations: limitations on revocation.''.

(c) AIR FORCE.—

(1) LIMITATIONS.—Chapter 857 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 8757. Military decorations: limitations on revocation

''(a) LIMITATIONS.—Except as provided in subsection (b), the President or the Secretary of the Air Force may not authorize the revocation of a military decoration after the actual award of the military decoration to a member of the armed forces under the jurisdiction of the Secretary.

''(b) EXCEPTIONS.—(1) Subsection (a) does not apply to the revocation of a military decoration if the revocation is ordered on account of —

''(A) the acquisition of new or additional information that calls into question the service for which the member was awarded the military decoration; or

''(B) the conviction of the member for a serious violent felony.

''(2) In applying the exception described in paragraph (1)(B), the President and the Secretary of the Air Force shall take into account, as an extenuating factor, whether the member has been diagnosed with Traumatic Brain Injury (TBI) or Post-Traumatic Stress Disorder (PTSD).

''(c) DEFINITIONS.—In this section:

''(1) The term 'military decoration' means the Air Force cross, distinguished-service medal, silver star, distinguished flying cross, or Airman's Medal. The term does not include the medal of honor.

''(2) The term 'serious violent felony' has the meaning given that term in section 3559(c)(2)(F) of title 18.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''8757. Military decorations: limitations on revocation.''.

Subtitle G—Miscellaneous Reports and Other Matters

SEC. 571. EXPANSION OF UNITED STATES AIR FORCE INSTITUTE OF TECHNOLOGY ENROLLMENT AUTHORITY TO INCLUDE CIVILIAN EMPLOYEES OF THE HOMELAND SECURITY INDUSTRY.

(a) DEFINITION.—Subsection (b) of section 9314a of title 10, United States Code, is amended to read as follows:

''(b) COVERED PRIVATE SECTOR EMPLOYEE DEFINED.—(1) In this section, the term 'covered private sector employee' means—

''(A) an individual employed by a private firm that is engaged in providing to the Department of Defense significant and substantial defense-related systems, products, or services; or

''(B) an individual employed by a private firm in one of the critical infrastructure sectors identified in Presidential Policy Directive 21 (Critical Infrastructure Security and Resilience).

''(2) A covered private sector employee admitted for instruction at the United States Air Force Institute of Technology remains eligible for such instruction only so long as the person remains employed by the same firm.''.

(b) USE OF DEFINED TERM.—Section 9314a of title 10, United States Code, is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by striking ''defense industry employees described in subsection (b)'' and inserting ''a covered private sector employee''; and

(ii) by striking ''Any such defense industry employee'' and inserting ''A covered private sector employee''; and

(B) in paragraph (2), by striking ''defense industry employees'' and inserting ''covered private sector employees''; and

(C) in paragraph (3), by striking ''defense industry employee'' both places it appears and inserting ''covered private sector employee'';

(2) in subsection (c)—

(A) by striking ''Defense industry employees'' and inserting ''A covered private sector employee''; and

(B) by striking ''defense industry employees'' and inserting ''covered private sector employees'';

(3) in subsection (d)(1), by striking ''defense industry employees'' and inserting ''a covered private sector employee''; and

(4) in subsection (f), by striking ''defense industry employees'' and inserting ''covered private sector employees''.

(c) OTHER CONFORMING AMENDMENTS.—Section 9314a of title 10, United States Code, is further amended—

(1) in subsection (a)(1), by striking ''a defense focused'' and inserting ''a defense-focused or homeland security-focused''; and

(2) in subsection (d)—

(A) in paragraph (1), by inserting ''or homeland security'' after ''and defense''; and

(B) in paragraph (2), by inserting before the period at the end the following: ''or the Department of Homeland Security, as applicable''.

(d) CLERICAL AMENDMENTS.—

(1) SECTION HEADING.—The heading of section 9314a of title 10, United States Code, is amended to read as follows:

''§ 9314a. United States Air Force Institute of Technology: admission of certain private sector civilians''.

(2) TABLE OF SECTIONS.—The table of sections at the beginning of chapter 901 of title 10, United States Code, is amended by striking the item relating to section 9314a and inserting the following new item:

''9314a. United States Air Force Institute of Technology: admission of certain private sector civilians.''.

SEC. 572. SERVICEMEMBERS' GROUP LIFE INSURANCE.

Section 1967(f)(4) of title 38, United States Code, is amended by striking the second sentence.

SEC. 573. VOTER REGISTRATION.

Section 705 of the Servicemembers Civil Relief Act (50 U.S.C. 4025(a)), is amended by adding at the end the following new subsection:

''(c) REGISTRATION.—

''(1) IN GENERAL.—For the purposes of voting in any election for Federal office (as defined in section 301 of the Federal Election Campaign Act of 1971 (52 U.S.C. 30101)) or State or local office, a servicemember who registers to vote in a State in which the servicemember is present in compliance with military orders for a permanent change of station shall not, solely by reason of that registration—

''(A) be deemed to have acquired a residence or domicile in that State;

''(B) be deemed to have become a resident in or a resident of that State; or

''(C) be deemed to have lost a residence or domicile in any other State, without regard to whether or not the person intends to return to that State.

''(2) NOTIFICATION BY THE SERVICEMEMBER.—A servicemember who elects to register to vote in the State in which the servicemember is present in compliance with military orders for a permanent change of station shall notify the Service Voting Action Officer of the military department concerned not later than 10 days after such registration.

''(3) NOTIFICATION BY THE SERVICE VOTING ACTION OFFICER.—A Service Voting Action Officer who receives a notification under paragraph (2) shall notify the chief State election official of the State in which the servicemember resides or is domiciled of such registration not later than 10 days after such registration.''.

SEC. 574. SENSE OF CONGRESS REGARDING SECTION 504 OF TITLE 10, UNITED STATES CODE, ON EXISTING AUTHORITY OF THE DEPARTMENT OF DEFENSE TO ENLIST INDIVIDUALS, NOT OTHERWISE ELIGIBLE FOR ENLISTMENT, WHOSE ENLISTMENT IS VITAL TO THE NATIONAL INTEREST.

It is the sense of Congress that a statute currently exists, specifically paragraph (2) of subsection (b) of section 504 of title 10, United States Code, which states that ''the Secretary concerned may authorize the enlistment of a person not described in paragraph (1) [of that subsection] if the Secretary determines that such enlistment is vital to the national interest''.

TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

Subtitle A—Pay and Allowances

SEC. 601. ANNUAL ADJUSTMENT OF BASIC MONTHLY PAY.

The adjustment in the rates of monthly basic pay required by subsection (a) of section 1009 of title 37, United States Code, to be made on January 1, 2018, shall take effect, notwithstanding any determination made by the President under subsection (e) of such section with respect to an alternative pay adjustment to be made on such date.

SEC. 602. LIMITATION ON BASIC ALLOWANCE FOR HOUSING MODIFICATION AUTHORITY FOR MEMBERS OF THE UNIFORMED SERVICES RESIDING IN MILITARY HOUSING PRIVATIZATION INITIATIVE HOUSING.

(a) IN GENERAL.—Paragraph (3) of section 403(b) of title 37, United States Code, is amended by adding at the end the following new subparagraph:

''(C) The Secretary of Defense may not reduce the rate of basic allowance for housing in effect on December 31, 2017, for a member of a uniformed service who resides in a housing unit acquired or constructed under the alternative authority of subchapter IV of chapter 169 of title 10 (known as the Military Housing Privatization Initiative) until January 1, 2019.''.

(b) CONFORMING AMENDMENT.—Subparagraph (B) of such paragraph is amended in clause (iv) by striking ''Four'' and inserting ''Subject to subparagraph (C), four''.

(c) GAO REVIEW.—Not later than March 1, 2018, the Comptroller General of the United States shall submit to the Committees on Armed Services of the House of Representatives and the Senate a review of the following:

(1) An analysis of the impact of reductions in the rate of the basic allowance for housing under section 403 of title 37, United States Code, on the long-term viability of the Military Housing Privatization Initiative (MHPI).

(2) An analysis of projected revenue for the MHPI, considering projected reductions in such basic allowance for housing, which compares projected revenue under the assumption that members of the armed forces will make out-of-pocket payments in addition to rent and under the assumption that members will not make such out-of-pocket payments.

(3) An analysis of the extent to which the Department of Defense has relied and continues to rely on the assumption that members of the armed forces who live in housing units acquired or constructed under the MHPI will make out-of-pocket payments in addition to basic rent in order to offset reductions in such basic housing allowance.

(4) An analysis of the future military construction costs that will be necessary to offset reduced reinvestment account distributions as a result of reductions in such basic housing allowance, consistent with the requirement included in project ground leases under the MHPI that all assets will be in like-new condition at the end of the lease.

(5) The impact on maintenance of housing units acquired or constructed under the MHPI because of the reductions in revenue for the MHPI that will result from reductions in such basic housing allowance.

(6) The impacts of the costs described in paragraph (4) and the reduction in revenue described in paragraph (5) on occupancy and revenue generated by occupancy under the MHPI, and the impact of changes in occupancy and associated revenue on the costs described in paragraph (4) and the reduction in revenue described in paragraph (5).

(7) The process for establishing the criteria for and the execution of market surveys used to establish the rates of such basic housing allowance.

SEC. 603. HOUSING TREATMENT FOR CERTAIN MEMBERS OF THE ARMED FORCES, AND THEIR SPOUSES AND OTHER DEPENDENTS, UNDERGOING A PERMANENT CHANGE OF STATION WITHIN THE UNITED STATES.

(a) HOUSING TREATMENT.—

(1) IN GENERAL.—Chapter 7 of title 37, United States Code, is amended by inserting after section 403 the following new section:

"§ 403a. Housing treatment for certain members of the Armed Forces, and their spouses and other dependents, undergoing a permanent change of station within the United States

''(a) HOUSING TREATMENT FOR CERTAIN MEMBERS WHO HAVE A SPOUSE OR OTHER DEPENDENTS.—

''(1) HOUSING TREATMENT REGULATIONS.—The Secretary of Defense shall prescribe regulations that permit a member of the armed forces described in paragraph (2) who is undergoing a permanent change of station within the United States to request the housing treatment described in subsection (b) during the covered relocation period of the member.

''(2) ELIGIBLE MEMBERS.—A member described in this paragraph is any member who—

''(A) has a spouse who is gainfully employed or enrolled in a degree, certificate or license granting program at the beginning of the covered relocation period;

''(B) has one or more dependents attending an elementary or secondary school at the beginning of the covered relocation period;

''(C) has one or more dependents enrolled in the Exceptional Family Member Program; or

''(D) is caring for an immediate family member with a chronic or long-term illness at the beginning of the covered relocation period.

''(b) HOUSING TREATMENT.—

''(1) CONTINUATION OF HOUSING FOR THE SPOUSE AND OTHER DEPENDENTS.—If a spouse or other dependent of a member whose request under subsection (a) is approved resides in Government-owned or Government-leased housing at the beginning of the covered relocation period, the spouse or other dependent may continue to reside in such housing during a period determined in accordance with the regulations prescribed pursuant to this section.

''(2) EARLY HOUSING ELIGIBILITY.—If a spouse or other dependent of a member whose request under subsection (a) is approved is eligible to reside in Government-owned or Government-leased housing following the member's permanent change of station within the United States, the spouse or other dependent may commence residing in such housing at any time during the covered relocation period.

''(3) TEMPORARY USE OF GOVERNMENT-OWNED OR GOVERNMENT-LEASED HOUSING INTENDED FOR MEMBERS WITHOUT A SPOUSE OR DEPENDENT.—If a spouse or other dependent of a member relocates at a time different from the member in accordance with a request approved under subsection (a), the member may be assigned to Government-owned or Government-leased housing intended for the permanent housing of members without a spouse or dependent until the member's detachment date or the spouse or other dependent's arrival date, but only if such Government-owned or Government-leased housing is available without displacing a member without a spouse or dependent at such housing.

''(4) EQUITABLE BASIC ALLOWANCE FOR HOUSING.—If a spouse or other dependent of a member relocates at a time different from the member in accordance with a request approved under subsection (a), the amount of basic allowance for housing payable may be based on whichever of the following areas the Secretary concerned determines to be the most equitable:

''(A) The area of the duty station to which the member is reassigned.

''(B) The area in which the spouse or other dependent resides, but only if the spouse or other dependent resides in that area when the member departs for the duty station to which the member is reassigned, and only for the period during which the spouse or other dependent resides in that area.

''(C) The area of the former duty station of the member, but only if that area is different from the area in which the spouse or other dependent resides.

''(c) RULE OF CONSTRUCTION RELATED TO CERTAIN BASIC ALLOWANCE FOR HOUSING PAYMENTS.—Nothing in this section shall be construed to limit the payment or the amount of basic allowance for housing payable under section 403(d)(3)(A) of this title to a member whose request under subsection (a) is approved.

''(d) HOUSING TREATMENT EDUCATION.—The regulations prescribed pursuant to this section shall ensure the relocation assistance programs under section 1056 of title 10 include, as part of the assistance normally provided under such section, education about the housing treatment available under this section.

''(e) DEFINITIONS.—In this section:

''(1) COVERED RELOCATION PERIOD.—(A) Subject to subparagraph (B), the term 'covered relocation period', when used with respect to a permanent change of station of a member of the armed forces, means the period that—

''(i) begins 180 days before the date of the permanent change of station; and

''(ii) ends 180 days after the date of the permanent change of station.

''(B) The regulations prescribed pursuant to this section may provide for a lengthening of the covered relocation period of a member for purposes of this section.

''(2) DEPENDENT.—The term 'dependent' has the meaning given that term in section 401 of this title.

''(3) PERMANENT CHANGE OF STATION.—The term 'permanent change of station' means a permanent change of station described in section 452(b)(2) of this title.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 7 such title is amended by inserting after the item relating to section 403 the following new item:

''403a. Housing treatment for certain members of the armed forces, and their spouses and other dependents, undergoing a permanent change of station within the United States.''.

(b) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act, and shall apply with respect to permanent changes of station of members of the Armed Forces that occur on or after October 1 of the fiscal year that begins after such date of enactment.

SEC. 604. PER DIEM ALLOWANCE POLICIES.

(a) POLICY AND REGULATIONS.—

(1) EXISTING POLICY AND REGULATIONS.—The Secretary of each military department may not implement the policy in the memorandum dated October 1, 2014, titled ''UTD/CTS for MAP 118-13/CAP 118-13 – Flat Rate Per Diem for Long Term TDY'', regarding per diem allowances, or any regulations prescribed pursuant to such memorandum, on or after the date of the enactment of this Act.

(2) FUTURE POLICY AND REGULATIONS.—(A) The Secretary of each military department concerned may not implement a new policy regarding per diem allowances under section 474 of title 37, United States Code, until after the Secretary of Defense issues the report under subsection (b).

(B) The Secretary of the military department concerned shall notify the appropriate congressional committees not less than 30 days before implementing a new policy regarding per diem allowances under section 474 of title 37, United States Code.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue a report to the appropriate congressional committees regarding options to reduce travel costs incurred by the Department of Defense, including the adoption of practices used by private entities.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means the congressional defense committees, the Committee on Homeland Security and Governmental Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives.

Subtitle B—Bonuses and Special and Incentive Pays

SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR RESERVE FORCES.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2017'' and inserting ''December 31, 2018'':

(1) Section 308b(g), relating to Selected Reserve reenlistment bonus.

(2) Section 308c(i), relating to Selected Reserve affiliation or enlistment bonus.

(3) Section 308d(c), relating to special pay for enlisted members assigned to certain high-priority units.

(4) Section 308g(f)(2), relating to Ready Reserve enlistment bonus for persons without prior service.

(5) Section 308h(e), relating to Ready Reserve enlistment and reenlistment bonus for persons with prior service.

(6) Section 308i(f), relating to Selected Reserve enlistment and reenlistment bonus for persons with prior service.

(7) Section 478a(e), relating to reimbursement of travel expenses for inactive-duty training outside of normal commuting distance.

(8) Section 910(g), relating to income replacement payments for reserve component members experiencing extended and frequent mobilization for active duty service.

SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND SPECIAL PAY AUTHORITIES FOR HEALTH CARE PROFESSIONALS.

(a) TITLE 10 AUTHORITIES.—The following sections of title 10, United States Code, are amended by striking ''December 31, 2017'' and inserting ''December 31, 2018'':

(1) Section 2130a(a)(1), relating to nurse officer candidate accession program.

(2) Section 16302(d), relating to repayment of education loans for certain health professionals who serve in the Selected Reserve.

(b) TITLE 37 AUTHORITIES.—The following sections of title 37, United States Code, are amended by striking ''December 31, 2017'' and inserting ''December 31, 2018'':

(1) Section 302c-1(f), relating to accession and retention bonuses for psychologists.

(2) Section 302d(a)(1), relating to accession bonus for registered nurses.

(3) Section 302e(a)(1), relating to incentive special pay for nurse anesthetists.

(4) Section 302g(e), relating to special pay for Selected Reserve health professionals in critically short wartime specialties.

(5) Section 302h(a)(1), relating to accession bonus for dental officers.

(6) Section 302j(a), relating to accession bonus for pharmacy officers.

(7) Section 302k(f), relating to accession bonus for medical officers in critically short wartime specialties.

(8) Section 302l(g), relating to accession bonus for dental specialist officers in critically short wartime specialties.

SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND BONUS AUTHORITIES FOR NUCLEAR OFFICERS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2017'' and inserting ''December 31, 2018'':

(1) Section 312(f), relating to special pay for nuclear-qualified officers extending period of active service.

(2) Section 312b(c), relating to nuclear career accession bonus.

(3) Section 312c(d), relating to nuclear career annual incentive bonus.

SEC. 614. ONE-YEAR EXTENSION OF 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, 2017'' and inserting ''December 31, 2018'':

(1) Section 331(h), relating to general bonus authority for enlisted members.

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

(3) Section 333(i), relating to special bonus and incentive pay authorities for nuclear officers.

(4) Section 334(i), relating to special aviation incentive pay and bonus authorities for officers.

(5) Section 335(k), relating to special bonus and incentive pay authorities for officers in health professions.

(6) Section 336(g), relating to contracting bonus for cadets and midshipmen enrolled in the Senior Reserve Officers' Training Corps.

(7) Section 351(h), relating to hazardous duty pay.

(8) Section 352(g), relating to assignment pay or special duty pay.

(9) Section 353(i), relating to skill incentive pay or proficiency bonus.

(10) Section 355(h), relating to retention incentives for members qualified in critical military skills or assigned to high priority units.

SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELATING TO PAYMENT OF OTHER TITLE 37 BONUSES AND SPECIAL PAYS.

The following sections of title 37, United States Code, are amended by striking ''December 31, 2017'' and inserting ''December 31, 2018'':

(1) Section 301b(a), relating to aviation officer retention bonus.

(2) Section 307a(g), relating to assignment incentive pay.

(3) Section 308(g), relating to reenlistment bonus for active members.

(4) Section 309(e), relating to enlistment bonus.

(5) Section 316a(g), relating to incentive pay for members of precommissioning programs pursuing foreign language proficiency.

(6) Section 324(g), relating to accession bonus for new officers in critical skills.

(7) Section 326(g), relating to incentive bonus for conversion to military occupational specialty to ease personnel shortage.

(8) Section 327(h), relating to incentive bonus for transfer between Armed Forces.

(9) Section 330(f), relating to accession bonus for officer candidates.

SEC. 616. REIMBURSEMENT FOR STATE LICENSURE AND CERTIFICATION COSTS OF A MEMBER OF THE ARMED FORCES ARISING FROM SEPARATION FROM THE ARMED FORCES.

(a) REIMBURSEMENT AUTHORIZED.—Section 1143 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(f) REIMBURSEMENT FOR STATE LICENSURE AND CERTIFICATION COSTS.—(1) The Secretary concerned may reimburse a member of the armed forces who separates from the armed forces for qualified relicensing costs of the member.

''(2) Reimbursement provided to a member under this subsection may not exceed $500.

''(3) In this subsection, the term 'qualified relicensing costs' means costs, including exam and registration fees, that—

''(A) are imposed by the State in which the member resides after separation from the armed forces to secure a license or certification to engage in a profession; and

''(B) are paid or incurred by the member to secure the license or certification from the State in which the member resides after separation from the armed forces.''.

(b) DEVELOPMENT OF RECOMMENDATIONS TO EXPEDITE LICENSE PORTABILITY FOR MEMBERS OF THE ARMED FORCES.—

(1) CONSULTATION WITH STATES.—The Secretary of Defense, and the Secretary of Homeland Security with respect to the Coast Guard, shall consult with States—

(A) to identify barriers to the portability between States of a license, certification, or other grant of permission held by a member of the Armed Forces to engage in an occupation when the member separates from the Armed Forces; and

(B) to develop recommendations for the Federal Government and the States, together or separately, to expedite the portability of such licenses, certifications, and other grants of permission for separated members of the Armed Forces.

(2) SPECIFIC CONSIDERATIONS.—In conducting the consultation and preparing the recommendations under paragraph (1), the Secretaries shall consider the feasibility of—

(A) States accepting licenses, certifications, and other grants of permission described in paragraph (1) issued by another State and in good standing in that State;

(B) the issuance of a temporary license pending completion of State-specific requirements; and

(C) the establishment of an expedited review process for separated members of the Armed Forces.

(3) REPORT REQUIRED.—Not later than March 15, 2018, the Secretaries shall submit to the appropriate congressional committees and the States a report containing the recommendations developed under this subsection.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this subsection, the term ''appropriate congressional committees'' means the congressional defense committees, the Committee on Homeland Security and Government Affairs of the Senate, and the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 617. INCREASE IN MAXIMUM AMOUNT OF AVIATION BONUS FOR 12-MONTH PERIOD OF OBLIGATED SERVICE.

Section 334(c)(1)(B) of title 37, United States Code, is amended by striking ''$35,000'' and inserting ''$50,000''.

SEC. 618. TECHNICAL AND CLERICAL AMENDMENTS RELATING TO 2008 CONSOLIDATION OF CERTAIN SPECIAL PAY AUTHORITIES.

(a) REPAYMENT PROVISIONS.—

(1) TITLE 10.—Section 510(i), subsections (a)(3) and (c) of section 2005, paragraphs (1) and (2) of section 2007(e), section 2105, section 2123(e)(1)(C), section 2128(c), section 2130a(d), section 2171(g), section 2173(g)(2), paragraphs (1) and (2) of section 2200a(e), section 4348(f), section 6959(f), section 9348(f), subsections (a)(2) and (b) of section 16135, section 16203(a)(1)(B), section 16301(h), section 16303(d), and the matter preceding subparagraph (A) of paragraph (1) and the matter preceding subparagraph (A) of paragraph (2) of section 16401(f) of title 10, United States Code, are each amended by inserting ''or 373'' before ''of title 37''.

(2) TITLE 14.—Section 182(g) of title 14, United States Code, is amended by inserting ''or 373'' before ''of title 37''.

(b) OFFICERS APPOINTED PURSUANT TO AN AGREEMENT UNDER SECTION 329 OF TITLE 37.—Section 641 of title 10, United States Code, is amended by striking paragraph (6).

(c) REENLISTMENT LEAVE.—The matter preceding paragraph (1) of section 703(b) of title 10, United States Code, is amended by inserting ''or paragraph (1) or (3) of section 351(a)'' after ''section 310(a)(2)''.

(d) REST AND RECUPERATION ABSENCE: QUALIFIED MEMBERS EXTENDING DUTY AT A DESIGNATED LOCATION OVERSEAS.—The matter following paragraph (4) of section 705(a) of title 10, United States Code, is amended by inserting ''or 352'' after ''section 314''.

(e) REST AND RECUPERATION ABSENCE: CERTAIN MEMBERS UNDERGOING EXTENDED DEPLOYMENT TO A COMBAT ZONE.—Section 705a(b)(1)(B) of title 10, United States Code, is amended by inserting or ''352(a)'' after ''section 305''.

(f) MILITARY PAY AND ALLOWANCES CONTINUANCE WHILE IN A MISSING STATUS.—Section 552(a)(2) of title 37, United States Code, is amended by inserting ''or paragraph (2) of section 351(a)'' after ''section 301''.

(g) MILITARY PAY AND ALLOWANCES.—Section 907(d) of title 37, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A), by inserting ''or 351'' after ''section 301'';

(B) in subparagraph (B), by inserting ''or 352'' after ''section 301c'';

(C) in subparagraph (C), by inserting ''or 353(a)'' after ''section 304'';

(D) in subparagraph (D), by inserting ''or 352'' after ''section 305'';

(E) in subparagraph (E), by inserting ''or 352'' after ''section 305a'';

(F) in subparagraph (F), by inserting ''or 352'' after ''section 305b'';

(G) in subparagraph (G), by inserting ''or 352'' after ''section 307a'';

(H) in subparagraph (I), by inserting ''or 352'' after ''section 314'';

(I) in subparagraph (J), by striking ''316'' and inserting ''353(b)''; and

(J) in subparagraph (K), by striking ''323'' and inserting ''355''; and

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting ''or 352'' after ''section 307'';

(B) in subparagraph (B), by striking ''308'' and inserting ''331'';

(C) in subparagraph (C), by striking ''309'' and inserting ''331''; and

(D) in subparagraph (D), by inserting ''or 353'' after ''section 320''.

(h) PAY AND ALLOWANCES.—Section 208(a)(2) of the Public Health Service Act (42 U.S.C. 210(a)(2)) is amended by inserting ''or 373'' after ''303a(b)''.

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

SEC. 621. FINDINGS AND SENSE OF CONGRESS REGARDING THE SPECIAL SURVIVOR INDEMNITY ALLOWANCE.

(a) FINDINGS.—Congress finds the following:

(1) Dependency and indemnity compensation administered by the Department of Veterans Affairs provides financial support to the surviving spouses, children, and dependent parents of deceased veterans.

(2) The survivor benefit plan administered by the Department of Defense provides an inflation-adjusted annuity to the eligible survivors of certain deceased military personnel.

(3) The amount of compensation a surviving spouse may receive under the survivor benefit plan is offset on a dollar-for-dollar basis by any amount of dependency and indemnity compensation the surviving spouse receives.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the special survivor indemnity allowance was created to assist surviving spouses and begin to repay the offset described in subsection (a)(3); and

(2) such offset should be repealed as soon as possible.

Subtitle D—Other Matters

SEC. 631. LAND CONVEYANCE AUTHORITY, ARMY AND AIR FORCE EXCHANGE SERVICE PROPERTY, DALLAS, TEXAS.

(a) CONVEYANCE AUTHORIZED.—The Army and Air Force Exchange Service may convey, by sale, exchange, or a combination thereof, all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, that is located at 8901 Autobahn Drive in Dallas, Texas, and was purchased using nonappropriated funds of the Army and Air Force Exchange Service.

(b) CONSIDERATION.—

(1) IN GENERAL.—Consideration for the real property conveyed under subsection (a) shall be at least equal to the fair market value of the property, as determined by the Army and Air Force Exchange Service.

(2) TREATMENT OF CASH CONSIDERATION.—Any cash consideration received from the conveyance of the property under subsection (a) may be retained by the Army and Air Force Exchange Service since the property was acquired using nonappropriated funds.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the real property to be conveyed under subsection (a) shall be determined by a survey satisfactory to the Army and Air Force Exchange Service. The recipient of the property shall be required to cover the cost of the survey.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Army and Air Force Exchange Service may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Army and Air Force Exchange Service considers appropriate to protect the interests of the United States.

SEC. 632. ADVISORY BOARDS REGARDING MILITARY COMMISSARIES AND EXCHANGES.

The Secretary of Defense shall direct each commanding officer of a military base on which there is a military commissary or exchange to establish an advisory board, comprised of representatives of military or veterans service organizations, to advise the commanding officer regarding the interests of patrons and beneficiaries of military commissaries and exchanges.

TITLE VII—HEALTH CARE PROVISIONS

Subtitle A—TRICARE and Other Health Care Benefits

SEC. 701. PHYSICAL EXAMINATIONS FOR MEMBERS OF A RESERVE COMPONENT WHO ARE SEPARATING FROM THE ARMED FORCES.

Section 1145 of title 10, United States Code, is amended—

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

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

''(d) PHYSICAL EXAMINATIONS FOR CERTAIN MEMBERS OF A RESERVE COMPONENT.—(1) The Secretary concerned shall provide a physical examination pursuant to subsection (a)(5) to each member of a reserve component who—

''(A) during the two-year period before the date on which the member is scheduled to be separated from the armed force served on active duty in support of a contingency operation for a period of more than 30 days;

''(B) will not otherwise receive such an examination under such subsection; and

''(C) elects to receive such a physical examination.

''(2) The Secretary concerned shall—

''(A) provide the physical examination under paragraph (1) to a member during the 90-day period before the date on which the member is scheduled to be separated from the armed forces; and

''(B) issue orders to such a member to receive such physical examination.

''(3) A member may not be entitled to health care benefits pursuant to subsection (a), (b), or (c) solely by reason of being provided a physical examination under paragraph (1).

''(4) In providing to a member a physical examination under paragraph (1), the Secretary concerned shall provide to the member a record of the physical examination.''.

SEC. 702. MENTAL HEALTH EXAMINATIONS BEFORE MEMBERS SEPARATE FROM THE ARMED FORCES.

(a) IN GENERAL.—Section 1145(a)(5)(A) of title 10, United States Code, is amended by inserting ''and a mental health examination conducted pursuant to section 1074n of this title'' after ''a physical examination''.

(b) CONFORMING AMENDMENT.—Section 1074n(a) of such title is amended by inserting ''(and before separation from active duty pursuant to section 1145(a)(5)(A) of this title)'' after ''each calendar year''.

SEC. 703. PROVISION OF HYPERBARIC OXYGEN THERAPY FOR CERTAIN MEMBERS OF THE ARMED FORCES.

(a) HBOT TREATMENT.—

(1) IN GENERAL.—Chapter 55 of title 10, United States Code, is amended by inserting after section 1074n the following new section:

''§ 1074o. Provision of hyperbaric oxygen therapy for certain members

''(a) IN GENERAL.—The Secretary may furnish hyperbaric oxygen therapy available at a military medical treatment facility to a covered member if such therapy is prescribed by a physician to treat post-traumatic stress disorder or traumatic brain injury.

''(b) COVERED MEMBER DEFINED.—In this section, the term 'covered member' means a member of the armed forces who is—

''(1) serving on active duty; and

''(2) diagnosed with post-traumatic stress disorder or traumatic brain injury.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1074n the following new item:

''1074o. Provision of hyperbaric oxygen therapy for certain members.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect 90 days after the date of the enactment of this Act.

Subtitle B—Health Care Administration

SEC. 711. CLARIFICATION OF ROLES OF COMMANDERS OF MILITARY MEDICAL TREATMENT FACILITIES AND SURGEONS GENERAL.

(a) ROLE OF COMMANDERS.—Section 1073c(a)(2) of title 10, United States Code, is amended—

(1) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively; and

(2) by inserting before subparagraph (B) the following new subparagraph (A):

''(A) the operation of such facility;''.

(b) ROLE OF SURGEONS GENERAL.—

(1) SURGEON GENERAL OF THE ARMY.—Section 3036(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4)(A) The Surgeon General is responsible—

''(i) for the medical readiness provided by the military medical treatment facilities of the Army; and

''(ii) for maintaining a ready medical force of the Army.

''(B) In carrying out subparagraph (A), the Surgeon General shall provide operational oversight of readiness matters of the military medical treatment facilities of the Army.''.

(2) SURGEON GENERAL OF THE NAVY.—Section 5137(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4)(A) The Surgeon General is responsible—

''(i) for the medical readiness provided by the military medical treatment facilities of the Navy; and

''(ii) for maintaining a ready medical force of the Navy.

''(B) In carrying out subparagraph (A), the Surgeon General shall provide operational oversight of readiness matters of the military medical treatment facilities of the Navy.''.

(3) SURGEON GENERAL OF THE AIR FORCE.—Section 8036(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(4)(A) The Surgeon General is responsible—

''(i) for the medical readiness provided by the military medical treatment facilities of the Air Force; and

''(ii) for maintaining a ready medical force of the Air Force.

''(B) In carrying out subparagraph (A), the Surgeon General shall provide operational oversight of readiness matters of the military medical treatment facilities of the Air Force.''.

SEC. 712. MAINTENANCE OF INPATIENT CAPABILITIES OF MILITARY MEDICAL TREATMENT FACILITIES LOCATED OUTSIDE THE UNITED STATES.

In carrying out section 1073d of title 10, United States Code, the Secretary of Defense shall ensure that each military medical treatment facility located outside the United States maintains, at a minimum, the inpatient capabilities of such facility as of September 30, 2016.

SEC. 713. REGULAR UPDATE OF PRESCRIPTION DRUG PRICING STANDARD UNDER TRICARE RETAIL PHARMACY PROGRAM.

Section 1074g(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(3) With respect to the TRICARE retail pharmacy program described in subsection (a)(2)(E)(ii), the Secretary shall ensure that a contract entered into with a TRICARE pharmacy program contractor includes requirements described in section 1860D–12(b)(6) of the Social Security Act (42 U.S.C. 1395w–112(b)(6)) to ensure the provision of information regarding the pricing standard for prescription drugs.''.

SEC. 714. RESIDENCY REQUIREMENTS FOR PODIATRISTS.

(a) REQUIREMENT.—In addition to any other qualification required by law or regulation, the

Secretary of Defense shall ensure that to serve as a podiatrist in the Armed Forces, an individual must have successfully completed a three-year podiatric medicine and surgical residency.

(b) APPLICATION.—Subsection (a) shall apply with respect to an individual who is commissioned as an officer in the Armed Forces on or after the date that is one year after the date of the enactment of this Act.

Subtitle C—Other Matters

SEC. 721. ONE YEAR EXTENSION OF PILOT PROGRAM FOR PRESCRIPTION DRUG ACQUISITION COST PARITY IN THE TRICARE PHARMACY BENEFITS PROGRAM.

Section 743(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

(1) by striking ''October 1, 2017'' and inserting ''October 1, 2018''; and

(2) by striking ''September 30, 2018'' and inserting ''September 30, 2019''.

SEC. 722. PILOT PROGRAM ON HEALTH CARE ASSISTANCE SYSTEM.

(a) PILOT PROGRAM.—The Secretary of Defense shall carry out a pilot program to provide a health care assistance service to certain covered beneficiaries enrolled in TRICARE Prime or TRICARE Select to improve the health outcomes and patient experience for covered beneficiaries with complex medical conditions.

(b) ELEMENTS.—The pilot program under subsection (a) may include the following elements:

(1) Assisting families with complex medical conditions to understand and use the health benefits under the TRICARE program.

(2) Supporting such families in accessing and navigating the health care delivery system.

(3) Providing such families with information to allow the families to make informed decisions with health care providers.

(4) Improving the health outcomes for such families.

(c) DURATION.—The Secretary shall carry out the pilot program for an amount of time determined appropriate by the Secretary during the five-year period beginning January 1, 2018.

(d) REPORT.—Not later than January 1, 2021, the Secretary shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report containing an evaluation of the success of the pilot program under subsection (a), including an analysis of the implementation of the elements under subsection (b).

(e) DEFINITIONS.—In this section, the terms ''covered beneficiary'', ''TRICARE Prime'', ''TRICARE program'', and ''TRICARE Select'' have the meaning given those terms in section 1072 of title 10, United States Code.

SEC. 723. RESEARCH OF CHRONIC TRAUMATIC ENCEPHALOPATHY.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for advanced development for research, development, test, and evaluation for the Defense Health Program, not more than $25,000,000 may be used to award grants to medical researchers and universities to support research into early detection of chronic traumatic encephalopathy.

SEC. 724. SENSE OF CONGRESS ON ELIGIBILITY OF VICTIMS OF ACTS OF TERROR FOR EVALUATION AND TREATMENT AT MILITARY TREATMENT FACILITIES.

Section 717 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by striking subsection (d) and inserting the following new subsections:

''(d) SENSE OF CONGRESS.—It is the sense of Congress that the civilians covered by this section include United States victims of domestic and international terrorism.

''(e) DEFINITIONS.—In this section:

''(1) The term 'act of terror' means an act of domestic terrorism or international terrorism, as those terms are defined in section 2331 of title 18, United States Code.

''(2) The term 'covered beneficiary' has the meaning given that term in section 1072 of title 10, United States Code.

''(3) The term 'victim', with respect to an act of terror, means an individual who suffered physical injury as a direct result of the act of terror.''.

TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS

Subtitle A—Defense Acquisition Streamlining and Transparency

PART I—ACQUISITION SYSTEM STREAMLINING

SEC. 801. PROCUREMENT THROUGH ONLINE MARKETPLACES.

(a) ESTABLISHMENT OF PROGRAM.—The Administrator of General Services shall establish a program to procure commercial products through online marketplaces for purposes of expediting procurement and ensuring reasonable pricing of commercial products. The Administrator shall carry out the program in accordance with this section, through more than one contract with more than one online marketplace provider, and shall design the program to enable Government-wide use of such marketplaces.

(b) USE OF PROGRAM BY SECRETARY OF DEFENSE.—The Secretary of Defense shall purchase, as appropriate, commercial products for the Department of Defense using the program established pursuant to subsection (a).

(c) CRITERIA FOR ONLINE MARKETPLACES.—The Administrator shall ensure that an online marketplace used under the program established pursuant to subsection (a)—

(1) is used widely in the private sector, including in business-to-business e-commerce;

(2) provides dynamic selection, in which suppliers and products may be frequently updated, and dynamic pricing, in which product prices may be frequently updated;

(3) enables offers from multiple suppliers on the same or similar products to be sorted or filtered based on product and shipping price, delivery date, and reviews of suppliers or products;

(4) does not feature or prioritize a product of a supplier based on any compensation or fee paid to the online marketplace by the supplier that is exclusively for such featuring or prioritization on the online marketplace;

(5) provides the capability for procurement oversight controls, including spending limits, order approval, and order tracking;

(6) provides consolidated invoicing, payment, and customer service functions for all transactions;

(7) satisfies requirements for supplier and product screening in subsection (d); and

(8) collects information necessary to fulfill the information requirements in subsection (h).

(d) SUPPLIER AND PRODUCT SCREENING.—The Administrator shall—

(1) provide or ensure electronic availability to an online marketplace provider awarded a contract pursuant to subsection (a), no less frequently than the first day of each month—

(A) the list of suspended and debarred contractors contained in the System of Award Management maintained by the General Services Administration, or any successor system;

(B) a list of suppliers, by product, that certify compliance with the requirements of section 2533a or 2533b of title 10, United States Code;

(C) a list of suppliers, by product, that comply with the requirements of, or are subject to an exception under, chapter 83 of title 41, United States Code;

(D) a list of suppliers, by product, with respect to which the President has issued a waiver under section 301 of the Trade Agreements Act of 1979 (19 U.S.C. 2511);

(E) a list of products, by supplier, that are suitable for the Federal Government to procure pursuant to section 2410n of title 10, United States Code, or section 8503 of title 41, United States Code; and

(F) a list of suppliers, by product, that are small business concerns;

(2) conduct reviews of suppliers to establish the lists required under paragraph (1);

(3) ensure that an online marketplace used under the program established pursuant to subsection (a) provides the ability to search suppliers and products and identify such suppliers and products as authorized or not authorized for purchase during the procurement and order approval process based on the most recent lists provided pursuant to paragraph (1).

(e) RELATIONSHIP TO OTHER PROVISIONS OF LAW.—(1) Notwithstanding any other provision of law, a procurement of a product made through an online marketplace under the program established pursuant to subsection (a)—

(A) is deemed to satisfy requirements for full and open competition pursuant to section 2304 of title 10, United States Code, and section 3301 of title 41, United States Code, if there are offers from two or more suppliers of such a product or similar product with substantially the same physical, functional, or performance characteristics on the online marketplace; and

(B) is deemed to be an award of a prime contract for purposes of the goals established under section 15(g) of the Small Business Act (15 U.S.C. 644(g)), if the purchase is from a supplier that is a small business concern.

(2) Nothing in this subsection shall be construed as limiting the authority of a department or agency to restrict competition to small business concerns.

(f) REQUIREMENT TO USE STANDARD TERMS AND CONDITIONS OF ONLINE MARKETPLACES.—Notwithstanding any other provision of law, a procurement of a product through a commercial online marketplace used under the program established pursuant to subsection (a) shall be made under the standard terms and conditions of the marketplace relating to purchasing on the marketplace, and the Administrator shall not require an online marketplace to modify its standard terms and conditions as a condition of receiving a contract pursuant to subsection (a).

(g) PROCEDURES FOR AWARD OF CONTRACT.—Notwithstanding section 2304 of title 10, United States Code, or any other provision of law, the award of a contract to an online marketplace provider pursuant to subsection (a) may be made without the use of full and open competition.

(h) ORDER INFORMATION.—

(1) IN GENERAL.—The Administrator shall require each online marketplace provider awarded a contract pursuant to subsection (a) to provide to the General Services Administration, not less frequently than the first day of each month, the ability to electronically access the following information with respect to each product ordered during the preceding month:

(A) The product name and description.

(B) The date and time of the order.

(C) The product price.

(D) The person or entity within the department or agency that purchased the product and, if appropriate, the official who authorized the purchase.

(E) The delivery address specified in the order for the product.

(F) The number of suppliers that offered the same product or a similar product with substantially the same physical, functional, or performance characteristics on the same date and time that the product was ordered.

(2) DATA SYSTEM.—The Administrator shall ensure that order information listed in paragraph (1) is entered into the Federal Procurement Data System described in section 1122 of title 41, United States Code.

(i) LIMITATION ON INFORMATION DISCLOSURE.—In any contract awarded to an online marketplace provider pursuant to subsection (a), the Administrator shall require that the provider

agree not to sell or otherwise make available to any third party any of the information listed in subsection (h)(1) in a manner that identifies the Federal Government, or any of its departments or agencies, as the purchaser, except with written consent of the Administrator.

(j) COMPTROLLER GENERAL REVIEW OF SMALL BUSINESS PARTICIPATION.—

(1) REPORT REQUIREMENT.—Not later than three years after a contract with an online marketplace provider is awarded pursuant to subsection (a), the Comptroller General of the United States shall submit to the committees listed in paragraph (2) a report on small business participation in the program established pursuant to subsection (a). The report shall include—

(A) the number of small business concerns that have registered or that have sold goods with at least one online marketplace provider;

(B) trends in small business participation;

(C) the effect, if any, of the program on the ability of agencies to meet goals established under section 15(g) of the Small Business Act (15 U.S.C. 644(g)); and

(D) a discussion of the limitations, if any, to small business participation in the program.

(2) COMMITTEES.—The committees listed in this paragraph are the following:

(A) The Committees on Armed Services of the Senate and House of Representatives.

(B) The Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.

(C) The Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives.

(k) DEFINITIONS.—In this section:

(1) ONLINE MARKETPLACE PROVIDER.—The term ''online marketplace provider'' means a commercial, non-Government entity providing an online portal for the purchase of commercial products aggregated, distributed, sold, or manufactured by such entity. The term does not include an online portal managed by the Government for, or predominantly for use by, Government agencies.

(2) COMMERCIAL PRODUCT.—The term ''commercial product'' means a commercially available off-the-shelf item, as defined in section 104 of title 41, United States Code, except the term does not include services.

(3) SMALL BUSINESS CONCERN.—The term ''small business concern'' has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 802. PERFORMANCE OF INCURRED COST AUDITS.

(a) PERFORMANCE OF INCURRED COST AUDITS.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2313a the following new section:

''§ 2313b. Performance of incurred cost audits

''(a) COMPLIANCE WITH STANDARDS OF RISK AND MATERIALITY.—For purposes of performing an incurred cost audit of costs associated with a contract of the Department of Defense, the Secretary of Defense shall comply with commercially accepted standards of risk and materiality.

''(b) SELECTION OF AUDITING ENTITY TO PERFORM INCURRED COST AUDITS.—(1) For an incurred cost audit of a contract of the Department of Defense, the Defense Contract Management Agency or a contract administration office of a military department shall have the authority to select the Defense Contract Audit Agency or a qualified private auditor to perform an incurred cost audit, based upon guidelines that—

''(A) are issued by an audit planning committee that is comprised of one representative from each of the office of the Under Secretary of Defense for Acquisition and Sustainment, the Defense Contract Management Agency, a contract administration office of a military department, and the Defense Contract Audit Agency;

''(B) ensure that, after September 1, 2020, not less than 25 percent of incurred costs on flexibly priced contracts are audited by qualified private auditors; and

''(C) ensure that multi-year auditing is conducted only to address outstanding incurred cost audits for which a qualified incurred cost submission was submitted to the Defense Contract Audit Agency more than 12 months before the date of the enactment of this section.

''(2)(A) Not later than September 1, 2020, the Secretary of Defense shall award an indefinite delivery-indefinite quantity task order contract to two or more qualified private auditors to perform incurred cost audits of costs associated with contracts of the Department of Defense.

''(B) The Defense Contract Management Agency, a contract administration office of a military department, or an authorized entity outside the Department of the Defense may issue a task order to perform an incurred cost audit to a qualified private auditor under a task order contract awarded under subparagraph (A). Such task order may be issued only to a qualified private auditor that certifies that the qualified private auditor possesses the necessary independence to perform such an audit.

''(C) The Defense Contract Audit Agency may not conduct further audit or review of an incurred cost audit performed by a qualified private auditor pursuant to this section, unless requested to do so as part of conducting contract quality assurance functions in accordance with the Federal Acquisition Regulation.

''(3)(A) Effective September 1, 2022, the Defense Contract Audit Agency may issue unqualified audit findings for an incurred cost audit only if the Defense Contract Audit Agency is peer reviewed by a commercial auditor and passes such peer review. Such peer review shall be conducted in accordance with the peer review requirements of the generally accepted government auditing standards of the Comptroller General of the United States and shall be deemed to meet the requirements of the Defense Contract Audit Agency for a peer review under such standards.

''(B) The peer review referred to in subparagraph (A) shall occur not less frequently than once every three years.

''(C) Not later than September 1, 2019, the Secretary of Defense shall provide to the Committee on Armed Services of the House of Representatives an update on the process of securing a commercial auditor to perform the peer review referred to in subparagraph (A).

''(4) The Secretary of Defense shall consider the results of an incurred cost audit performed under this section without regard to whether the Defense Contract Audit Agency or a qualified private auditor performed the audit.

''(5) The contracting officer for a contract that is the subject of an incurred cost audit shall have the sole discretion to accept or reject an audit finding on direct costs of the contract.

''(c) MATERIALITY STANDARDS FOR INCURRED COST AUDITS.—(1) Not later than September 1, 2020, and except as provided in paragraph (2), the minimum materiality standard used by an auditor shall—

''(A) for a incurred cost audit of costs in an amount less than or equal to $100,000, be 4 percent of such costs;

''(B) for a incurred cost audit of costs in an amount greater than $100,000 but less than $500,000, be $2,000 plus 2 percent of such costs;

''(C) for a incurred cost audit of costs in an amount greater than $500,000 but less than $1,000,000, be $5,000 plus 1 percent of such costs;

''(D) for a incurred cost audit of costs in an amount greater than $1,000,000 but less than $5,000,000, be $8,000 plus 0.9 percent of such costs;

''(E) for a incurred cost audit of costs in an amount greater than $5,000,000 but less than $10,000,000, be $13,000 plus 0.8 percent of such costs;

''(F) for a incurred cost audit of costs in an amount greater than $10,000,000 but less than $50,000,000, be $23,000 plus 0.7 percent of such costs;

''(G) for a incurred cost audit of costs in an amount greater than $50,000,000 but less than $100,000,000, be $73,000 plus 0.6 percent of such costs;

''(H) for a incurred cost audit of costs in an amount greater than $100,000,000 but less than $500,000,000, be $153,000 plus 0.52 percent of such costs; and

''(I) for a incurred cost audit of costs in an amount greater than $500,000,000, be $503,000 plus 0.45 percent of such costs.

''(2) An auditor that performs an incurred cost audit under this section may use a materiality standard of a lesser amount than the materiality standard described under paragraph (1) with respect to a particular qualified incurred cost submission from a contractor based on an assessment of risk presented by such qualified incurred cost submission. The risk shall be assessed by the auditor in accordance with generally accepted government auditing standards and guidance issued by the Secretary of Defense.

''(3) Not later than March 1, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report on practices for assessing risk and materiality in auditing, which shall include—

''(A) a summary of commercially accepted standards of risk and materiality and Government standards for risk and materiality as related to incurred cost audits;

''(B) examples of how commercial auditing firms apply such standards in developing methodologies for conducting incurred cost audits; and

''(C) recommendations, if appropriate, to modify the minimum materiality standards under paragraph (1) to be consistent with commercially accepted standards of risk and materiality.

''(4) Not later than September 1, 2019, and every 5 years thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on commercially accepted standards of risk and materiality as related to incurred cost audits. The report may contain recommendations to modify the materiality standards under paragraph (1) to be consistent with such commercially accepted standards of risk and materiality.

''(d) TIMELINESS OF INCURRED COST AUDITS.—(1) The Secretary of Defense shall ensure that all incurred cost audits performed pursuant to subsection (b) are performed in a timely manner.

''(2) The Secretary of Defense shall notify a contractor within 60 days after receipt of an incurred cost submission from the contractor whether the submission is a qualified incurred cost submission.

''(3) With respect to qualified incurred cost submissions received on or after the date of the enactment of this section, audit findings shall be issued for an incurred cost audit not later than one year after the date of receipt of such qualified incurred cost submission.

''(4) If audit findings are not issued within one year after the date of receipt of a qualified incurred cost submission, such qualified incurred cost submission shall be considered accepted in its entirety unless the Secretary of Defense can demonstrate that the contractor unreasonably withheld information necessary to perform the incurred cost audit.

''(e) REVIEW OF AUDIT PERFORMANCE.—Not later than April 1, 2025, the Comptroller General of the United States shall provide a report to the congressional defense committees that evaluates for the period beginning on September 1, 2020, and ending on August 31, 2023—

''(1) the timeliness, individual cost, and quality of incurred cost audits, set forth separately by incurred cost audits performed by the Defense Contract Audit Agency and by qualified private auditors;

''(2) the cost to contractors of the Department of Defense for incurred cost audits, set forth

separately by incurred cost audits performed by the Defense Contract Audit Agency and by qualified private auditors;

''(3) the effect, if any, on other types of audits conducted by the Defense Contract Audit Agency that results from incurred cost audits conducted by qualified private auditors; and

''(4) the capability and capacity of commercial auditors to conduct incurred cost audits for the Department of Defense.

''(f) DEFINITIONS.—In this section:

''(1) The term 'commercial auditor' means a private entity engaged in the business of performing audits.

''(2) The term 'flexibly priced contract' means—

''(A) a cost-type contract, fixed-price incentive fee contract, or price-redeterminable contract, or a task order issued under an indefinite delivery-indefinite quantity task order contract, for which final payment is based on actual costs incurred; or

''(B) the materials portion of a time-and-materials contract or labor-hour contract of the Department of Defense.

''(3) The term 'incurred cost audit' means an audit of charges to the Government by a contractor under a flexibly priced contract.

''(4) The term 'materiality standard' means a dollar amount of misstatements, including omissions, contained in an incurred cost audit that would be material if the misstatements, individually or in the aggregate, could reasonably be expected to influence the economic decisions of the Government made on the basis of the incurred cost audit.

''(5) The term 'qualified incurred cost submission' means a submission by a contractor of costs incurred under a flexibly priced contract that has been qualified by the Department of Defense as sufficient to conduct an incurred cost audit.

''(6) The term 'qualified private auditor' means a commercial auditor—

''(A) that performs audits in accordance with generally accepted government auditing standards of the Comptroller General of the United States; and

''(B) that has received a passing peer review rating, as defined under the generally accepted government auditing standards.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2313a the following new item:

''2313b. Performance of incurred cost audits.''.

SEC. 803. MODIFICATIONS TO COST OR PRICING DATA AND REPORTING REQUIREMENTS.

(a) MODIFICATIONS TO SUBMISSIONS OF COST OR PRICING DATA.—

(1) TITLE 10.—Subsection (a) of section 2306a of title 10, United States Code, is amended—

(A) by striking ''December 5, 1990'' each place it appears and inserting ''June 30, 2018'';

(B) by striking ''December 5, 1991'' each place it appears and inserting ''July 1, 2018'';

(C) by striking ''$100,000'' each place it appears and inserting ''$750,000'';

(D) in paragraph (1)—

(i) in subparagraphs (A)(i), (B)(i), (C)(i), (C)(ii), and (D)(i), by striking ''$500,000'' and inserting ''$2,500,000''; and

(ii) in subparagraph (B)(ii), by striking ''$500,000'' and inserting ''$750,000'';

(E) in paragraph (6), by striking ''December 5, 1990'' and inserting ''June 30, 2018''; and

(F) in paragraph (7), by striking ''to the amount'' and all that follows through ''higher multiple of $50,000.'' and inserting ''in accordance with section 1908 of title 41.''.

(2) TITLE 41.—Section 3502 of title 41, United States Code, is amended—

(A) in subsection (a)—

(i) by striking ''October 13, 1994'' each place it appears and inserting ''June 30, 2018'';

(ii) by striking ''$100,000'' each place it appears and inserting ''$750,000'';

(iii) in paragraphs (1)(A), (2)(A), (3)(A), (3)(B), and (4)(A), by striking ''$500,000'' and inserting ''$2,500,000''; and

(iv) in paragraph (2)(B), by striking ''$500,000'' and inserting ''$750,000'';

(B) in subsection (f), by striking ''October 13, 1994'' and inserting ''June 30, 2018''; and

(C) in subsection (g), by striking ''to the amount'' and all that follows through ''higher multiple of $50,000.'' and inserting ''in accordance with section 1908.''.

(b) MODIFICATION TO AUTHORITY TO REQUIRE SUBMISSION.—Paragraph (1) of section 2306a(d) of title 10, United States Code, is amended by striking ''the contracting officer shall require submission of'' and all the follows through ''to the extent necessary'' and inserting ''the offeror shall be required to submit to the contracting officer data other than certified cost or pricing data (if requested by the contracting officer), to the extent necessary''.

(c) COMPTROLLER GENERAL REVIEW OF MODIFICATIONS TO COST OR PRICING DATA SUBMISSION REQUIREMENTS.—Not later than March 1, 2022, the Comptroller General of the United States shall submit to the congressional defense committees a report on the implementation and effect of the amendments made by subsections (a) and (b).

(d) REQUIREMENTS FOR DEFENSE CONTRACT AUDIT AGENCY REPORT.—

(1) IN GENERAL.—Section 2313a of title 10, United States Code, is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (A)—

(I) by inserting ''and dollar value'' after ''number''; and

(II) by inserting '', set forth separately by type of audit'' after ''pending'';

(ii) in subparagraph (C), by inserting '', both from the date of receipt of a qualified incurred cost submission and from the date the audit begins'' after ''audit'';

(iii) by amending subparagraph (D) to read as follows:

''(D) the sustained questioned costs, set forth separately by type of audit, both as a total value and as a percentage of the total questioned costs for the audit;'';

(iv) by striking subparagraph (E); and

(v) by inserting after subparagraph (D) the following new subparagraphs:

''(E) the total number and dollar value of incurred cost audits completed, and the method by which such incurred cost audits were completed;

''(F) the aggregate cost of performing audits, set forth separately by type of audit;

''(G) the ratio of sustained questioned costs to the aggregate costs of performing audits, set forth separately by type of audit; and

''(H) the total number and dollar value of audits that are pending for a period longer than one year as of the end of the fiscal year covered by the report, and the fiscal year in which the qualified submission was received, set forth separately by type of audit;''; and

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

''(d) DEFINITIONS.—

''(1) The terms 'incurred cost audit' and 'qualified incurred cost submission' have the meaning given those terms in section 2313b of this title.

''(2) The term 'sustained questioned costs' means questioned costs that were recovered by the Federal Government as a result of contract negotiations related to such questioned costs.''.

(2) EXEMPTION TO REPORT TERMINATION REQUIREMENTS.—Section 1080 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note), as amended by section 1061(j) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), does not apply to the report required to be submitted to Congress under section 2313a of title 10, United States Code.

(e) ADJUSTMENT TO VALUE OF COVERED CONTRACTS FOR REQUIREMENTS RELATING TO ALLOWABLE COSTS.—Subparagraph (B) of section 2324(l)(1) of title 10, United States Code, is amended by striking ''to the equivalent'' and all that follows through ''higher multiple of $50,000.'' and inserting ''in accordance with section 1908 of title 41.''.

PART II—EARLY INVESTMENTS IN ACQUISITION PROGRAMS

SEC. 811. REQUIREMENT TO EMPHASIZE RELIABILITY AND MAINTAINABILITY IN WEAPON SYSTEM DESIGN.

(a) SUSTAINMENT FACTORS IN WEAPON SYSTEM DESIGN.—

(1) IN GENERAL.—Chapter 144 of title 10, United States Code, is amended by adding at the end the following new section:

''§2442. Sustainment factors in weapon system design

''(a) IN GENERAL.—The Secretary of Defense shall ensure that the defense acquisition system gives ample emphasis to sustainment factors, particularly those factors that are affected principally by the design of a weapon system, in the development of a weapon system.

''(b) REQUIREMENTS PROCESS.—The Secretary shall ensure that reliability and maintainability are included in the performance attributes of the key performance parameter on sustainment during the development of capabilities requirements.

''(c) SOLICITATION AND AWARD OF CONTRACTS.—

''(1) REQUIREMENT.—The program manager of a weapon system shall include in the solicitation for and terms of a covered contract for the weapon system clearly defined and measurable requirements for engineering activities and design specifications for reliability and maintainability.

''(2) EXCEPTION.—If the program manager determines that engineering activities and design specifications for reliability or maintainability should not be a requirement in a covered contract, the program manager shall document in writing the justification for the decision.

''(3) SOURCE SELECTION CRITERIA.—The Secretary shall ensure that sustainment factors, including reliability and maintainability, are given ample emphasis in the process for source selection. The Secretary shall encourage the use of objective reliability and maintainability criteria in the evaluation of competitive proposals.

''(d) CONTRACT PERFORMANCE.—

''(1) IN GENERAL.—The Secretary shall ensure that the Department of Defense uses best practices for responding to the positive or negative performance of a contractor in meeting the sustainment requirements of a covered contract for a weapon system. The Secretary shall encourage the use of incentive fees authorized in paragraph (2) in all covered contracts for weapons systems. The Secretary shall take the necessary actions to enable program offices to execute the recovery options required for each covered contract under paragraph (3).

''(2) AUTHORITY FOR INCENTIVE FEES.—The Secretary of Defense is authorized to pay an incentive fee to a contractor that exceeds the design specification requirements for reliability or maintainability for a covered contract. In exercising the authority provided in this paragraph, the Secretary may provide in the terms of the contract for the payment of an incentive fee to a contractor not later than the date of acceptance of the last item under the contract.

''(3) RECOVERY OPTIONS.—(A) Any covered contract for a weapon system shall include terms for amounts to be paid by the contractor to the Government for failure to meet the design specification requirements for reliability and maintainability of the contract by the date of acceptance of the last item under the contract. Terms for such amounts shall be included in the solicitation for the contract. Such terms shall include provisions providing that—

''(i) the contractor, at no or minimal cost to the Government as determined by the Secretary

and included in the contract, identifies the cause of the failure in the system design, develops an engineering change, and, in the case of a production contract, modifies all end items to be delivered or already delivered under the contract; or

''(ii) the contractor provides the Government—

''(I) a refund in the amount required to identify the cause of the failure in the system design, develop an engineering change, and modify all end items delivered under the contract; and

''(II) associated technical data required to make the necessary modifications.

''(B) The Secretary may waive the requirement in subparagraph (A) with respect to a covered contract if the Secretary determines that such requirement is not in the national security interests of the United States.

''(4) MEASUREMENT OF RELIABILITY AND MAINTAINABILITY.—In carrying out paragraphs (2) and (3), the program manager shall base determinations of a contractor's performance on reliability and maintainability data collected during developmental testing and operational testing.

''(e) COVERED CONTRACT DEFINED.—In this section, the term 'covered contract', with respect to a weapon system, means a contract—

''(1) for the engineering and manufacturing development of a weapon system; or

''(2) for the production of a weapon system.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter I of such chapter is amended by adding at the end the following new item:

''2442. Sustainment factors in weapon system design.''.

(b) EFFECTIVE DATE FOR CERTAIN PROVISIONS.—Subsections (c) and (d) of section 2442 of title 10, United States Code, as added by subsection (a), shall apply with respect to any covered contract (as defined in that section) for which the contract solicitation is issued on or after the date occurring one year after the date of the enactment of this Act.

(c) INVESTMENT PROGRAM AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Defense shall establish an investment program for funding engineering changes to the design of a weapon system in the engineering and manufacturing development phase or in the production phase of an acquisition program to improve reliability or maintainability of the weapon system and reduce projected operating and support costs. The program may be funded from the Defense Modernization Account authorized in section 2216 of title 10, United States Code. A program manager may apply for available funds by presenting a business case analysis of the anticipated return on investment of such funds.

(2) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretaries of the military departments, shall provide a briefing to the Committees on Armed Services in the Senate and the House of Representatives on an implementation plan for the program authorized under paragraph (1). The implementation plan shall set forth the process by which program managers apply for available funds, including information on the validation of business case analyses and the evaluation of applications. The briefing shall also include the results of a review of past or existing programs to improve reliability and maintainability and reduce operating and support costs of weapon systems, an assessment of best practices and lessons learned from these programs, and an assessment of the opportunities for consolidation of existing similar programs.

SEC. 812. LICENSING OF APPROPRIATE INTELLECTUAL PROPERTY TO SUPPORT MAJOR WEAPON SYSTEMS.

(a) NEGOTIATION OF PRICE FOR TECHNICAL DATA BEFORE DEVELOPMENT OR PRODUCTION OF MAJOR WEAPON SYSTEM.—

(1) REQUIREMENT.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2438 the following new section:

''§ 2439. Negotiation of price for technical data before development or production of major weapon systems

''The Secretary of Defense shall ensure that the Department of Defense, before selecting a contractor for the engineering and manufacturing development of a major weapon system, or for the production of a major weapon system, negotiates a price for technical data to be delivered under a contract for such development or production.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2438 the following new item:

''2439. Negotiation of price for technical data before development or production of major weapon systems.''.

(3) EFFECTIVE DATE.—Section 2439 of title 10, United States Code, as added by paragraph (1), shall apply with respect to any contract for engineering and manufacturing development of a major weapon system, or for the production of a major weapon system, for which the contract solicitation is issued on or after the date occurring one year after the date of the enactment of this Act.

(b) WRITTEN DETERMINATION FOR MILESTONE B APPROVAL.—

(1) IN GENERAL.—Subsection (a)(3) of section 2366b of title 10, United States Code, is amended—

(A) by striking ''and'' at the end of subparagraph (M); and

(B) by inserting after subparagraph (N) the following new subparagraph:

''(O) appropriate actions have been taken to negotiate and enter into a contract or contract options for the technical data required to support the program; and''.

(2) EFFECTIVE DATE.—Section 2366b(a)(3)(O) of title 10, United States Code, as added by paragraph (1), shall apply with respect to any major defense acquisition program receiving Milestone B approval on or after the date occurring one year after the date of the enactment of this Act.

(c) PREFERENCE FOR NEGOTIATION OF CUSTOMIZED LICENSE AGREEMENTS.—Section 2320 of title 10, United States Code, is amended—

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

(2) by inserting after subsection (e) the following new subsection (f):

''(f) PREFERENCE FOR SPECIALLY NEGOTIATED LICENSES.—The Secretary of Defense shall, to the maximum extent practicable, negotiate and enter into a contract with a contractor for a specially negotiated license for technical data to support the product support strategy of a major weapon system or subsystem of a major weapon system. In performing the assessment and developing the corresponding strategy required under subsection (e) for such a system or subsystem, a program manager shall consider the use of specially negotiated licenses to acquire customized technical data appropriate for the particular elements of the product support strategy.''.

SEC. 813. MANAGEMENT OF INTELLECTUAL PROPERTY MATTERS WITHIN THE DEPARTMENT OF DEFENSE.

(a) MANAGEMENT OF INTELLECTUAL PROPERTY.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2321 the following new section:

''§ 2322. Management of intellectual property matters within the Department of Defense

''(a) OFFICE AND DIRECTOR OF INTELLECTUAL PROPERTY.—(1) There is an Office of Intellectual Property within the Office of the Under Secretary of Defense for Acquisition and Sustainment.

''(2) The Office shall be headed by a Director of Intellectual Property, who shall have the qualifications described in paragraph (3). The Director is responsible in the Department of Defense to the Under Secretary of Defense for Acquisition and Sustainment for policy and oversight of the acquisition and licensing of intellectual property within the Department of Defense. The Director shall report directly to the Under Secretary.

''(3) In order to qualify to be assigned to the position of Director, an individual shall—

''(A) have management expertise in, and professional experience with, intellectual property matters, including an understanding of intellectual property law, regulations, and policies, especially with respect to regulations and policies of the Federal Government and the Department of Defense for acquiring or licensing intellectual property, and best practices for negotiating and executing business arrangements with industry for the acquisition or licensing of intellectual property;

''(B) have an understanding of Department of Defense weapon system acquisition; and

''(C) have an understanding of the commercial marketplace; commercial industry operations, including supply chain operations; business strategies; and private investment in research and development.

''(4) The Secretary of Defense shall designate the position of Director as a critical acquisition position under section 1733(b)(1)(C) of this title.

''(b) DUTIES.—(1) The Director of Intellectual Property (in this section referred to as the 'Director') shall oversee and coordinate efforts throughout the Department of Defense to acquire or license intellectual property within the Department of Defense. The duties under this paragraph shall include the duties specified in paragraphs (2) through (8).

''(2) The Director shall develop and recommend any policy guidance on the acquisition or licensing of intellectual property to be issued by the Secretary of Defense.

''(3) The Director shall provide oversight and coordination of the efforts within the Department of Defense to acquire or license intellectual property—

''(A) to ensure that program managers are aware of the rights afforded the Federal Government and contractors in intellectual property and that program managers fully consider and use all available techniques and best practices for acquiring or licensing intellectual property early in the acquisition process;

''(B) to enable consistency across the military departments and the Department of Defense in strategies for obtaining intellectual property and communicating with industry; and

''(C) to raise awareness within the acquisition, science and technology, and logistics communities within the Department of intellectual property issues.

''(4) The Director shall assist program managers in developing customized intellectual property strategies for each weapon system based on, at a minimum, the unique characteristics of the weapon system and its components, the product support strategy for the weapon system, the organic industrial base strategy of the military department concerned, and the commercial market.

''(5) The Director shall develop resources, including guidelines on intellectual property matters and, as appropriate, templates for specially negotiated licenses, and make them available to the acquisition workforce.

''(6) The Director shall establish, maintain, supervise, and assign to program offices the cadre of intellectual property experts established under subsection (c).

''(7) The Director, in coordination with the Defense Acquisition University and in consultation with industry, shall—

''(A) develop a career path, including development opportunities, talent management programs, and training, for the cadre of intellectual

property experts established under subsection (c); and

''(B) develop, update, and coordinate intellectual property training provided to the acquisition workforce.

''(8) The Director shall foster communications with industry and serve as a central point of contact within the Department of Defense for communications with contractors on intellectual property matters. The Director may interact directly with industry, trade associations, other Government agencies, academic research and educational institutions, and scientific organizations engaged in intellectual property matters.

''(c) CADRE OF INTELLECTUAL PROPERTY EXPERTS.—(1) The Director shall establish within the Office of Intellectual Property a cadre of personnel who are experts in intellectual property matters. The purpose of the cadre is to ensure a consistent, strategic, and highly knowledgeable approach to acquiring or licensing intellectual property by providing expert advice, assistance, and resources to the acquisition workforce on intellectual property matters, including acquiring or licensing intellectual property.

''(2) The cadre of experts shall be assigned to a weapons system program office or an acquisition command within a military department to advise, assist, and provide resources to a program manager or program executive officer on intellectual property matters at various stages of the life cycle of a weapon system. In performing such duties, the experts shall—

''(A) interpret and provide counsel on laws, regulations, and policies relating to intellectual property;

''(B) advise and assist in the development of an acquisition strategy, product support strategy, and intellectual property strategy for a weapon system;

''(C) conduct or assist with financial analysis and valuation of intellectual property;

''(D) assist in the drafting of a contract solicitation or contract;

''(E) interact with or assist in interactions with contractors, including communications and negotiations with contractors on contract solicitations and contract awards; and

''(F) conduct or assist with mediation if technical data delivered pursuant to a contract is incomplete or does not comply with the terms of the contract.

''(3)(A) In order to achieve the purpose set forth in paragraph (1), the Director shall ensure the cadre has the appropriate number of staff and such staff possesses the necessary skills, knowledge, and experience to carry out the duties under paragraph (2), including in relevant areas of law, contracting, acquisition, logistics, engineering, financial analysis, and valuation. The Director may use existing authorities to staff the cadre, including those in subparagraphs (B), (C), (D), and (F).

''(B) Civilian personnel from within the Office of the Secretary of Defense, Joint Staff, military departments, Defense Agencies, and combatant commands may be assigned to serve as members of the cadre, upon request of the Director.

''(C) The Director may use the authorities for highly qualified experts under section 9903 of title 5, to hire experts as members of the cadre who are skilled professionals in intellectual property and related matters.

''(D) The Director may enter into a contract with a private-sector entity for specialized expertise to support the cadre. Such entity may be considered a covered Government support contractor, as defined in section 2320 of this title.

''(E) In establishing the cadre, the Director shall give preference to civilian employees of the Department of Defense, rather than members of the armed forces, to maintain continuity in the cadre.

''(F) The Director is authorized to use funding from the Defense Acquisition Workforce Development Fund for the purpose of recruitment, training, and retention of the cadre, including paying salaries of newly hired members of the cadre for up to three years.

''(G) Members of the cadre shall report to the Director.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2322. Management of intellectual property matters within the Department of Defense.''.

(b) PLACEMENT IN THE OFFICE OF THE SECRETARY OF DEFENSE.—Subsection 131(b)(8) of title 10, United States Code, is amended by adding at the end the following new subparagraph:

''(J) The Director of the Office of Intellectual Property assigned pursuant to section 2322(a) of this title.''.

(c) ADDITIONAL ACQUISITION POSITION.—Subsection 1721(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(12) Intellectual property.''.

(d) REVIEW OF ACQUISITION WORKFORCE TRAINING.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall revise the education and training programs provided to the acquisition workforce under chapter 87 of title 10, United States Code—

(1) to ensure the acquisition workforce maintains a basic familiarity with the fundamental aspects of the acquisition and licensing of intellectual property; and

(2) to establish and maintain advanced expertise in the acquisition and licensing of intellectual property to staff the cadre of intellectual property experts required under section 2322 of title 10, United States Code, as added by subsection (a).

SEC. 814. IMPROVEMENT OF PLANNING FOR ACQUISITION OF SERVICES.

(a) IN GENERAL.—

(1) IMPROVEMENT OF PLANNING FOR ACQUISITION OF SERVICES.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2328 the following new section:

''§ 2329. Procurement of services: data analysis and requirements validation

''(a) IN GENERAL.—The Secretary of Defense shall ensure that—

''(1) appropriate and sufficiently detailed data are collected and analyzed to support the validation of requirements for services contracts and inform the planning, programming, budgeting, and execution process of the Department of Defense;

''(2) requirements for services contracts are evaluated appropriately and in a timely manner to inform decisions regarding the procurement of services; and

''(3) decisions regarding the procurement of services consider available resources and total force management policies and procedures.

''(b) SPECIFICATION OF AMOUNTS REQUESTED IN BUDGET.—Effective October 1, 2022, the Secretary of Defense shall annually submit to Congress information on services contracts that clearly and separately identifies the amount requested for each category of services to be procured for each Defense Agency, Department of Defense Field Activity, command, or military installation. Such information shall—

''(1) be submitted at or about the time of the budget submission by the President under section 1105(a) of title 31;

''(2) cover the fiscal year covered by such budget submission by the President;

''(3) be consistent with total amounts of estimated expenditures and proposed appropriations necessary to support the programs, projects, and activities of the Department of Defense included in such budget submission by the President for that fiscal year; and

''(4) be organized using a common enterprise data structure developed under section 2222 of this title.

''(c) DATA ANALYSIS.—(1) Each Secretary of a military department shall regularly analyze past spending patterns and anticipated future requirements with respect to the procurement of services within such military department.

''(2)(A) The Secretary of Defense shall regularly analyze past spending patterns and anticipated future requirements with respect to the procurement of services—

''(i) within each Defense Agency and Department of Defense Field Activity; and

''(ii) across military departments, Defense Agencies, and Department of Defense Field Activities.

''(B) The Secretaries of the military departments shall make data on services contracts available to the Secretary of Defense for purposes of conducting the analysis required under subparagraph (A).

''(3) The analyses conducted under this subsection shall—

''(A) identify contracts for similar services that are procured for three or more consecutive years at each Defense Agency, Department of Defense Field Activity, command, or military installation;

''(B) evaluate patterns in the procurement of services, to the extent practicable, at each Defense Agency, Department of Defense Field Activity, command, or military installation and by category of services procured;

''(C) be used to validate requirements for services contracts entered into after the date of the enactment of this subsection; and

''(D) be used to inform decisions on the award of and funding for such services contracts.

''(d) REQUIREMENTS EVALUATION.—Each Services Requirements Review Board shall evaluate each requirement for a services contract, taking into consideration total force management policies and procedures, available resources, the analyses conducted under subsection (c), and contracting efficacy and efficiency. An evaluation of a services contract for compliance with contracting policies and procedures may not be considered to be an evaluation of a requirement for such services contract.

''(e) TIMELY PLANNING TO AVOID BRIDGE CONTRACTS.—(1) Effective October 1, 2018, the Secretary of Defense shall ensure that a requirements owner shall, to the extent practicable, plan appropriately before the date of need of a service at a Defense Agency, Department of Defense Field Activity, command, or military installation to avoid the use of a bridge contract to provide for continuation of a service to be performed through a services contract. Such planning shall include allowing time for a requirement to be validated, a services contract to be entered into, and funding for the services contract to be secured.

''(2)(A) Upon the first use, due to inadequate planning (as determined by the Secretary of Defense), of a bridge contract to provide for continuation of a service to be performed through a services contract, the requirements owner, along with the contracting officer or a designee of the contracting officer for the contract, shall—

''(i) for a services contract in an amount less than $10,000,000, provide an update on the status of the bridge contract (including the rationale for using the bridge contract) to the commander or the senior civilian official of the Defense Agency concerned, Department of Defense Field Activity concerned, command concerned, or military installation concerned, as applicable; or

''(ii) for a services contract in an amount equal to or greater than $10,000,000, provide an update on the status of the bridge contract (including the rationale for using the bridge contract) to the service acquisition executive for the military department concerned, the head of the Defense Agency concerned, the combatant commander concerned, or the Under Secretary of Defense for Acquisition and Sustainment, as applicable.

''(B) Upon the second use, due to inadequate planning (as determined by the Secretary of Defense), of a bridge contract to provide for continuation of a service to be performed through a

services contract in an amount less than $10,000,000, the commander or senior civilian official referred to in subparagraph (A)(i) shall provide notification of such second use to the Vice Chief of Staff of the armed force concerned and the service acquisition executive of the military department concerned, the head of the Defense Agency concerned, the combatant commander concerned, or the Under Secretary of Defense for Acquisition and Sustainment, as applicable.

''(f) EXCEPTION.—Except with respect to the analyses required under subsection (c), this section shall not apply to—

''(1) services contracts in support of contingency operations, humanitarian assistance, disaster relief, or national security emergencies; or

''(2) services contracts entered into pursuant to an international agreement.

''(g) DEFINITIONS.—In this section:

''(1) The term 'bridge contact' means—

''(A) an extension to an existing contract beyond the period of performance to avoid a lapse in service caused by a delay in awarding a subsequent contract; or

''(B) a new short-term contract awarded on a sole-source basis to avoid a lapse in service caused by a delay in awarding a subsequent contract.

''(2) The term 'requirements owner' means a member of the armed forces (other than the Coast Guard) or a civilian employee of the Department of Defense responsible for a requirement for a service to be performed through a services contract.

''(3) The term 'Services Requirements Review Board' has the meaning given in Department of Defense Instruction 5000.74, titled 'Defense Acquisition of Services' and dated January 5, 2016, or a successor instruction.''

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2328 the following new item:

''2329. Procurement of services: data analysis and requirements validation.''.

(b) CONFORMING REPEAL.—Effective October 1, 2022—

(1) section 235 of title 10, United States Code, is repealed; and

(2) the table of sections at the beginning of chapter 9 of such title is amended by striking the item relating to section 235.

SEC. 815. IMPROVEMENTS TO TEST AND EVALUATION PROCESSES AND TOOLS.

(a) DEVELOPMENTAL TEST PLAN SUFFICIENCY ASSESSMENTS.—

(1) ADDITION TO MILESTONE B BRIEF SUMMARY REPORT.—Section 2366b(c)(1) of title 10, United States Code, is amended—

(A) by redesignating subparagraph (G) as subparagraph (H); and

(B) by inserting after subparagraph (F) the following new subparagraph (G):

''(G) An assessment of the sufficiency of developmental test and evaluation plans, including the use of automated data analytics or modeling and simulation tools.''.

(2) ADDITION TO MILESTONE C BRIEF SUMMARY REPORT.—Section 2366c(a) of such title is amended by inserting after paragraph (3) the following new paragraph:

''(4) An assessment of the sufficiency of the developmental test and evaluation completed, including the use of automated data analytics or modeling and simulation tools.''.

(3) RESPONSIBILITY FOR CONDUCTING ASSESSMENTS.—For purposes of the sufficiency assessments required by section 2366b(c)(1) and section 2366c(a)(4) of such title, as added by paragraphs (1) and (2), with respect to a major defense acquisition program—

(A) if the milestone decision authority for the program is the service acquisition executive of the military department that is managing the program, the sufficiency assessment shall be conducted by the senior official within the military department with responsibility for developmental testing; and

(B) if the milestone decision authority for the program is the Under Secretary of Defense for Acquisition and Sustainment, the sufficiency assessment shall be conducted by the senior Department of Defense official with responsibility for developmental testing.

(4) GUIDANCE REQUIRED.—Within one year after the date of the enactment of this Act, the senior Department of Defense official with responsibility for developmental testing shall develop guidance for the sufficiency assessments required by section 2366b(c)(1) and section 2366c(a)(4) of title 10, United States Code, as added by paragraphs (1) and (2). At a minimum, the guidance shall require—

(A) for the sufficiency assessment required by section 2366b(c)(1) of such title, that the assessment address the sufficiency of—

(i) the developmental test and evaluation plan;

(ii) the developmental test and evaluation schedule, including a comparison to historic analogous systems;

(iii) the developmental test and evaluation resources (facilities, personnel, test assets, data analytics tools, and modeling and simulation capabilities);

(iv) the risks of developmental test and production concurrency; and

(v) the developmental test criteria for entering the production phase; and

(B) for the sufficiency assessment required by section 2366c(a)(4) of such title, that the assessment address—

(i) the sufficiency of the developmental test and evaluation completed;

(ii) the sufficiency of the plans and resources available for remaining developmental test and evaluation;

(iii) the risks identified during developmental testing to the production and deployment phase;

(iv) the sufficiency of the plans and resources for remaining developmental test and evaluation; and

(v) the readiness of the system to perform scheduled initial operational test and evaluation.

(b) EVALUATION OF DEPARTMENT OF DEFENSE NEED FOR CENTRALIZED TOOLS FOR DEVELOPMENTAL TEST AND EVALUATION.—

(1) IN GENERAL.—The Secretary of Defense shall evaluate the strategy of the Department of Defense for developing and expanding the use of tools designed to facilitate the cost effectiveness and efficiency of developmental testing, including automated test methods and tools, modeling and simulation tools, and big data analytics technologies. The evaluation shall include a determination of the appropriate role of the senior Department of Defense official with responsibility for developmental testing in developing enterprise level strategies related to such types of testing tools.

(2) BRIEFING REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide a briefing to the Committee on Armed Services of the House of Representatives on the results of the evaluation required by paragraph (1).

PART III—ACQUISITION WORKFORCE IMPROVEMENTS

SEC. 821. ENHANCEMENTS TO THE CIVILIAN PROGRAM MANAGEMENT WORKFORCE.

(a) ESTABLISHMENT OF PROGRAM MANAGER DEVELOPMENT PROGRAM.—

(1) IN GENERAL.—The Secretary of Defense, in consultation with the Secretaries of the military departments, shall implement a program manager development program to provide for the professional development of high-potential, experienced civilian personnel. Personnel shall be competitively selected for the program based on their potential to become a program manager of a major defense acquisition program, as defined in section 2430 of title 10, United States Code. The program shall be administered and overseen by the Secretary of each military department, acting through the service acquisition executive for the department concerned.

(2) PLAN REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committees on Armed Services of the Senate and the House of Representatives a comprehensive plan to implement the program established under paragraph (1). In developing the plan, the Secretary of Defense shall seek the input of relevant external parties, including professional associations, other government entities, and industry. The plan shall include the following elements:

(A) An assessment of the minimum level of subject matter experience, education, years of experience, certifications, and other qualifications required to be selected into the program, set forth separately for current Department of Defense employees and for personnel hired into the program from outside the Department of Defense.

(B) A description of hiring flexibilities to be used to recruit qualified personnel from outside the Department of Defense.

(C) A description of the extent to which mobility agreements will be required to be signed by personnel selected for the program during their participation in the program and after their completion of the program. The use of mobility agreements shall be applied to help maximize the flexibility of the Department of Defense in assigning personnel, while not inhibiting the participation of the most capable candidates.

(D) A description of the tenure obligation required of personnel selected for the program.

(E) A plan for training during the course of the program, including training in leadership, program management, engineering, finance and budgeting, market research, business acumen, contracting, supplier management, requirement setting and tradeoffs, intellectual property matters, and software.

(F) A description of career paths to be followed by personnel in the program in order to ensure that personnel in the program gain expertise in the program management functional career field competencies identified by the Department in existing guidance and the topics listed in subparagraph (E), including—

(i) a determination of the types of advanced educational degrees that enhance program management skills and the mechanisms available to the Department of Defense to facilitate the attainment of those degrees by personnel in the program;

(ii) a determination of required assignments to positions within acquisition programs, including position type and acquisition category of the program office;

(iii) a determination of required or encouraged rotations to career broadening positions outside of acquisition programs; and

(iv) a determination of how the program will ensure the opportunity for a required rotation to industry of at least six months to develop an understanding of industry motivation and business acumen, such as by developing an industry exchange program for civilian program managers, similar to the Corporate Fellows Program of the Secretary of Defense.

(G) A general description of the number of personnel anticipated to be selected into the program, how frequently selections will occur, how long personnel selected into the program will participate in the program, and how personnel will be placed into an assignment at the completion of the program.

(H) A description of benefits that will be offered under the program using existing human capital flexibilities to retain qualified employees, such as student loan repayments.

(I) An assessment of personnel flexibilities needed to allow the military departments and the Defense Agencies to reassign or remove program managers that do not perform effectively.

(J) A description of how the program will be administered and overseen by the Secretaries of each military department, acting through the service acquisition executive for the department concerned.

(K) A description of how the program will be integrated with existing program manager development efforts at each military department.

(3) USE OF DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND.—Amounts in the Department of Defense Acquisition Workforce Development Fund (established under section 1705 of title 10, United States Code) may be used to pay the base salary of personnel in the program established under paragraph (1) during the period of time such personnel are temporarily assigned to a developmental rotation or training program anticipated to last at least six months.

(4) IMPLEMENTATION.—The program established under paragraph (1) shall be implemented not later than September 30, 2019.

(b) INDEPENDENT STUDY OF INCENTIVES FOR PROGRAM MANAGERS.—

(1) REQUIREMENT FOR STUDY.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall enter into a contract with an independent research entity described in paragraph (2) to carry out a comprehensive study of incentives for Department of Defense civilian and military program managers for major defense acquisition programs, including—

(A) additional pay options for program managers to provide incentives to senior civilian employees and military officers to accept and remain in program manager roles;

(B) a financial incentive structure to reward program managers for delivering capabilities on budget and on time; and

(C) a comparison between financial and nonfinancial incentive structures for program managers in the Department of Defense and an appropriate comparison group of private industry companies.

(2) INDEPENDENT RESEARCH ENTITY.—The entity described in this subsection is an independent research entity that is a not-for-profit entity or a federally funded research and development center with appropriate expertise and analytical capability.

(3) REPORTS.—

(A) TO SECRETARY.—Not later than nine months after the date of the enactment of this Act, the independent research entity shall provide to the Secretary a report containing—

(i) the results of the study required by paragraph (1); and

(ii) such recommendations to improve the financial incentive structure of program managers for major defense acquisition programs as the independent research entity considers to be appropriate.

(B) TO CONGRESS.—Not later than 30 days after receipt of the report under subparagraph (A), the Secretary of Defense shall submit such report, together with any additional views or recommendations of the Secretary, to the congressional defense committees.

SEC. 822. IMPROVEMENTS TO THE HIRING AND TRAINING OF THE ACQUISITION WORKFORCE.

(a) USE OF FUNDS FROM THE DEFENSE ACQUISITION WORKFORCE DEVELOPMENT FUND TO PAY SALARIES OF PERSONNEL TO MANAGE THE FUND.—

(1) IN GENERAL.—Subsection 1705(e) of title 10, United States Code, is amended—

(A) in paragraph (1)—

(i) by inserting ''(A)'' before ''Subject to the provisions of this subsection''; and

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

''(B) Amounts in the Fund also may be used to pay salaries of personnel at the Office of the Secretary of Defense, military departments, and Defense Agencies to manage the Fund.''; and

(B) in paragraph (3)—

(i) by striking ''and'' at the end of subparagraph (C);

(ii) by striking the period and inserting ''; and'' at the end of subparagraph (D); and

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

''(E) describing the amount from the Fund that may be used to pay salaries of personnel at the Office of the Secretary of Defense, military departments, and Defense Agencies to manage the Fund and the circumstances under which such amounts may be used for such purpose.''.

(2) GUIDANCE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall issue, and submit to the congressional defense committees, the policy guidance required by subparagraph (E) of section 1705(e)(3) of title 10, United States Code, as added by paragraph (1).

(b) COMPTROLLER GENERAL REVIEW OF EFFECTIVENESS OF HIRING AND RETENTION FLEXIBILITIES FOR ACQUISITION WORKFORCE PERSONNEL.—

(1) IN GENERAL.—Not later than June 30, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report on the effectiveness of hiring and retention flexibilities for the acquisition workforce.

(2) ELEMENTS.—The report under this subsection shall include the following:

(A) A determination of the extent to which the Department of Defense experiences challenges with recruitment and retention of the acquisition workforce, such as post-employment restrictions.

(B) A description of the hiring and retention flexibilities available to the Department to fill civilian acquisition positions and the extent to which the Department has used the flexibilities available to it to target critical or understaffed career fields.

(C) A determination of the extent to which the Department has the necessary data on its use of hiring and retention flexibilities for the civilian acquisition workforce to strategically manage the use of such flexibilities.

(D) An identification of the factors that affect the use of hiring and retention flexibilities for the civilian acquisition workforce.

(E) Recommendations for any necessary changes to the hiring and retention flexibilities available to the Department to fill civilian acquisition positions.

(F) A description of the flexibilities available to the Department to remove underperforming members of the acquisition workforce and the extent to which any such flexibilities are used.

(c) ASSESSMENT AND REPORT REQUIRED ON BUSINESS-RELATED TRAINING FOR THE ACQUISITION WORKFORCE.—

(1) ASSESSMENT.—The Under Secretary of Defense for Acquisition and Sustainment shall conduct an assessment of the following:

(A) The effectiveness of industry certifications and other industry training programs, including fellowships, available to defense acquisition workforce personnel.

(B) Gaps in knowledge of industry operations, industry motivation, and business acumen in the acquisition workforce.

(2) REPORT.—Not later than December 31, 2018, the Under Secretary shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report containing the results of the assessment conducted under this subsection.

(3) ELEMENTS.—The assessment and report under paragraphs (1) and (2) shall address the following:

(A) Current sources of training and career development opportunities, industry rotations, and other career development opportunities related to knowledge of industry operations, industry motivation, and business acumen for each acquisition position, as designated under section 1721 of title 10, United States Code.

(B) Gaps in training, industry rotations, and other career development opportunities related to knowledge of industry operations, industry motivation, and business acumen for each such acquisition position.

(C) Plans to address those gaps for each such acquisition position.

(D) Consideration of the role industry-taught classes and classes taught at educational institutions outside of the Defense Acquisition University could play in addressing gaps.

(d) COMPTROLLER GENERAL REVIEW OF ACQUISITION TRAINING FOR NON-ACQUISITION WORKFORCE PERSONNEL.—

(1) IN GENERAL.—Not later than June 30, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report on acquisition-related training for personnel working on acquisitions but not considered to be part of the acquisition workforce (as defined in section 101(18) of title 10, United States Code) (hereafter in this subsection referred to as ''non-acquisition workforce personnel'').

(2) ELEMENTS.—The report shall address the following:

(A) The extent to which non-acquisition workforce personnel play a significant role in defining requirements, conducting market research, participating in source selection and contract negotiation efforts, and overseeing contract performance.

(B) The extent to which the Department is able to identify and track non-acquisition workforce personnel performing the roles identified in subparagraph (A).

(C) The extent to which non-acquisition workforce personnel are taking acquisition training.

(D) The extent to which the Defense Acquisition Workforce Development Fund has been used to provide acquisition training to non-acquisition workforce personnel.

(E) A description of sources of funding other than the Fund that are available to and used by the Department to provide non-acquisition workforce personnel with acquisition training.

(F) The extent to which additional acquisition training is needed for non-acquisition workforce personnel, including the types of training needed, the positions that need the training, and any challenges to delivering necessary additional training.

(e) BRIEFING ON IMPROVEMENTS TO THE DEFENSE CONTRACT AUDIT AGENCY WORKFORCE.—

(1) BRIEFING REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Director of the Defense Contract Audit Agency, in consultation with the Under Secretary of Defense (Comptroller), shall provide a briefing to the Committees on Armed Services of the Senate and the House of Representatives.

(2) ELEMENTS.—The briefing required by paragraph (1) shall address the following:

(A) The current education, certifications, and qualifications of the Defense Contract Audit Agency workforce, by supervisory and non-supervisory levels and type of position.

(B) Shortfalls (if any) in education, qualification, or training in the Defense Contract Audit Agency workforce, by supervisory and non-supervisory levels and type of position, and the reasons for those shortfalls.

(C) The link (if any) between Defense Contract Audit Agency workforce skill and experience gaps and the Agency's backlog of audits.

(D) The link (if any) between the effectiveness of Defense Contract Audit Agency regional directors and their education, certifications, and qualifications.

(E) The number of Defense Contract Audit Agency auditors who have relevant private sector experience, including from industry exchanges while at the Defense Contract Audit Agency and from prior employment experiences, and the perspective of the Defense Contract Audit Agency on the benefits of those experiences.

(F) Ongoing efforts and future plans by the Defense Contract Audit Agency to improve the professionalization of its audit workforce, including changes in hiring, training, required

certifications or qualifications, compensation structure, and increased opportunities for industry exchanges or rotations.

SEC. 823. EXTENSION AND MODIFICATIONS TO ACQUISITION DEMONSTRATION PROJECT.

(a) EXTENSION.—Section 1762(g) of title 10, United States Code, is amended by striking ''December 31, 2020'' and inserting ''December 31, 2023''.

(b) IMPLEMENTATION STRATEGY FOR IMPROVEMENTS IN ACQUISITION DEMONSTRATION PROJECT.—

(1) STRATEGY REQUIRED.—The Secretary of Defense shall develop an implementation strategy to address areas for improvement in the demonstration project required by section 1762 of title 10, United States Code, as identified in the second assessment of such demonstration project required by section 1762(e) of such title.

(2) ELEMENTS.—The strategy shall include the following elements:

(A) Actions that have been or will be taken to assess whether the flexibility to set starting salaries at different levels is being used appropriately by supervisors and managers to compete effectively for highly skilled and motivated employees.

(B) Actions that have been or will be taken to assess reasons for any disparities in career outcomes across race and gender for employees in the demonstration project.

(C) Actions that have been or will be taken to strengthen the link between employee contribution and compensation for employees in the demonstration project.

(D) Actions that have been or will be taken to enhance the transparency of the pay system for employees in the demonstration project.

(E) A time frame and individual responsible for each action identified under subparagraphs (A) through (D).

(3) BRIEFING REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives on the implementation strategy required by paragraph (1).

SEC. 824. ACQUISITION POSITIONS IN THE OFFICES OF THE SECRETARIES OF THE MILITARY DEPARTMENTS.

(a) OFFICE OF THE SECRETARY OF THE ARMY MAXIMUM NUMBER OF PERSONNEL.—Section 3014(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) The limitation in paragraph (1) may be exceeded if a civilian employee is assigned on permanent duty in the Office of the Secretary of the Army or on the Army Staff and—

''(A) the employee was employed immediately preceding that assignment either—

''(i) in a position within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics that had responsibility for oversight of acquisition programs or processes prior to February 1, 2018, and that was determined to be no longer needed as a result of section 901 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2339) and the amendments made by that section; or

''(ii) in a Joint Staff position that supported the Joint Requirements Oversight Council prior to December 23, 2016, and that was determined to be no longer needed as a result of section 925 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2359) and the amendments made by that section; and

''(B) the position described in subparagraph (A) is not filled by the Office of the Under Secretary of Defense for Acquisition and Sustainment or the Joint Staff after the employee's permanent duty assignment.''.

(b) OFFICE OF THE SECRETARY OF THE NAVY MAXIMUM NUMBER OF PERSONNEL.—Section 5014(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) The limitation in paragraph (1) may be exceeded if a civilian employee is assigned on permanent duty in the Department of the Navy or assigned or detailed to permanent duty in the Office of the Secretary of the Navy, the Office of Chief of Naval Operations, or the Headquarters, Marine Corps, and—

''(A) the employee was employed immediately preceding that assignment either—

''(i) in a position within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics that had responsibility for oversight of acquisition programs or processes prior to February 1, 2018, and that was determined to be no longer needed as a result of section 901 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2339) and the amendments made by that section; or

''(ii) in a Joint Staff position that supported the Joint Requirements Oversight Council prior to December 23, 2016, and that was determined to be no longer needed as a result of section 925 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2359) and the amendments made by that section; and

''(B) the position described in subparagraph (A) is not filled by the Office of the Under Secretary of Defense for Acquisition and Sustainment or the Joint Staff after the employee's permanent duty assignment.''.

(c) OFFICE OF THE SECRETARY OF THE AIR FORCE MAXIMUM NUMBER OF PERSONNEL.—Section 8014(f) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(6) The limitation in paragraph (1) may be exceeded if a civilian employee is assigned on permanent duty in the Office of the Secretary of the Air Force or on the Air Staff and—

''(A) the employee was employed immediately preceding that assignment either—

''(i) in a position within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics that had responsibility for oversight of acquisition programs or processes prior to February 1, 2018, and that was determined to be no longer needed as a result of section 901 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2339) and the amendments made by that section; or

''(ii) in a Joint Staff position that supported the Joint Requirements Oversight Council prior to December 23, 2016, and that was determined to be no longer needed as a result of section 925 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2359) and the amendments made by that section; and

''(B) the position described in subparagraph (A) is not filled by the Office of the Under Secretary of Defense for Acquisition and Sustainment or the Joint Staff after the employee's permanent duty assignment.''.

PART IV—TRANSPARENCY IMPROVEMENTS

SEC. 831. TRANSPARENCY OF DEFENSE BUSINESS SYSTEM DATA.

(a) ESTABLISHMENT OF COMMON ENTERPRISE DATA STRUCTURES.—Section 2222 of title 10, United States Code, is amended—

(1) in subsection (d), by adding at the end the following new paragraph:

''(7) Policy requiring that any data contained in a defense business system is an asset of the Department of Defense, and that such data should be made readily available to members of the Office of the Secretary of Defense, the Joint Staff, and the military departments (except as otherwise provided by law or regulation).'';

(2) in subsection (e), by adding at the end the following new paragraph:

''(5) COMMON ENTERPRISE DATA STRUCTURES.—(A) The defense business enterprise architecture shall include one or more common enterprise data structures which can be used to code data that are automatically extracted from the relevant defense business systems to facilitate Department of Defense-wide analysis and management of such data.

''(B) The Deputy Chief Management Officer shall—

''(i) in consultation with the Defense Business Council established under subsection (f), develop one or more common enterprise data structures and an associated data governance process; and

''(ii) have primary decision-making authority with respect to the development of any such common enterprise data structure.

''(C) The Director of Cost Assessment and Program Evaluation shall—

''(i) in consultation with the Defense Business Council established under subsection (f), document and maintain any common enterprise data structure developed under subparagraph (B);

''(ii) extract data from defense business systems using the appropriate common data enterprise structure on a specified schedule;

''(iii) provide access to such data to the Office of the Secretary of Defense, the Joint Staff, and the military departments (except as otherwise provided by law or regulation) on a specified schedule developed in consultation with the Defense Business Council established under subsection (f); and

''(iv) have primary decision-making authority with respect to the maintenance of any such common enterprise data structure.

''(D) Common enterprise data structures shall be established and maintained for the following types of data of the Department of Defense:

''(i) An accounting of expenditures of the Department of Defense, set forth separately for each type of expenditure.

''(ii) Data from the future-years defense program established under section 221 and budget data.

''(iii) Acquisition cost data and earned value management data.

''(iv) Operating and support costs for weapon systems, including data on maintenance procedures conducted on each major weapon system (as defined in section 2379 of this title).

''(v) Data on contracts and task orders of the Department of Defense, including goods and services acquired under such contracts or task orders and associated obligations and expenditures.

''(E) The Secretary of Defense, the Chairman of the Joint Chiefs of Staff, the Secretaries of the military departments, the Commanders of the combatant commands, the heads of the Defense Agencies, the heads of the Department of Defense Field Activities, and the heads of all other organizations of the Department of Defense shall provide access to the relevant defense business system of such department, combatant command, Defense Agency, Field Activity, or organization, as applicable, and data extracted from such system, for purposes of automatically populating data sets coded with common enterprise data structures.'';

(3) in subsection (f)(2), by adding at the end the following new clause:

''(iv) The Director of Cost Assessment and Program Evaluation with respect to common enterprise data structures.''; and

(4) in subsection (i), by adding at the end the following new paragraphs:

''(10) COMMON ENTERPRISE DATA STRUCTURE.—The term 'common enterprise data structure' means a mapping and organization of data from defense business systems into a common data set.

''(11) DATA GOVERNANCE PROCESS.—The term 'data governance process' means a system to manage the timely Department of Defense-wide sharing of data described under paragraph (5)(A).''.

(b) ADDITIONAL DUTIES OF THE DIRECTOR OF COST ASSESSMENT AND PROGRAM EVALUATION.—Section 139a(d) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(9) Maintenance of common enterprise data structures established pursuant to section 2222 of this title, including establishing and maintaining access to any data contained in a defense business system (as defined in such section) and used in a common enterprise data structure, as determined appropriate by the Secretary of Defense or the Director of Cost Assessment and Program Evaluation.''.

(c) IMPLEMENTATION PLAN FOR COMMON ENTERPRISE DATA STRUCTURES.—

(1) PLAN REQUIRED.—Not later than six months after the date of the enactment of this Act, the Deputy Chief Management Officer and the Director of Cost Assessment and Program Evaluation shall jointly develop a plan to implement the requirements of subsection (a).

(2) ELEMENTS.—At a minimum, the implementation plan required by paragraph (1) shall include the following elements:

(A) The major tasks required to implement the requirements of subsection (a) and the recommended time frames for each task.

(B) The estimated resources required to complete each major task identified pursuant to subparagraph (A).

(C) Any challenges associated with each major task identified pursuant to subparagraph (A) and related steps to mitigate such challenge.

(D) A description of how data security issues will be appropriately addressed in the implementation of the requirements of subsection (a).

(3) SUBMISSION TO CONGRESS.—Upon completion of the plan required under paragraph (1), the Deputy Chief Management Officer and the Director of Cost Assessment and Program Evaluation shall submit such plan to the congressional defense committees.

SEC. 832. MAJOR DEFENSE ACQUISITION PROGRAMS: DISPLAY OF BUDGET INFORMATION.

(a) IN GENERAL.—Chapter 144 of title 10, United States Code, is amended by inserting after section 2433a the following new section:

''§ 2434. Major defense acquisition programs: display of budget information

''(a) IN GENERAL.—In the defense budget materials for fiscal year 2020 and each subsequent fiscal year, the Secretary of Defense shall ensure that the funding requirements listed in subsection (b) are displayed separately for major defense acquisition programs, as defined in section 2340 of title 10, United States Code.

''(b) REQUIREMENTS FOR BUDGET DISPLAY.—The budget justification display for a fiscal year shall include the funding requirement for each major defense acquisition program, including all sources of appropriations—

''(1) for developmental test and evaluation;

''(2) for operational test and evaluation;

''(3) for the purchase of cost data from contractors; and

''(4) for the purchase or license of technical data.

''(c) DEFINITIONS.—In this section, the terms 'budget' and 'defense budget materials' have the meaning given those terms in section 234 of this title.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2433a following new item:

''2434. Major defense acquisition programs: display of budget information.''.

SEC. 833. ENHANCEMENTS TO TRANSPARENCY IN TEST AND EVALUATION PROCESSES AND DATA.

(a) ADDITIONAL REQUIREMENTS RELATING TO DESIGNATION OF A MAJOR DEFENSE ACQUISITION PROGRAM.—Section 139 of title 10, United States Code, is amended—

(1) in subsection (a)(2)(B), by inserting before the period at the end the following: ''and in accordance with subsection (l).'';

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

''(l) For purposes of subsection (a)(2)(B), before designating a program that is not a major defense acquisition program for the purposes of section 2430 of this title as a major defense acquisition program for the purposes of this section, the Director shall provide in writing to the Under Secretary of Defense for Acquisition and Sustainment, and the test and evaluation executive of the military department or departments executing the program, the specific circumstances of the program that led to the designation decision.''; and

(3) by adding at the end of subsection (h)(4) the following: ''The report shall also include a brief statement of the rationale for placing on the oversight list of the Director each program that is not a major defense acquisition program for the purposes of section 2430 of this title but has been designated as a major defense acquisition program for the purposes of this section.''.

(b) CONSIDERATION OF LEGACY ITEMS OR COMPONENTS IN OPERATIONAL TEST AND EVALUATION REPORTS.—Section 2399(b)(2) of title 10, United States Code, is amended—

(1) by striking ''and'' at the end of subparagraph (A)(ii);

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

''(B) a description of the performance of the items or components tested in relation to comparable legacy items or components, if such items or components exist and relevant data are available without requiring additional testing; and''.

(c) OPPORTUNITY FOR MILITARY DEPARTMENT COMMENTS ON ANNUAL REPORT ON OPERATIONAL TEST AND EVALUATION.—Section 139(h) of title 10, United States Code, is amended—

(1) by redesignating paragraph (5) as paragraph (6), and in that paragraph by striking ''and the Secretaries of the military departments''; and

(2) by inserting after paragraph (4) the following new paragraph (5):

''(5) Within 45 days after the submission of an annual report by the Director to Congress, the Secretaries of the military departments may each submit a report to the congressional defense committees addressing any concerns related to information included in the annual report, or providing updated or additional information as appropriate.''.

(d) GUIDELINES FOR COLLECTION OF COST DATA ON TEST AND EVALUATION.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Director of Operational Test and Evaluation and the senior Department of Defense official with responsibility for developmental testing shall jointly develop policies, procedures, guidance, and a collection method to ensure that consistent, high quality data are collected on the full range of estimated and actual developmental, live fire, and operational testing costs for major defense acquisition programs. Data on estimated and actual developmental, live fire, and operational testing costs shall be maintained in an electronic database maintained by the Director for Cost Assessment and Program Evaluation.

(2) CONCURRENCE AND COORDINATION.—In carrying out paragraph (1), the Director of Operational Test and Evaluation and the senior Department of Defense official with responsibility for developmental testing shall obtain the concurrence of the Director for Cost Assessment and Program Evaluation and shall coordinate with the Director of the Test Resource Management Center and the Secretaries of the military departments.

(3) MAJOR DEFENSE ACQUISITION PROGRAM DEFINED.—In this section, the term ''major defense acquisition program'' has the meaning provided in section 2430 of title 10, United States Code.

(e) REPORT ON ENTERPRISE APPROACH TO TEST AND EVALUATION KNOWLEDGE MANAGEMENT.—

(1) REPORT REQUIRED.—Within one year after the date of the enactment of this Act, the Director of the Test Resource Management Center and the senior Department of Defense official with responsibility for developmental testing shall provide to the congressional defense committees a report on the development of an approach for managing test and evaluation knowledge across the entire Department of Defense.

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

(A) The detailed concepts, requirements, technologies, methodologies, and architecture necessary for an enterprise approach to knowledge management for test and evaluation, including data, data analysis tools, and modeling and simulation capabilities.

(B) Resources needed to develop and adopt an enterprise approach to knowledge management for test and evaluation.

(C) Roles and responsibilities of various Department of Defense entities to develop and adopt an enterprise approach to knowledge management for test and evaluation.

(D) Time frames required to develop and adopt an enterprise approach to knowledge management for test and evaluation.

(E) A description of pilot studies ongoing at the time of the date of the enactment of this Act or previously conducted related to developing an enterprise approach to test and evaluation knowledge management, including results of the pilot studies (if available) and lessons learned.

Subtitle B—Streamlining of Defense Acquisition Statutes and Regulations

SEC. 841. MODIFICATIONS TO THE ADVISORY PANEL ON STREAMLINING AND CODIFYING ACQUISITION REGULATIONS.

(a) EXTENSION OF DATE FOR FINAL REPORT.—

(1) TRANSMITTAL OF PANEL FINAL REPORT.—Subsection (e)(1) of section 809 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 889), as amended by section 863(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2303), is amended—

(A) by striking ''Not later than two years after the date on which the Secretary of Defense establishes the advisory panel'' and inserting ''Not later than January 15, 2019''; and

(B) by striking ''the Secretary'' and inserting ''the Secretary of Defense and the congressional defense committees''.

(2) SECRETARY OF DEFENSE ACTION ON FINAL REPORT.—Subsection (e)(4) of such section is amended—

(A) by striking ''Not later than 30 days'' and inserting ''Not later than 60 days''; and

(B) by striking ''the final report, together with such comments as the Secretary determines appropriate,'' and inserting ''such comments as the Secretary determines appropriate''.

(b) TERMINATION OF PANEL.—Such section is further amended by adding at the end the following new subsection:

''(g) TERMINATION OF PANEL.—The advisory panel shall terminate 180 days after the date on which the final report of the panel is transmitted pursuant to subsection (e)(1) or on such later date as may be specified by the Secretary of Defense.''.

SEC. 842. EXTENSION OF MAXIMUM DURATION OF FUEL STORAGE CONTRACTS.

(a) EXTENSION.—Section 2922(b) of title 10, United States Code, is amended by striking ''20 years'' and inserting ''30 years''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to contracts entered into on or after the date of the enactment of this Act and may be applied to a contract entered into before that date if the total contract period under the contract (including options) has not expired as of the date of any extension of such contract period by reason of such amendment.

SEC. 843. EXCEPTION FOR BUSINESS OPERATIONS FROM REQUIREMENT TO ACCEPT $1 COINS.

Paragraph (1) of section 5112(p) of title 31, United States Code, is amended by adding at the end the following new flush sentence:

''This paragraph does not apply with respect to business operations conducted by any entity under a contract with an agency or instrumentality of the United States, including any nonappropriated fund instrumentality established under title 10, United States Code.''.

SEC. 844. REPEAL OF EXPIRED PILOT PROGRAM.

Section 807(c) of Public Law 104–106 (10 U.S.C. 2401a note) is repealed.

Subtitle C—Amendments to General Contracting Authorities, Procedures, and Limitations

SEC. 851. LIMITATION ON UNILATERAL DEFINITIZATION.

(a) LIMITATION.—Section 2326 of title 10, United States Code, is amended—

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

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

''(c) LIMITATION ON UNILATERAL DEFINITIZATION BY CONTRACTING OFFICER.—With respect to any undefinitized contractual action with a value greater than $1,000,000,000, if agreement is not reached on contractual terms, specifications, and price within the period or by the date provided in subsection (b)(1), the contracting officer may not unilaterally definitize those terms, specifications, or price over the objection of the contractor until—

''(1) the head of the agency approves the definitization in writing;

''(2) the contracting officer provides a copy of the written approval to the contractor; and

''(3) a period of 30 calendar days has elapsed after the written approval is provided to the contractor.''.

(b) CONFORMING AMENDMENT.—Section 2326(b)(3) of such title is amended by striking ''subsection (g)'' and inserting ''subsection (h)''.

(c) CONFORMING REGULATIONS.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall revise the Department of Defense Supplement to the Federal Acquisition Regulation to implement section 2326 of title 10, United States Code, as amended by this section.

SEC. 852. CODIFICATION OF REQUIREMENTS PERTAINING TO ASSESSMENT, MANAGEMENT, AND CONTROL OF OPERATING AND SUPPORT COSTS FOR MAJOR WEAPON SYSTEMS.

(a) CODIFICATION AND AMENDMENT.—

(1) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2337 the following new section:

''§ 2337a. Assessment, management, and control of operating and support costs for major weapon systems

''(a) GUIDANCE REQUIRED.—The Secretary of Defense shall issue and maintain guidance on actions to be taken to assess, manage, and control Department of Defense costs for the operation and support of major weapon systems.

''(b) ELEMENTS.—The guidance required by subsection (a) shall, at a minimum—

''(1) be issued in conjunction with the comprehensive guidance on life-cycle management and the development and implementation of product support strategies for major weapon systems required by section 2337 of this title;

''(2) require the military departments to retain each estimate of operating and support costs that is developed at any time during the life cycle of a major weapon system, together with supporting documentation used to develop the estimate;

''(3) require the military departments to update estimates of operating and support costs periodically throughout the life cycle of a major weapon system, to determine whether preliminary information and assumptions remain relevant and accurate, and identify and record reasons for variances;

''(4) establish policies and procedures for the collection, organization, maintenance, and availability of standardized data on operating and support costs for major weapon systems in accordance with section 2222 of this title;

''(5) establish standard requirements for the collection and reporting of data on operating and support costs for major weapon systems by contractors performing weapon system sustainment functions in an appropriate format, and develop contract clauses to ensure that contractors comply with such requirements;

''(6) require the military departments—

''(A) to collect and retain data from operational and developmental testing and evaluation on the reliability and maintainability of major weapon systems; and

''(B) to use such data to inform system design decisions, provide insight into sustainment costs, and inform estimates of operating and support costs for such systems;

''(7) require the military departments to ensure that sustainment factors are fully considered at key life cycle management decision points and that appropriate measures are taken to reduce operating and support costs by influencing system design early in development, developing sound sustainment strategies, and addressing key drivers of costs;

''(8) require the military departments to conduct an independent logistics assessment of each major weapon system prior to key acquisition decision points (including milestone decisions) to identify features that are likely to drive future operating and support costs, changes to system design that could reduce such costs, and effective strategies for managing such costs;

''(9) include—

''(A) reliability metrics for major weapon systems; and

''(B) requirements on the use of metrics under subparagraph (A) as triggers—

''(i) to conduct further investigation and analysis into drivers of those metrics; and

''(ii) to develop strategies for improving reliability, availability, and maintainability of such systems at an affordable cost; and

''(10) require the military departments to conduct periodic reviews of operating and support costs of major weapon systems after such systems achieve initial operational capability to identify and address factors resulting in growth in operating and support costs and adapt support strategies to reduce such costs.

''(c) RETENTION OF DATA ON OPERATING AND SUPPORT COSTS.—

''(1) IN GENERAL.—The Director of Cost Assessment and Program Evaluation shall be responsible for developing and maintaining a database on operating and support estimates, supporting documentation, and actual operating and support costs for major weapon systems.

''(2) SUPPORT.—The Secretary of Defense shall ensure that the Director, in carrying out such responsibility—

''(A) promptly receives the results of all cost estimates and cost analyses conducted by the military departments with regard to operating and support costs of major weapon systems;

''(B) has timely access to any records and data of the military departments (including classified and proprietary information) that the Director considers necessary to carry out such responsibility; and

''(C) with the concurrence of the Under Secretary of Defense for Acquisition and Sustainment, may direct the military departments to collect and retain information necessary to support the database.

''(d) MAJOR WEAPON SYSTEM DEFINED.—In this section, the term 'major weapon system' has the meaning given that term in section 2379(f) of title 10, United States Code.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 137 of such title is amended by adding after the item relating to section 2337 the following new item:

''2337a. Assessment, management, and control of operating and support costs for major weapon systems.''.

(b) REPEAL OF SUPERSEDED SECTION.—

(1) REPEAL.—Section 832 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2430 note) is repealed.

(2) CONFORMING AMENDMENT.—Section 2441(c) of title 10, United States Code, is amended by striking ''section 2337 of this title'' and all that follows through the period and inserting ''sections 2337 and 2337a of this title.''.

SEC. 853. USE OF PROGRAM INCOME BY ELIGIBLE ENTITIES THAT CARRY OUT PROCUREMENT TECHNICAL ASSISTANCE PROGRAMS.

Section 2414 of title 10, United States Code, is amended—

*(1) in the section heading, by striking ''**LIMITATION**'' and inserting ''**1FUNDING**''; and*

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

''(d) USE OF PROGRAM INCOME.—

''(1) An eligible entity that earned income in a specified fiscal year from activities carried out pursuant to a procurement technical assistance program funded under this chapter may expend an amount of such income not to exceed 25 percent of the cost of furnishing procurement technical assistance in such specified fiscal year, during the fiscal year following the specified fiscal year, to carry out a procurement technical assistance program funded under this chapter.

''(2) An eligible entity that does not enter into a cooperative agreement with the Secretary for a fiscal year—

''(A) shall notify the Secretary of the amount of any income the eligible entity carried over from the previous fiscal year; and

''(B) may retain an amount of such income equal to 10 percent of the value of assistance furnished by the Secretary under this section during the previous fiscal year.

''(3) In determining the value of assistance furnished by the Secretary under this section for any fiscal year, the Secretary shall account for the amount of any income the eligible entity carried over from the previous fiscal year.''.

SEC. 854. AMENDMENT TO SUSTAINMENT REVIEWS.

Section 2441(a) of title 10, United States Code, is amended by adding at the end the following: ''The Secretary concerned shall make the memorandum and supporting documentation for each sustainment review available to the Under Secretary of Defense for Acquisition and Sustainment within 30 days after the review is completed.''.

SEC. 855. CLARIFICATION TO OTHER TRANSACTION AUTHORITY.

(a) CLARIFICATION TO REQUIREMENT FOR WRITTEN DETERMINATIONS FOR PROTOTYPE PROJECTS.—Section 2371b(a)(2) of title 10, United States Code, is amended by striking ''for a prototype project'' each place such term appears and inserting ''for a transaction (for a prototype project)''.

(b) CLARIFICATION OF INCLUSION OF SMALL BUSINESSES PARTICIPATING IN SBIR OR STTR.—Section 2371b(d)(1)(B) of title 10, United States Code, is amended by inserting ''(including small businesses participating in a program described under section 9 of the Small Business Act (15 U.S.C. 638))'' after ''small businesses''.

SEC. 856. CLARIFYING THE USE OF LOWEST PRICE TECHNICALLY ACCEPTABLE SOURCE SELECTION PROCESS.

Section 813 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2270; 10 U.S.C. 2305 note) is amended—

(1) in subsection (b)—

(A) in paragraph (5), by striking ''and'' at the end;

(B) in paragraph (6), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following new paragraphs:

''(7) the Department of Defense would realize minimal or no additional innovation or future technological advantage; and

''(8) with respect to a contract for procurement of goods, the goods procured are predominately expendable in nature, nontechnical, or have a short life expectancy or short shelf life.''; and

(2) in subsection (c)—

(A) in paragraph (2), by striking ''or'' at the end;

(B) in paragraph (3), by striking the period at the end and inserting ''; or''; and

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

''(4) electronic test and measurement equipment for which calibration or repair costs are expected to substantially affect full life-cycle costs.''.

SEC. 857. AMENDMENT TO NONTRADITIONAL AND SMALL CONTRACTOR INNOVATION PROTOTYPING PROGRAM.

Section 884(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2318; 10 U.S.C.2301 note) is amended—

(1) by redesignating paragraph (9) as paragraph (10); and

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

''(9) Unmanned ground logistics and unmanned air logistics capabilities enhancement.''.

SEC. 858. MODIFICATION TO ANNUAL MEETING REQUIREMENT OF CONFIGURATION STEERING BOARDS.

Section 814(c)(4) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4529; 10 U.S.C. 2430 note) is amended by striking ''year.'' and inserting ''year, unless the senior acquisition executive of the military department concerned determines in writing that there have been no changes to the program requirements of a major defense acquisition program during the preceding year.''.

SEC. 859. CHANGE TO DEFINITION OF SUBCONTRACT IN CERTAIN CIRCUMSTANCES.

Section 1906(c)(1) of title 41, United States Code, is amended by adding at the end the following: ''The term does not include agreements entered into by a contractor for the supply of commodities that are intended for use in the performance of multiple contracts with the Government and other parties and are not identifiable to any particular contract.''.

SEC. 860. AMENDMENT RELATING TO APPLICABILITY OF INFLATION ADJUSTMENTS.

Subsection 1908(d) of title 41, United States Code, is amended by inserting before the period at the end the following: '', and shall apply, in the case of the procurement of property or services by contract, to a contract, and any subcontract at any tier under the contract, in effect on that date without regard to the date of award of the contract or subcontract.''.

Subtitle D—Other Matters

SEC. 861. EXEMPTION FROM DESIGN-BUILD SELECTION PROCEDURES.

Subsection (d) of section 2305a of title 10, United States Code, is amended by striking the second and third sentences and inserting the following: ''If the contract value exceeds $4,000,000, the maximum number specified in the solicitation shall not exceed 5 unless—

''(1) the solicitation is issued pursuant to a indefinite delivery-indefinite quantity contract for design-build construction; or

''(2)(A) the head of the contracting activity, delegable to a level no lower than the senior contracting official within the contracting activity, approves the contracting officer's justification with respect to an individual solicitation that a number greater than 5 is in the Federal Government's interest; and

''(B) the contracting officer shall provide written documentation of how a maximum number exceeding 5 is consistent with the purposes and objectives of the two-phase selection procedures.''.

SEC. 862. REQUIREMENT THAT CERTAIN SHIP COMPONENTS BE MANUFACTURED IN THE NATIONAL TECHNOLOGY AND INDUSTRIAL BASE.

(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 a military department for new construction of an auxiliary ship after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018 using funds available for National Defense Sealift Fund programs or Shipbuilding and Conversion, Navy.''.

SEC. 863. PROCUREMENT OF AVIATION CRITICAL SAFETY ITEMS.

Section 814(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2271; 10 U.S.C. 2302 note) is amended—

(1) in paragraph (1)—

(A) by inserting ''or an aviation critical safety item (as defined in section 2319(g) of this title)'' after ''personal protective equipment''; and

(B) by inserting ''equipment or'' after ''failure of the''; and

(2) in paragraph (2), by inserting ''or item'' after ''equipment''.

SEC. 864. MILESTONES AND TIMELINES FOR CONTRACTS FOR FOREIGN MILITARY SALES.

(a) ESTABLISHMENT OF STANDARD TIMELINES FOR FOREIGN MILITARY SALES.—The Secretary of Defense shall establish specific milestones and standard timelines to achieve such milestones for a foreign military sale (as authorized under chapter 2 of the Arms Export Control Act (22 U.S.C. 2761 et seq.)), including milestones and timelines for actions that occur after a letter of offer and acceptance (as described in chapter 5 of the Security Assistance Management Manual of the Defense Security Cooperation Agency) for such foreign military sale is completed. Such milestones and timelines—

(1) may vary depending on the complexity of the foreign military sale; and

(2) shall cover the period beginning on the date of receipt of a complete letter of request (as described in such chapter 5) from a foreign country and ending on the date of the final delivery of a defense article or defense service sold through the foreign military sale.

(b) SUBMISSIONS TO CONGRESS.—

(1) QUARTERLY NOTIFICATION.—During the period beginning on the date of the enactment of this Act and ending on December 31, 2021, 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, on a quarterly basis, a report that includes a list of each foreign military sale with a value greater than or equal to the dollar threshold for congressional notification under section 36 of the Arms Export Control Act (22 U.S.C. 2776)—

(A) for which the final delivery of a defense article or defense service has not been completed; and

(B) that failed to meet a standard timeline to achieve a milestone as established under subsection (a).

(2) ANNUAL REPORT.—Not later than November 1, 2019, and annually thereafter until December 31, 2021, the Secretary shall submit to the committees described in paragraph (1) a report that summarizes—

(A) the number, set forth separately by dollar value and milestone, of foreign military sales that met the standard timeline to achieve a milestone established under subsection (a) during the preceding fiscal year; and

(B) the number, set forth separately by dollar value, milestone, and case development extenuating factor, of foreign military sales that failed to meet the standard timeline to achieve a milestone established under subsection (a).

(c) DEFINITIONS.—In this section:

(1) DEFENSE ARTICLE; DEFENSE SERVICE.—The terms ''defense article'' and ''defense service'' have the meanings given those terms, respectively, in section 47 of the Arms Export Control Act (22 U.S.C. 2794).

(2) CASE DEVELOPMENT EXTENUATING FACTOR.—The term ''case development extenuating factor'' means a reason from a list of reasons developed by the Secretary (such as a change in requirements, delay in performance, or failure to receive funding) for the failure of a foreign military sale to meet a standard timeline to achieve a milestone established under subsection (a).

SEC. 865. NOTIFICATION REQUIREMENT FOR CERTAIN CONTRACTS FOR AUDIT SERVICES.

(a) NOTIFICATION TO CONGRESS.—If the Under Secretary of Defense (Comptroller) makes a written finding that a delay in performance of a covered contract while a protest is pending would hinder the annual preparation of audited financial statements for the Department of Defense, and the head of the procuring activity responsible for the award of the covered contract does not authorize the award of the contract (pursuant to section 3553(c)(2) of title 31, United States Code) or the performance of the contract (pursuant to section 3553(d)(3)(C) of such title), the Secretary of Defense shall—

(1) notify the congressional defense committees within 10 days after such finding is made; and

(2) describe any steps the Department of Defense plans to take to mitigate any hindrance identified in such finding to the annual preparation of audited financial statements for the Department.

(b) COVERED CONTRACT DEFINED.—In this section, the term ''covered contract'' means a contract for services to perform an audit to comply with the requirements of section 3515 of title 31, United States Code.

SEC. 866. TRAINING IN ACQUISITION OF COMMERCIAL ITEMS.

(a) TRAINING.—Not later than 180 days after the date of the enactment of this Act, the President of the Defense Acquisition University shall establish a comprehensive training program on the acquisition of commercial items, including part 12 of the Federal Acquisition Regulation. The curriculum shall include, at a minimum, the following:

(1) The reasons for and appropriate uses of part 12 of the Federal Acquisition Regulation, including the preference for the acquisition of commercial items under section 2377 of title 10, United States Code.

(2) The definition of a commercial item, including the interpretation of the phrase ''of a type''.

(3) Price analysis and negotiations.

(4) Market research and analysis.

(5) Independent cost estimates.

(6) Parametric estimating methods.

(7) Value analysis.

(8) Other topics on the acquisition of commercial items necessary to ensure a well-educated acquisition workforce.

(b) STUDENT ENROLLMENT.—The President of the Defense Acquisition University shall set

goals for student enrollment for the training program established under subsection (a).

SEC. 867. NOTICE OF COST-FREE FEDERAL PROCUREMENT TECHNICAL ASSISTANCE IN CONNECTION WITH REGISTRATION OF SMALL BUSINESS CONCERNS ON PROCUREMENT WEBSITES OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—The Secretary of Defense shall establish procedures to ensure that any notice or direct communication regarding the registration of a small business concern on a website maintained by the Department of Defense relating to contracting opportunities contains information about cost-free Federal procurement technical assistance services that are available through a procurement technical assistance program established under chapter 142 of title 10, United States Code.

(b) SMALL BUSINESS CONCERN DEFINED.—The term ''small business concern'' has the meaning given such term under section 3 of the Small Business Act (15 U.S.C. 632).

SEC. 868. COMPTROLLER GENERAL REPORT ON CONTRACTOR BUSINESS SYSTEM REQUIREMENTS.

Not later than 1 year after the date of enactment of this Act, the Comptroller General of the United States shall submit to the congressional defense committees a report on the feasibility and effects of an increase to the percentage of total gross revenue included in the definition of the term ''covered contractor'' in section 893(g)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2302 note). Such report shall include—

(1) an assessment of the effects of the amendment to such definition made by subsection (c) of section 893 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328); and

(2) the feasibility and effects of a subsequent increase to the percentage of total gross revenue included in such definition.

SEC. 869. STANDARD GUIDELINES FOR EVALUATION OF REQUIREMENTS FOR SERVICES CONTRACTS.

(a) IN GENERAL.—The Secretary of Defense shall encourage the use of standard guidelines within the Department of Defense for the evaluation of requirements for services contracts. Such guidelines shall be available to the Services Requirements Review Boards (established under Department of Defense Instruction 5000.74, titled ''Defense Acquisition of Services'' and dated January 5, 2016, or a successor instruction) within each Defense Agency, each Department of Defense Field Activity, and each military department for the purpose of standardizing the requirements evaluation required under section 2329 of title 10, United States Code, as added by this Act. Such guidelines may provide policy guidance or tools, including a comprehensive checklist of total force management policies and procedures that is modeled after the checklist used by the Army, to aid uniform decision-making during the requirements evaluation process.

(b) DEFINITIONS.—In this section—

(1) the terms ''Defense Agency'', ''Department of Defense Field Activity'', and ''military department'' have the meanings given those terms in section 101 of title 10, United States Code; and

(2) the term ''total force management policies and procedures'' means the policies and procedures established under section 129a of such title.

SEC. 870. TEMPORARY LIMITATION ON AGGREGATE ANNUAL AMOUNT AVAILABLE FOR CONTRACT SERVICES.

(a) LIMITATION.—Except as provided in subsection (b), the total amount obligated by the Department of Defense for contract services in fiscal year 2018 may not exceed the total amount requested for the Department for contract services in the budget of the President for fiscal year 2010 (as submitted to Congress pursuant to section 1105(a) of title 31, United States Code) adjusted for net transfers from funding for overseas contingency operations.

(b) DEFINITIONS.—In this section:

(1) CONTRACT SERVICES.—The term ''contract services'' has the meaning given that term in section 235 of title 10, United States Code, except that the term does not include services that are funded out of amounts available for overseas contingency operations.

(2) TRANSFERS FROM FUNDING FOR OVERSEAS CONTINGENCY OPERATIONS.—The term ''transfers from funding for overseas contingency operations'' means amounts funded out of amounts available for overseas contingency operations in fiscal year 2010 that are funded out of amounts other than amounts so available in fiscal year 2018.

TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND MANAGEMENT

Subtitle A—Organization and Management of the Department of Defense Generally

SEC. 901. RESPONSIBILITY OF THE CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF DEFENSE FOR RISK MANAGEMENT ACTIVITIES REGARDING SUPPLY CHAIN FOR INFORMATION TECHNOLOGY SYSTEMS.

Section 142(b)(1) of title 10, United States Code, is amended—

(1) in subparagraph (H), by striking ''and'' at the end;

(2) in subparagraph (I), by striking the period at the end and inserting a semicolon; and

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

''(J) has the responsibilities for policy, oversight, guidance, and coordination for risk management activities for the Department regarding the supply chain for information technology systems.''.

SEC. 902. REPEAL OF OFFICE OF CORROSION POLICY AND OVERSIGHT.

(a) REPEAL.—Section 2228 of title 10, United States Code, is repealed.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 131 of title 10, United States Code, is amended by striking the item relating to section 2228.

SEC. 903. DESIGNATION OF CORROSION CONTROL AND PREVENTION EXECUTIVES FOR THE MILITARY DEPARTMENTS.

(a) DEPARTMENT OF THE ARMY.—

(1) DESIGNATION.—Chapter 303 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 3025. Corrosion control and prevention executive

''(a) DESIGNATION.—(1) There is a corrosion control and prevention executive in the Department of the Army. The Assistant Secretary of the Army for Acquisition, Technology, and Logistics shall designate the corrosion control and prevention executive.

''(2) In addition to the duties assigned under subsection (c), the principal responsibility of the civilian employee designated as the corrosion control and prevention executive shall be coordinating Department of the Army corrosion control and prevention program activities (including budget programming) with the Department and the Office of the Secretary of Defense, the program executive officers of the Department, and relevant major subordinate commands of the Department.

''(3) The corrosion control and prevention executive shall be a civilian employee of the Department in the grade GS-15 or higher of the General Schedule.

''(b) QUALIFICATIONS.—In order to qualify for designation as the corrosion control and prevention executive in the Department of the Army, an individual shall, at a minimum—

''(1) have a working knowledge of corrosion prevention and control;

''(2) have strong program management and communication skills; and

''(3) understand the acquisition, research and development, test and evaluation, and sustainment policies and procedures across the Department, including sustainment of infrastructure.

''(c) DUTIES.—(1) The corrosion control and prevention executive in the Department of the Army shall ensure that corrosion control and prevention is maintained in the Department's policy and guidance for management of each of the following:

''(A) System acquisition and production, including design and maintenance.

''(B) Research, development, test, and evaluation programs and activities.

''(C) Equipment standardization programs, including international standardization agreements.

''(D) Logistics research and development initiatives.

''(E) Logistics support analysis as it relates to integrated logistic support in the materiel acquisition process.

''(F) Military infrastructure design, construction, and maintenance.

''(2) The corrosion control and prevention executive in the Department shall be responsible for identifying the funding levels necessary to accomplish the items specified in paragraph (1).

''(3) In cooperation with the appropriate staff of the Department, the corrosion control and prevention executive in the Department shall, develop, support, and provide the rationale for resources—

''(A) to initiate and sustain an effective corrosion control and prevention program in the Department;

''(B) to evaluate the program's effectiveness; and

''(C) to ensure that corrosion control and prevention requirements for materiel are reflected in budgeting and policies of the Department for the formulation, management, and evaluation of personnel and programs for the entire Department, including the Army Reserve and the Army National Guard.

''(4) The corrosion control and prevention executive in the Department shall submit an annual report, not later than December 31 of each year, to the Secretary of the Army and the Secretary of Defense containing recommendations pertaining to the corrosion control and prevention program of the Department, including corrosion-related funding levels to carry out all of the duties of the executive under this section.

''(5) The corrosion control and prevention executive in the Department may not be assigned other duties that may interfere with the duties specified in this subsection and the principal responsibility assigned under subsection (a)(2).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 303 of title 10, United States Code, is amended by adding at the end the following new item:

''3025. Corrosion control and prevention executive.''.

(b) DEPARTMENT OF THE NAVY.—

(1) DESIGNATION.—Chapter 503 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 5029. Corrosion control and prevention executive

''(a) DESIGNATION.—(1) There is a corrosion control and prevention executive in the Department of the Navy. The Assistant Secretary of the Navy for Research, Development, and Acquisition shall designate the corrosion control and prevention executive.

''(2) In addition to the duties assigned under subsection (c), the principal responsibility of the civilian employee designated as the corrosion control and prevention executive shall be coordinating Department of the Navy corrosion control and prevention program activities (including budget programming) with the Department and the Office of the Secretary of Defense, the program executive officers of the Department,

and relevant major subordinate commands of the Department.

''(3) The corrosion control and prevention executive shall be a civilian employee of the Department in the grade GS-15 or higher of the General Schedule.

''(b) QUALIFICATIONS.—In order to qualify for designation as the corrosion control and prevention executive in the Department of the Navy, an individual shall, at a minimum—

''(1) have a working knowledge of corrosion prevention and control;

''(2) have strong program management and communication skills; and

''(3) understand the acquisition, research and development, test and evaluation, and sustainment policies and procedures across the Department, including sustainment of infrastructure.

''(c) DUTIES.—(1) The corrosion control and prevention executive in the Department of the Navy shall ensure that corrosion control and prevention is maintained in the Department's policy and guidance for management of each of the following:

''(A) System acquisition and production, including design and maintenance.

''(B) Research, development, test, and evaluation programs and activities.

''(C) Equipment standardization programs, including international standardization agreements.

''(D) Logistics research and development initiatives.

''(E) Logistics support analysis as it relates to integrated logistic support in the materiel acquisition process.

''(F) Military infrastructure design, construction, and maintenance.

''(2) The corrosion control and prevention executive in the Department shall be responsible for identifying the funding levels necessary to accomplish the items specified in paragraph (1).

''(3) In cooperation with the appropriate staff of the Department, the corrosion control and prevention executive in the Department shall, develop, support, and provide the rationale for resources—

''(A) to initiate and sustain an effective corrosion control and prevention program in the Department;

''(B) to evaluate the program's effectiveness; and

''(C) to ensure that corrosion control and prevention requirements for materiel are reflected in budgeting and policies of the Department for the formulation, management, and evaluation of personnel and programs for the entire Department, including the Navy Reserve and the Marine Corps Reserve.

''(4) The corrosion control and prevention executive in the Department shall submit an annual report, not later than December 31 of each year, to the Secretary of the Navy and the Secretary of Defense containing recommendations pertaining to the corrosion control and prevention program of the Department, including corrosion-related funding levels to carry out all of the duties of the executive under this section.

''(5) The corrosion control and prevention executive in the Department may not be assigned other duties that may interfere with the duties specified in this subsection and the principal responsibility assigned under subsection (a)(2).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 503 of title 10, United States Code, is amended by adding at the end the following new item:

''5029. Corrosion control and prevention executive.''.

(c) DEPARTMENT OF THE AIR FORCE.—

(1) DESIGNATION.—Chapter 803 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 8025. Corrosion control and prevention executive

''(a) DESIGNATION.—(1) There is a corrosion control and prevention executive in the Department of the Air Force. The Assistant Secretary of the Air Force for Acquisition, Technology, and Logistics shall designate the corrosion control and prevention executive.

''(2) In addition to the duties assigned under subsection (c), the principal responsibility of the civilian employee designated as the corrosion control and prevention executive shall be coordinating Department of the Air Force corrosion control and prevention program activities (including budget programming) with the Department and the Office of the Secretary of Defense, the program executive officers of the Department, and relevant major subordinate commands of the Department.

''(3) The corrosion control and prevention executive shall be a civilian employee of the Department in the grade GS-15 or higher of the General Schedule.

''(b) QUALIFICATIONS.—In order to qualify for designation as the corrosion control and prevention executive in the Department of the Air Force, an individual shall, at a minimum—

''(1) have a working knowledge of corrosion prevention and control;

''(2) have strong program management and communication skills; and

''(3) understand the acquisition, research and development, test and evaluation, and sustainment policies and procedures across the Department, including sustainment of infrastructure.

''(c) DUTIES.—(1) The corrosion control and prevention executive in the Department of the Air Force shall ensure that corrosion control and prevention is maintained in the Department's policy and guidance for management of each of the following:

''(A) System acquisition and production, including design and maintenance.

''(B) Research, development, test, and evaluation programs and activities.

''(C) Equipment standardization programs, including international standardization agreements.

''(D) Logistics research and development initiatives.

''(E) Logistics support analysis as it relates to integrated logistic support in the materiel acquisition process.

''(F) Military infrastructure design, construction, and maintenance.

''(2) The corrosion control and prevention executive in the Department shall be responsible for identifying the funding levels necessary to accomplish the items specified in paragraph (1).

''(3) In cooperation with the appropriate staff of the Department, the corrosion control and prevention executive in the Department shall, develop, support, and provide the rationale for resources—

''(A) to initiate and sustain an effective corrosion control and prevention program in the Department;

''(B) to evaluate the program's effectiveness; and

''(C) to ensure that corrosion control and prevention requirements for materiel are reflected in budgeting and policies of the Department for the formulation, management, and evaluation of personnel and programs for the entire Department, including the Air Force Reserve and the Air National Guard.

''(4) The corrosion control and prevention executive in the Department shall submit an annual report, not later than December 31 of each year, to the Secretary of the Air Force and the Secretary of Defense containing recommendations pertaining to the corrosion control and prevention program of the Department, including corrosion-related funding levels to carry out all of the duties of the executive under this section.

''(5) The corrosion control and prevention executive in the Department may not be assigned other duties that may interfere with the duties specified in this subsection and the principal responsibility assigned under subsection (a)(2).''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 803 of title 10, United States Code, is amended by adding at the end the following new item:

''8025. Corrosion control and prevention executive.''.

(d) REPEAL OF REPLACED PROVISION.—Effective 90 days after the date of the enactment of this Act, section 903 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–117; 10 U.S.C. 2228 note) is repealed.

(e) DEADLINE FOR DESIGNATION.—Corrosion control and prevention executives who satisfy the qualifications specified in subsection (b) of sections 3025, 5029, and 8025 of title 10, United States Code, as added by this section, shall be designated not later than 90 days after the date of the enactment of this Act.

SEC. 904. MAINTAINING CIVILIAN WORKFORCE CAPABILITIES TO SUSTAIN READINESS, THE ALL VOLUNTEER FORCE, AND OPERATIONAL EFFECTIVENESS.

Section 912(a)(2) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by adding at the end the following new subparagraphs:

''(D) The minimum civilian end strength specified in section 691 of title 10, United States Code, needed to support the national military strategy.

''(E) A civilian operating force structure sized for operational effectiveness, that is manned, equipped and trained to support deployment time and rotation ratios sized to sustain the readiness and needed retention levels for the regular and reserve components according to the judgment of the Joint Chiefs of Staff in fulfillment of their responsibilities under sections 151, 3033, 5033, 8033 and 5044 of title 10, United States Code.

''(F) The development of civilian workforce levels to ensure that every proposal to change military force structure is accompanied with the associated civilian force structure changes needed to support that military force structure.

''(G) The hiring authorities and other actions that the Secretary of Defense or the Secretary of the military department will take to eliminate any gaps between desired programmed civilian workforce levels and the existing size of the civilian workforce by mission and functional area.

''(H) A civilian workforce plan that is consistent with the total force management requirements of sections 129 and 129a of title 10, United States Code.''.

Subtitle B—Designation of the Navy and Marine Corps

SEC. 911. REDESIGNATION OF THE DEPARTMENT OF THE NAVY AS THE DEPARTMENT OF THE NAVY AND MARINE CORPS.

(a) REDESIGNATION OF MILITARY DEPARTMENT.—The military department designated as the Department of the Navy is redesignated as the Department of the Navy and Marine Corps.

(b) REDESIGNATION OF SECRETARY AND OTHER STATUTORY OFFICES.—

(1) SECRETARY.—The position of the Secretary of the Navy is redesignated as the Secretary of the Navy and Marine Corps.

(2) OTHER STATUTORY OFFICES.—The positions of the Under Secretary of the Navy, the four Assistant Secretaries of the Navy, and the General Counsel of the Department of the Navy are redesignated as the Under Secretary of the Navy and Marine Corps, the Assistant Secretaries of the Navy and Marine Corps, and the General Counsel of the Department of the Navy and Marine Corps, respectively.

SEC. 912. CONFORMING AMENDMENTS TO TITLE 10, UNITED STATES CODE.

(a) DEFINITION OF ''MILITARY DEPARTMENT''.—Paragraph (8) of section 101(a) of title 10, United States Code, is amended to read as follows:

''(8) The term 'military department' means the Department of the Army, the Department of the

Navy and Marine Corps, and the Department of the Air Force.''.

(b) ORGANIZATION OF DEPARTMENT.—The text of section 5011 of such title is amended to read as follows: ''The Department of the Navy and Marine Corps is separately organized under the Secretary of the Navy and Marine Corps.''.

(c) POSITION OF SECRETARY.—Section 5013(a)(1) of such title is amended by striking ''There is a Secretary of the Navy'' and inserting ''There is a Secretary of the Navy and Marine Corps''.

(d) CHAPTER HEADINGS.—

(1) The heading of chapter 503 of such title is amended to read as follows:

''CHAPTER 503—DEPARTMENT OF THE NAVY AND MARINE CORPS''.

(2) The heading of chapter 507 of such title is amended to read as follows:

''CHAPTER 507—COMPOSITION OF THE DEPARTMENT OF THE NAVY AND MARINE CORPS''.

(e) OTHER AMENDMENTS.—

(1) Title 10, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the Navy'' each place they appear other than as specified in subsections (a), (b), (c), and (d) (including in section headings, subsection captions, tables of chapters, and tables of sections) and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively, in each case with the matter inserted to be in the same typeface and typestyle as the matter stricken.

(2)(A) Sections 5013(f), 5014(b)(2), 5016(a), 5017(2), 5032(a), and 5042(a) of such title are amended by striking ''Assistant Secretaries of the Navy'' and inserting ''Assistant Secretaries of the Navy and Marine Corps''.

(B) The heading of section 5016 of such title, and the item relating to such section in the table of sections at the beginning of chapter 503 of such title, are each amended by inserting ''and Marine Corps'' after ''of the Navy'', with the matter inserted in each case to be in the same typeface and typestyle as the matter amended.

SEC. 913. OTHER PROVISIONS OF LAW AND OTHER REFERENCES.

(a) TITLE 37, UNITED STATES CODE.—Title 37, United States Code, is amended by striking ''Department of the Navy'' and ''Secretary of the Navy'' each place they appear and inserting ''Department of the Navy and Marine Corps'' and ''Secretary of the Navy and Marine Corps'', respectively.

(b) OTHER REFERENCES.—Any reference in any law other than in title 10 or title 37, United States Code, or in any regulation, document, record, or other paper of the United States, to the Department of the Navy shall be considered to be a reference to the Department of the Navy and Marine Corps. Any such reference to an office specified in section 911(b) shall be considered to be a reference to that office as redesignated by that section.

SEC. 914. EFFECTIVE DATE.

This subtitle and the amendments made by this subtitle shall take effect on the first day of the first month beginning more than 60 days after the date of the enactment of this Act.

Subtitle C—Other Matters

SEC. 921. TRANSITION OF THE OFFICE OF THE SECRETARY OF DEFENSE TO REFLECT ESTABLISHMENT OF POSITIONS OF UNDER SECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING, UNDER SECRETARY OF DEFENSE FOR ACQUISITION AND SUSTAINMENT, AND CHIEF MANAGEMENT OFFICER.

(a) REFERENCES TO POSITIONS PENDING EXECUTION OF AMENDMENTS.—Until February 1, 2018, any reference in this Act, or an amendment made by this Act—

(1) to the position of Under Secretary of Defense for Research and Engineering, to be established by the amendment made by section 901(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2339), shall be deemed to be a reference to the Under Secretary of Defense for Acquisition, Technology, and Logistics under section 133 of title 10, United States Code;

(2) to the position of Under Secretary of Defense for Acquisition and Sustainment, to be established by the amendment made by section 901(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2340), shall be deemed to be a reference to the Under Secretary of Defense for Acquisition, Technology, and Logistics under section 133 of title 10, United States Code; and

(3) to the position of Chief Management Officer of the Department of Defense, to be established by section 901(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2341; 10 U.S.C. 131 note), shall be deemed to be a reference to the Deputy Secretary of Defense under section 132 of title 10, United States Code.

(b) SERVICE OF INCUMBENTS.—

(1) PRINCIPAL DEPUTY UNDER SECRETARY OF DEFENSE FOR ACQUISITION, TECHNOLOGY, AND LOGISTICS.—The individual serving as Principal Deputy Under Secretary of Defense for Acquisition, Technology, and Logistics under section 137a(c)(1) of title 10, United States Code, as of February 1, 2018, may continue to serve as Under Secretary of Defense for Acquisition and Sustainment commencing as of that date, without further appointment under section 133b of such title, as added by section 901(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2340).

(2) DEPUTY CHIEF MANAGEMENT OFFICER.—The individual serving as Deputy Chief Management Officer of the Department of Defense under section 132a of title 10, United States Code, as of February 1, 2018, may continue to serve as Chief Management Officer commencing as of that date, without further appointment under section 901(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2341; 10 U.S.C. 131 note).

SEC. 922. EXTENSION OF DEADLINES FOR REPORTING AND BRIEFING REQUIREMENTS FOR COMMISSION ON THE NATIONAL DEFENSE STRATEGY FOR THE UNITED STATES.

Section 942(e) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2368) is amended—

(1) in paragraph (1), by striking ''December 1, 2017'' and inserting ''January 31, 2018''; and

(2) in paragraph (2), by striking ''June 1, 2017'' and inserting ''September 1, 2017''.

SEC. 923. BRIEFING ON FORCE MANAGEMENT LEVEL POLICY.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) The force management level policy that previously restricted the total number of members of the Armed Forces of the United States deployed to Afghanistan increased the cost of operations in Afghanistan.

(B) The restriction meant that the Department of Defense had to substitute available military personnel for costlier contract support.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the Department of Defense should discourage the practice of substituting contractor personnel for available members of the Armed Forces when a unit deploys overseas and should revise this practice as it pertains to unit deployment to Afghanistan.

(b) BRIEFING.—Not later than March 31, 2018, the Secretary of Defense shall provide to the congressional defense committees a briefing detailing—

(1) the steps that the Secretary is taking to revise deployment guidelines to ensure that readiness, unit cohesion, and maintenance are prioritized; and

(2) the plan of the Secretary to establish a policy that will avoid to the extent practicable these costly practices in the future.

TITLE X—GENERAL PROVISIONS

Subtitle A—Financial Matters

SEC. 1001. GENERAL TRANSFER AUTHORITY.

(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—

(1) AUTHORITY.—Upon determination by the Secretary of Defense that such action is necessary in the national interest, the Secretary may transfer amounts of authorizations made available to the Department of Defense in this division for fiscal year 2018 between any such authorizations for that fiscal year (or any subdivisions thereof). Amounts of authorizations so transferred shall be merged with and be available for the same purposes as the authorization to which transferred.

(2) LIMITATION.—Except as provided in paragraph (3), the total amount of authorizations that the Secretary may transfer under the authority of this section may not exceed $5,000,000,000.

(3) EXCEPTION FOR TRANSFERS BETWEEN MILITARY PERSONNEL AUTHORIZATIONS.—A transfer of funds between military personnel authorizations under title IV shall not be counted toward the dollar limitation in paragraph (2).

(b) LIMITATIONS.—The authority provided by subsection (a) to transfer authorizations—

(1) may only be used to provide authority for items that have a higher priority than the items from which authority is transferred; and

(2) may not be used to provide authority for an item that has been denied authorization by Congress.

(c) EFFECT ON AUTHORIZATION AMOUNTS.—A transfer made from one account to another under the authority of this section shall be deemed to increase the amount authorized for the account to which the amount is transferred by an amount equal to the amount transferred.

(d) NOTICE TO CONGRESS.—The Secretary shall promptly notify Congress of each transfer made under subsection (a).

SEC. 1002. PREPARATION OF CONSOLIDATED CORRECTIVE ACTION PLAN AND IMPLEMENTATION OF CENTRALIZED REPORTING SYSTEM.

(a) ESTABLISHMENT.—In accordance with the recommendations included in the Government Accountability Office report numbered GAO-17-85 and entitled ''DOD Financial Management: Significant Efforts Still Needed for Remediating Audit Readiness Deficiencies'', the Under Secretary of Defense (Comptroller) of the Department of Defense shall—

(1) on a bimonthly basis, prepare a consolidated corrective action plan management summary on the status of all corrective actions plans related to critical capabilities for the military services and for the service providers and other defense organizations; and

(2) develop and implement a centralized monitoring and reporting process that captures and maintains up-to-date information, including the standard data elements recommended in the implementation guide for Office of Management and Budget Circular A-123, for all corrective action plans and findings and recommendations Department-wide that pertain to critical capabilities.

(b) EFFECTIVE DATE.—Subsection (a) shall take effect on October 1, 2017.

SEC. 1003. ADDITIONAL REQUIREMENTS RELATING TO DEPARTMENT OF DEFENSE AUDITS.

(a) FINANCIAL IMPROVEMENT AUDIT READINESS PLAN.—Section 1003(a)(2)(A)(ii) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2222 note) is amended by striking ''are validated as ready for audit by not later than September 30, 2017'' and inserting ''go under full financial statement audit beginning September 30, 2017, and that the department leadership make every effort to reach an unmodified opinion as soon as possible''.

(b) AUDIT OF FISCAL YEAR 2018 FINANCIAL STATEMENTS.—Section 1003(a) of the National

Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2222 note) is amended by striking ''are validated as ready for audit by not later than'' and inserting ''go under full financial statement audit beginning''.

Subtitle B—Naval Vessels and Shipyards

SEC. 1011. NATIONAL DEFENSE SEALIFT FUND.

(a) FUND PURPOSES; DEPOSITS.—Section 2218 of title 10, United States Code, is amended—

(1) in subsection (c)—

(A) in paragraph (1)—

(i) by striking subparagraph (D); and

(ii) by redesignating subparagraph (E) as subparagraph (D);

(B) in paragraph (3), by striking ''or (D)''; and

(2) in subsection (d)—

(A) in paragraph (1)—

(i) in subparagraph (B), by inserting ''and'' after the semicolon;

(ii) in subparagraph (C), by striking ''; and'' and inserting a period; and

(iii) by striking subparagraph (D);

(B) by striking paragraph (2);

(C) by redesignating paragraph (3) as paragraph (2); and

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

''(3) Any other funds made available to the Department of Defense to carry out any of the purposes described in subsection (c).''.

(b) AUTHORITY TO PURCHASE USED VESSELS.—Subsection (f) of such section is amended by adding at the end the following new paragraph:

''(3)(A) Notwithstanding the limitations under subsection (c)(1)(E) and paragraph (1), the Secretary of Defense may, as part of a program to recapitalize the Ready Reserve Force component of the national defense reserve fleet and the Military Sealift Command surge fleet, purchase any used vessel, regardless of where such vessel was constructed if such vessel—

''(i) participated in the Maritime Security Fleet; and

''(ii) is available for purchase at a reasonable cost, as determined by the Secretary.

''(B) If the Secretary determines that no used vessel meeting the requirements under clauses (i) and (ii) of subparagraph (A) is available, the Secretary may purchase a used vessel comparable to a vessel described in clause (i) of subparagraph (A), regardless of the source of the vessel or where the vessel was constructed, if such vessel is available for purchase at a reasonable cost, as determined by the Secretary.

''(C) The Secretary may not use the authority under this paragraph to purchase more than five additional foreign constructed ships. Any such ships may not be purchased at a rate that exceeds one vessel constructed outside the United States for every new Department of Defense sealift vessel authorized by law to be constructed.

''(D) Prior to the purchase of any vessel that was not constructed in the United States, the Secretary, in consultation with the Maritime Administrator, shall certify that there is no vessel available for purchase at a reasonable price that—

''(i) was constructed in the United States; and

''(ii) is suitable for use by the United States for national defense or military purposes in a time of war or national emergency.''.

(c) DEFINITION OF MARITIME SECURITY FLEET.—Subsection (k) of such section is amended by adding at the end the following new paragraph:

''(5) The term 'Maritime Security Fleet' means the fleet established under section 53102(a) of title 46.''.

(d) TECHNICAL AMENDMENT.—Such section is further amended by striking ''(50 U.S.C. App. 1744)'' each place it appears and inserting ''(50 U.S.C. 4405)''.

SEC. 1012. NATIONAL DEFENSE SEALIFT FUND: CONSTRUCTION OF NATIONAL ICEBREAKER VESSELS.

Section 2218 of title 10, United States Code, as amended by section 2211, is further amended—

(1) in subsection (c)(1), by adding at the end the following new subparagraph:

''(E) Construction (including design of vessels), purchase, alteration, and conversion of national icebreaker vessels.''; and

(2) in subsection (d)(1),

(A) in subparagraph (B), by striking ''and'' and the end;

(B) in subparagraph (C), by striking the period and inserting ''; and''; and

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

''(D) construction (including design of vessels), purchase, alteration, and conversion of national icebreaker vessels.''.

SEC. 1013. USE OF NATIONAL SEA-BASED DETERRENCE FUND FOR MULTIYEAR PROCUREMENT OF CERTAIN CRITICAL COMPONENTS.

(a) IN GENERAL.—Subsection (i) of section 2218a of title 10, United States Code, is amended—

(1) by striking ''the common missile compartment'' each place it appears and inserting ''critical components''; and

(2) in paragraph (1), by striking ''critical parts, components, systems, and subsystems'' and inserting ''critical components''.

(b) DEFINITION OF CRITICAL COMPONENT.—Subsection (k) of such section is amended by adding at the end the following new paragraph:

''(3) The term 'critical component' means any—

''(A) any item that is high volume or high value; or

''(B) any common missile compartment component, shipyard manufactured component, valve, torpedo tube, or Government furnished equipment, including propulsors and strategic weapons system launchers.''.

(c) CLERICAL AMENDMENT.—The subsection heading for subsection (i) of such section is amended by striking ''OF THE COMMON MISSILE COMPARTMENT''.

SEC. 1014. RESTRICTIONS ON THE OVERHAUL AND REPAIR OF VESSELS IN FOREIGN SHIPYARDS.

(a) IN GENERAL.—Section 7310(b)(1) of title 10, United States Code, is amended—

(1) by striking ''In the case'' and inserting ''(A) Except as provided in subparagraph (B), in the case'';

(2) by striking ''during the 15-month'' and all that follows through ''United States)'';

(3) by inserting before the period at the end the following: '', other than in the case of voyage repairs''; and

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

''(B) The Secretary of the Navy may waive the application of subparagraph (A) to a contract award if the Secretary determines that the waiver is essential to the national security interests of the United States.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the later of the following dates:

(1) The date of the enactment of the National Defense Authorization Act for Fiscal Year 2019.

(2) October 1, 2018.

SEC. 1015. AVAILABILITY OF FUNDS FOR RETIREMENT OR INACTIVATION OF TICONDEROGA-CLASS CRUISERS OR DOCK LANDING SHIPS.

None of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for fiscal year 2018 may be obligated or expended—

(1) to retire, prepare to retire, or inactivate a cruiser or dock landing ship; or

(2) to place more than six cruisers and one dock landing ship in the modernization program under section 1026(a)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3490).

SEC. 1016. POLICY OF THE UNITED STATES ON MINIMUM NUMBER OF BATTLE FORCE SHIPS.

It shall be the policy of the United States to have available, as soon as practicable, not fewer than 355 battle force ships, with funding subject to the annual authorization of appropriation and the annual appropriation of funds.

Subtitle C—Counterterrorism

SEC. 1021. TERMINATION OF REQUIREMENT TO SUBMIT ANNUAL BUDGET JUSTIFICATION DISPLAY FOR DEPARTMENT OF DEFENSE COMBATING TERRORISM PROGRAM.

Section 229 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(e) TERMINATION.—The requirement to submit a budget justification display under this section shall terminate on December 31, 2020.''.

SEC. 1022. PROHIBITION ON USE OF FUNDS FOR TRANSFER OR RELEASE OF INDIVIDUALS DETAINED AT UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA TO THE UNITED STATES.

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, 2018, to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions of Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after January 20, 2009, at United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 1023. PROHIBITION ON USE OF FUNDS TO CONSTRUCT OR MODIFY FACILITIES IN THE UNITED STATES TO HOUSE DETAINEES TRANSFERRED FROM UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

(a) IN GENERAL.—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, 2018, to construct or modify any facility in the United States, its territories, or possessions to house any individual detained at Guantanamo for the purposes of detention or imprisonment in the custody or under the control of the Department of Defense.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) INDIVIDUAL DETAINED AT GUANTANAMO DEFINED.—In this section, the term ''individual detained at Guantanamo'' has the meaning given that term in section 1034(f)(2) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10 U.S.C. 801 note).

SEC. 1024. 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, 2018, 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 the custody or control of any country, or any entity within such country, as follows:

(1) Libya.

(2) Somalia.

(3) Syria.

(4) Yemen.

SEC. 1025. BIANNUAL REPORT ON SUPPORT OF SPECIAL OPERATIONS TO COMBAT TERRORISM.

Section 127e(g) of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''March 1'' and inserting ''120 days after the last day of a fiscal year''; and

(2) in paragraph (2) by striking ''September 1'' and inserting ''six months after the date of the submittal of the report most recently submitted under paragraph (1)''.

Subtitle D—Miscellaneous Authorities and Limitations

SEC. 1031. LIMITATION ON EXPENDITURE OF FUNDS FOR EMERGENCY AND EXTRAORDINARY EXPENSES FOR INTELLIGENCE AND COUNTER-INTELLIGENCE ACTIVITIES AND REPRESENTATION ALLOWANCES.

(a) RECURRING EXPENSES.—The first sentence of subsection (a) of section 127 of title 10, United States Code, is amended by inserting before the period at the end the following: '', and is not a recurring expense''.

(b) LIMITATION.—Subsection (c) of such section is amended by adding at the end the following new paragraph:

''(4) Funds may not be obligated or expended in an amount in excess of $25,000 under the authority of subsection (a) or (b) for intelligence or counter-intelligence activities or representation allowances until the Secretary of Defense has notified the congressional defense committees and the congressional intelligence committees of the intent to obligate or expend the funds, and—

''(A) in the case of an obligation or expenditure in excess of $100,000, 15 days have elapsed since the date of the notification; or

''(B) in the case of an obligation or expenditure in excess of $25,000, but not in excess of $100,000, five days have elapsed since the date of the notification.''.

(c) ANNUAL REPORT.—Subsection (d) of such section is amended—

(1) by striking ''to the congressional defense committees'' and all that follows through the period at the end and inserting an em dash; and

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

''(1) to the congressional defense committees a report on all expenditures during the preceding fiscal year under subsections (a) and (b); and

''(2) to the congressional intelligence committees a report on expenditures relating to intelligence and counter-intelligence during the preceding fiscal year under subsections (a) and (b).''.

(d) DEFINITION.—Such section is further amended by adding at the end the following new subsection:

''(e) DEFINITION OF CONGRESSIONAL INTELLIGENCE COMMITTEES.—In this section, the term 'congressional intelligence committees' means the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.''.

SEC. 1032. MODIFICATIONS TO HUMANITARIAN DEMINING ASSISTANCE AUTHORITIES.

(a) MODIFICATION TO THE ROLE OF ARMED FORCES IN PROVIDING HUMANITARIAN DEMINING ASSISTANCE.—Subsection (a)(3) of section 407 of title 10, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by striking ''or stockpiled conventional munitions assistance''; and

(2) in subparagraph (A)—

(A) by inserting '', unexploded explosive ordnance,'' after ''landmines''; and

(B) by striking '', or stockpiled conventional munitions, as applicable''.

(b) MODIFICATION TO DEFINITION OF HUMANITARIAN DEMINING ASSISTANCE.—Subsection (e)(1) of such section is amended—

(1) by inserting '', unexploded explosive ordnance,'' after ''landmines'' in each place it appears; and

(2) by striking '', and the disposal'' and all that follows and inserting a period.

(c) MODIFICATION TO DEFINITION OF STOCKPILED CONVENTIONAL MUNITIONS ASSISTANCE.—Subsection (e)(2) of such section is amended, in the second sentence, by striking '', the detection and clearance of landmines and other explosive remnants of war,''.

SEC. 1033. PROHIBITION ON CHARGE OF CERTAIN TARIFFS ON AIRCRAFT TRAVELING THROUGH CHANNEL ROUTES.

(a) IN GENERAL.—Chapter 157 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2652. Prohibition on charge of certain tariffs on aircraft traveling through channel routes

''The United States Transportation Command may not charge a tariff by reason of the use by a military service of an aircraft of that military service on a route designated by the United States Transportation Command as a channel route.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2652. Prohibition on charge of certain tariffs on aircraft traveling through channel routes''.

SEC. 1034. LIMITATION ON DIVESTMENT OF U-2 OR RQ-4 AIRCRAFT.

(a) LIMITATION.—

(1) IN GENERAL.—Except as provided in paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for the Department of Defense for any fiscal year before fiscal year 2024 may be obligated or expended to prepare to divest, divest, place in storage, or place in a status awaiting further disposition of the possessing commander any U-2 or RQ-4 aircraft of the Department of Defense.

(2) EXCEPTION.—Paragraph (1) shall not apply to an individual U-2 or RQ-4 aircraft that the Secretary of the Air Force determines, on a case-by-case basis, to be non-returnable to flying service due to any mishap, other damage, or being uneconomical to repair.

(b) CONFORMING REPEAL.—Section 133 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is hereby repealed.

SEC. 1035. PROHIBITION ON USE OF FUNDS FOR RETIREMENT OF LEGACY MARITIME MINE COUNTERMEASURES PLATFORMS.

(a) PROHIBITION.—Except as provided in subsection (b), the Secretary of the Navy may not obligate or expend funds to—

(1)) retire, prepare to retire, transfer, or place in storage any AVENGER-class mine countermeasures ship or associated equipment;

(2) retire, prepare to retire, transfer, or place in storage any SEA DRAGON (MH–53) helicopter or associated equipment;

(3) make any reductions to manning levels with respect to any AVENGER-class mine countermeasures ship; or

(4) make any reductions to manning levels with respect to any SEA DRAGON (MH–53) helicopter squadron or detachment.

(b) WAIVER.—The Secretary of the Navy may waive the prohibition under subsection (a) if the Secretary certifies to the congressional defense committees that the Secretary has—

(1) identified a replacement capability and the necessary quantity of such systems to meet all combatant commander mine countermeasures operational requirements that are currently being met by any AVENGER-class ship or SEA DRAGON helicopter to be retired, transferred, or placed in storage;

(2) achieved initial operational capability of all systems described in paragraph (1); and

(3) deployed a sufficient quantity of systems described in paragraph (1) that have achieved initial operational capability to continue to meet or exceed all combatant commander mine countermeasures operational requirements currently being met by the AVENGER-class ships and SEA DRAGON helicopters to be retired, transferred, or placed in storage.

SEC. 1036. RESTRICTION ON USE OF CERTAIN FUNDS PENDING SOLICITATION OF BIDS FOR WESTERN PACIFIC DRY DOCK.

(a) FINDINGS.—Congress makes the following findings:

(1) Following closure of the Department of the Navy ship repair facility in Guam in 1997 following the Base Realignment and Closure round of 1995, operation of the facility was turned over to a private company.

(2) While streamlining operations, resulting in savings to the Navy of approximately $38,000,000 each year, the company was able to maintain the depot-level capabilities of the facility with dry-docking capability that had existed in Apra Harbor since World War II.

(3) From 1997 to 2012, the private operator successfully performed 28 major overhauls with dry-dockings of Navy, Military Sealift Command, and Coast Guard vessels, 27 mid-term availabilities, as well as the emergency dry-docking of USS San Francisco (SSN-711) after the nuclear powered submarine collided with a seamount off the coast of Guam in 2005.

(4) While the privately owned dry-dock, Machinist, was undergoing upgrades and refurbishment in 2013, the Navy announced that it would split the long-standing depot-level capability in Guam into two pieces, awarding an initial contract for pier-side ship repair, to be followed by a contract for dry-dock ship repair.

(5) At this time, the Committee on Armed Services of the House of Representatives, including the Delegate from Guam, as well as the Governor of Guam, objected to this plan, and a conditional agreement was made wherein the Navy committed to restoring dry-docking capabilities expeditiously following issuance of the pier-side contract.

(6) Despite repeated requests from the Committee on Armed Services of the House of Representatives, the Delegate from Guam, and the Governor of Guam over the past four years, the Secretary of the Navy has failed to issue the dry-dock contract.

(7) The Navy conducted a business case analysis to assess options for a dry-docking capability in Guam in 2014 and agreed to provide a copy of the report to Congress upon completion. The draft business case analysis was provided to the Committee on Armed Services of the House of Representatives on March 3, 2016, but a final document was not produced.

(8) The draft business case analysis evaluated 200 potential options for restoring a dry-docking capability in Guam, recommending seven potential courses of action, with estimated costs ranging from $324,000,000 to $398,000,000 over a 50-year life cycle. The business case analysis concluded that any of these options are significant savings when compared with the cost of not having a dry-docking capability in Guam, which exceeds $700,000,000 over a 50-year period.

(9) The Navy has removed machinery and equipment needed to perform major overhauls from the former ship repair facility, and shifted ship repair work previously performed in Guam to various foreign locations in the Western Pacific. The total cost of Navy ship repair contracts in Guam have gone from $45,00,000 in 2010 to $16,000,000 in 2016.

(10) As a result of Navy actions over the past five years, the number of skilled workers engaged in ship repair in Guam has been reduced from a combined total of approximately 550 at three ship-repair companies in Guam to the current level of 150. Due to this degraded workforce and equipment capabilities, the Navy is now forced to rely almost exclusively on foreign ship repair instead at a time when the Committee believes tensions and threats of crisis in the Western Pacific can put access to foreign shipyards at risk.

(11) Navy leadership has long acknowledged the importance of a depot-level, dry-docking capability in Guam, as evidenced by the following:

(A) ''Robust depot-level ship repair capability in Guam is a matter of strategic importance and

remains an operational necessity because ships of the 7th Fleet have high operational tempo and experience vast distances between repair facilities.'' (Letter from the Commander of the Pacific Fleet to the Governor of Guam, dated February 15, 2013).

(B) ''We must maintain a viable ship maintenance capability in Guam to include dry-docking in support of operations and contingency plans (OPLANs and CONPLANs) and the U.S. Navy rebalance to the Pacific. Guam is a strategic in-theater location for depot-level ship maintenance on sovereign U.S. territory. This is a significant factor given that commercial dry docks available in foreign countries considered friendly to the United States may become unavailable to SEVENTH Fleet ships in time of crisis or war. Availability of CPF ships would be stressed if assets are required to dry dock in CONUS due to the non-availability of a secure dry docking capability in the Western Pacific. Dry-docking in Guam is a critical component of depot-level ship repair. The capability must be maintained and regularly exercised so that a capability and expertise are available to support ships of the SEVENTH Fleet in peace and war.'' (Letter from the Commander of the Pacific Fleet to the Chief of Naval Operations, dated February 7, 2014).

(C) On February 24, 2016, in testimony before the Committee on Armed Services of the House of Representatives, Admiral Harry Harris, Commander of the United States Pacific Command, affirmed that he continues to view robust ship repair capabilities as a matter of strategic importance and an operational priority for United States Pacific Fleet.

(12) The Navy currently has four fast-attack nuclear submarines homeported in Guam.

(13) The Navy homeports submarine squadrons at seven locations in the United States, each of which has a dry-docking capability, with the exception of Guam.

(14) The Committee on Armed Services of the House of Representatives believes that dry-docking capability in Guam is a strategic requirement and a cost-effective means of ensuring the Forward Deployed Fleet has depot-level repair capabilities at a United States port in the Western Pacific.

(15) Amounts were authorized to be appropriated in the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) and appropriated in the Consolidated Appropriations Act, 2017 (Public Law 115–31) for funds be applied to chartering a dry dock to meet fleet maintenance requirements in the Western Pacific.

(b) LIMITATION ON USE OF FUNDS.—Not more than 75 percent of the funds authorized to be appropriated or otherwise made available for the Office of the Secretary of the Navy may be obligated or expended until the Secretary submits to Congress notice that a request for proposals has been issued to solicit bids for the chartering of a dry dock in the Western Pacific that satisfies the minimum requirements for heavy ship depot-level repair.

SEC. 1037. NATIONAL GUARD FLYOVERS OF PUBLIC EVENTS.

(a) STATEMENT OF POLICY.—It shall be the policy of the Department of Defense that flyovers of public events in support of community relations activities may only be flown as part of an approved training mission at no additional expense to the Federal Government.

(b) NATIONAL GUARD FLYOVER APPROVAL PROCESS.—The Adjutant General of a State or territory in which an Army National Guard or Air National Guard unit is based will be the approval authority for all Air National Guard and Army National Guard flyovers in that State or territory, including any request for a flyover in any civilian domain at a nonaviation related event.

(c) FLYOVER RECORD MAINTENANCE; REPORT.—

(1) RECORD MAINTENANCE.—The Secretary of Defense shall keep and maintain records of flyover requests and approvals in a publicly accessible database that is updated annually.

(2) GAO 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 of the House of Representatives and the Committee on Armed Services of the Senate a report on flyovers and the process whereby flyover requests are made and evaluated, including—

(A) whether there is any cost to taxpayers associated with flyovers;

(B) whether there is any appreciable public relations or recruitment value that comes from flyovers; and

(C) the impact flyovers have to aviator training and readiness.

(d) FLYOVER DEFINED.—In this section, the term ''flyover'' means aviation support—

(1) in which a straight and level flight limited to one pass by a single military aircraft, or by a single formation of four or fewer military aircraft of the same type, from the same military department over a predetermined point on the ground at a specific time;

(2) that does not involve aerobatics or demonstrations; and

(3) uses bank angles of up to 90 degrees if required to improve the spectator visibility of the aircraft.

SEC. 1038. TRANSFER OF FUNDS TO WORLD WAR I CENTENNIAL COMMISSION.

(a) AUTHORITY TO TRANSFER FUNDS.—The Secretary of Defense may transfer to the World War I Centennial Commission, from amounts described in subsection (b), such amount as the Secretary and the Chair of the World War I Centennial Commission consider appropriate to assist the Commission in carrying out activities under paragraphs (2) through (5) of section 5(a) of the World War I Centennial Commission Act (Public Law 112–272; 36 U.S.C. prec. 101 note) after fiscal year 2017.

(b) DESIGNATED ACCOUNT.—Funds transferred pursuant to subsection (a) shall be maintained in a specially designated account and may not be obligated or expended for the designation, establishment, or enhancement of a memorial or commemorative work by the World War I Centennial Commission.

(c) COVERED FUNDS.—The funds transferrable by the Secretary pursuant to subsection (a) shall be derived from amounts authorized to be appropriated for fiscal year 2018 for Civil Military Programs as provided in section 4301 of this Act.

(d) TREATMENT AS GIFT.—Any amounts transferred to the World War I Centennial Commission pursuant to subsection (a) shall be treated as a gift to the Commission for purposes of sections 6(g) and 7(f) of the World War I Centennial Commission Act.

(e) LIMITATION.—The total amount provided by the Secretary pursuant to subsection (a) shall not exceed $5,000,000.

(f) WORLD WAR I CENTENNIAL COMMISSION DEFINED.—In this section, the term ''World War I Centennial Commission'' means the Commission established by section 4 of the World War I Centennial Commission Act.

Subtitle E—Studies and Reports

SEC. 1051. ELIMINATION OF REPORTING REQUIREMENTS TERMINATED AFTER NOVEMBER 25, 2017, PURSUANT TO SECTION 1080 OF THE NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) SECTION 113 REPORTS.—

(A) RESERVE FORCES POLICY BOARD REPORT.—Section 113(c) is amended—

(i) by striking paragraph (2);

(ii) by striking ''(1)'' after ''(c)''; and

(iii) by redesignating subparagraphs (A), (B), and (C) as paragraphs (1), (2), and (3), respectively.

(B) TOTAL FORCE MANAGEMENT REPORT.—Section 113 is amended by striking subsection (l).

(2) ANNUAL DEFENSE MANPOWER REQUIREMENTS REPORT.—

(A) ELIMINATION.—Section 115a is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 2 is amended by striking the item relating to section 115a.

(3) INFORMATION ON PROCUREMENT OF CONTRACT SERVICES.—

(A) ELIMINATION.—Section 235 is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 9 is amended by striking the item relating to section 235.

(4) DEFENSE INDUSTRIAL SECURITY REPORT.—Section 428 is amended by striking subsection (f).

(5) MILITARY MUSICAL UNITS GIFT REPORT.—Section 974(d) is amended by striking paragraph (3).

(6) HEALTH PROTECTION QUALITY REPORT.—Section 1073b is amended—

(A) by striking subsection (a); and

(B) by redesignating subsections (b) and (c) as subsections (a) and (b), respectively.

(7) MASTER PLANS FOR REDUCTIONS IN CIVILIAN POSITIONS.—

(A) IN GENERAL.—Section 1597 is amended—

(i) by striking subsection (c);

(ii) by striking subsections (d), (e), and (f) as subsections (c), (d), and (e), respectively; and

(iii) in subsection (c), as redesignated, by striking ''or a master plan prepared under subsection (c)''.

(B) CONFORMING AMENDMENTS.—Section 129a(d) is amended—

(i) by striking paragraphs (1) and (2); and

(ii) by redesignating paragraphs (3) and (4) as paragraphs (1) and (2), respectively.

(8) ACQUISITION WORKFORCE DEVELOPMENT FUND REPORT.—Section 1705 is amended—

(A) in subsection (e)(1), by striking ''subsection (h)(2)'' and inserting ''subsection (g)(2)'';

(B) by striking subsection (f); and

(C) by redesignating subsections (g) and (h) as subsections (f) and (g), respectively.

(9) ACQUISITION CORPS REPORT.—Section 1722b is amended by striking subsection (c).

(10) MILITARY FAMILY READINESS REPORT.—Section 1781b is amended by striking subsection (d).

(11) PROFESSIONAL MILITARY EDUCATION REPORT.—

(A) ELIMINATION.—Section 2157 is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 107 is amended by striking the item relating to section 2157.

(12) STARBASE PROGRAM REPORT.—Section 2193b is amended—

(A) by striking subsection (g); and

(B) by redesignating subsection (h) as subsection (g).

(13) DEPARTMENT OF DEFENSE CONFERENCES FEE-COLLECTION REPORT.—Section 2262 is amended by striking subsection (d).

(14) UNITED STATES CONTRIBUTIONS TO NATO COMMON-FUNDED BUDGETS REPORT.—Section 2263 is amended—

(A) by striking subsection (b); and

(B) by redesignating subsection (c) as subsection (b).

(15) FOREIGN COUNTER-SPACE PROGRAMS REPORT.—

(A) ELIMINATION.—Section 2277 is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 is amended by striking the item relating to section 2277.

(16) USE OF MULTIYEAR CONTRACTS REPORT.—Section 2306b(l)(4) is amended by striking ''Not later than'' and all that follows through the colon and inserting the following: ''Each report required by paragraph (5) with respect to a contract (or contract extension) shall contain the following:''.

(17) BURDEN SHARING CONTRIBUTIONS REPORT.—Section 2350j is amended by striking subsection (f).

(18) CONTRACT PROHIBITION WAIVER REPORT.—Section 2410i(c) is amended by striking the second sentence.

(19) STRATEGIC SOURCING PLAN OF ACTION REPORT.—Subsection (a) of section 2475 is amended to read as follows:

''(a) STRATEGIC SOURCING PLAN OF ACTION DEFINED.—In this section, the term 'Strategic Sourcing Plan of Action' means a Strategic Sourcing Plan of Action for the Department of Defense (as identified in the Department of Defense Interim Guidance dated February 29, 2000, or any successor Department of Defense guidance or directive) in effect for a fiscal year.''.

(20) TECHNOLOGY AND INDUSTRIAL BASE POLICY GUIDANCE REPORT.—Section 2506 is amended—

(A) by striking subsection (b); and

(B) in subsection (a), by striking ''Such guidance'' and inserting the following:

''(b) PURPOSE OF GUIDANCE.—The guidance prescribed pursuant to subsection (a)''.

(21) FOREIGN-CONTROLLED CONTRACTORS REPORT.—Section 2537 is amended—

(A) by striking subsection (b); and

(B) by redesignating subsection (c).

(22) SUPPORT FOR SPORTING EVENTS REPORT.—Section 2564 is amended—

(A) by striking subsection (e); and

(B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(23) GENERAL AND FLAG OFFICER QUARTERS REPORT.—Section 2831 is amended by striking subsection (e).

(24) MILITARY INSTALLATIONS VULNERABILITY ASSESSMENT REPORTS.—Section 2859 is amended—

(A) by striking subsection (c); and

(B) by designating subsection (d) as subsection (c).

(25) INDUSTRIAL FACILITY INVESTMENT PROGRAM CONSTRUCTION REPORT.—Section 2861 is amended by striking subsection (d).

(26) STATEMENT OF AMOUNTS AVAILABLE FOR WATER CONSERVATION AT MILITARY INSTALLATIONS.—Section 2866(b) is amended by striking paragraph (3).

(27) ACQUISITION OR CONSTRUCTION OF MILITARY UNACCOMPANIED HOUSING PILOT PROJECTS REPORT.—Section 2881a is amended by striking subsection (e).

(28) STATEMENT OF AMOUNTS AVAILABLE FROM ENERGY COST SAVINGS.—Section 2912 is amended by striking subsection (d).

(29) ARMY TRAINING REPORT.—

(A) ELIMINATION.—Section 4316 is repealed.

(B) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 401 is amended by striking the item relating to section 4316.

(30) STATE OF THE ARMY RESERVE REPORT.—Section 3038(f) is amended—

(A) by striking ''(1)'' before ''The''; and

(B) by striking paragraph (2).

(31) STATE OF THE MARINE CORPS RESERVE REPORT.—Section 5144(d) is amended—

(A) by striking ''(1)'' before ''The''; and

(B) by striking paragraph (2).

(32) STATE OF THE AIR FORCE RESERVE REPORT.—Section 8038(f) is amended—

(A) by striking ''(1)'' before ''The''; and

(B) by striking paragraph (2).

(b) TITLE 32, UNITED STATES CODE.—Section 509 of title 32, United States Code, relating to an annual report on the National Guard Youth Challenge Program, is amended—

(1) by striking subsection (k); and

(2) by redesignating subsections (l) and (m) as subsections (k) and (l).

(c) DEPARTMENT OF DEFENSE AUTHORIZATION ACT, 1985.—Section 1003 of the Department of Defense Authorization Act, 1985 (Public Law 98–525; 22 U.S.C. 1928 note), relating to an annual report on allied contributions to the common defense, is amended by striking subsections (c) and (d).

(d) NATIONAL DEFENSE AUTHORIZATION ACT, FISCAL YEAR 1989.—Section 1009 of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; 22 U.S.C. 1928 note), relating to an annual report on the official development assistance program of Japan, is amended by striking subsection (b).

(e) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1991.—Section 1518 of the Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510; 24 U.S.C. 418), relating to reports on the results of inspection of Armed Forces Retirement Homes, is amended—

(1) in subsection (c)(1), by striking ''Congress and''; and

(2) in subsection (e)—

(A) by striking paragraph (2);

(B) by striking ''(1)'' before ''Not later''; and

(C) by redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

(f) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEARS 1992 AND 1993.—Section 1046 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190; 22 U.S.C. 1928 note), relating to an annual report on defense cost-sharing, is amended by striking subsections (e) and (f).

(g) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1994.—Section 1603 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160; 22 U.S.C. 2751 note), relating to an annual report on counter-proliferation policy and programs of the United States, is amended by striking subsection (d).

(h) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 1995.—Section 533 of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337; 10 U.S.C. 113 note), relating to an annual report on personnel readiness factors by race and gender, is repealed.

(i) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2000.—Section 366 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 113 note), relating to an annual report on spare parts, logistics, and sustainment standards, is amended by striking subsection (f).

(j) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2002.—The National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107) is amended as follows:

(1) ARMY WORKLOAD AND PERFORMANCE SYSTEM REPORT.—Section 346 (115 Stat. 1062) is amended—

(A) by striking subsections (b) and (c); and

(B) by redesignating subsection (d) as subsection (b).

(2) RELIABILITY OF FINANCIAL STATEMENTS REPORT.—Section 1008(d) (10 U.S.C. 113 note) is amended—

(A) by striking ''(1)'' before ''On each''; and

(B) by striking paragraph (2).

(k) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2003.—Section 817 of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314; 10 U.S.C. 2306a note), relating to an annual report on commercial item and exceptional case exceptions and waivers, is amended—

(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).

(l) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004.—Section 1022 of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136), relating to an annual report on support to law enforcement agencies conducting counter-terrorism activities, is amended—

(1) by striking subsection (c); and

(2) by redesignating subsections (d) and (e) as subsections (c) and (d).

(m) NATIONAL DEFENSE AUTHORIZATION ACT FOR 2006.—The National Defense Authorization Act for 2006 (Public Law 109–163) is amended as follows:

(1) NOTIFICATION OF ADJUSTMENT IN LIMITATION AMOUNT FOR NEXT-GENERATION DESTROYER PROGRAM.—Section 123 (119 Stat. 3156) is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(2) CERTIFICATION OF BUDGETS FOR JOINT TACTICAL RADIO SYSTEM REPORT.—Section 218(c) (119 Stat. 3171) is amended by striking paragraph (3).

(3) DEPARTMENT OF DEFENSE COSTS TO CARRY OUT UNITED NATIONS RESOLUTIONS REPORT.—Section 1224 (10 U.S.C. 113 note) is repealed.

(n) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2007.—Section 357(b) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364; 22 U.S.C. 4865 note), relating to an annual report on Department of Defense overseas personnel subject to chief of mission authority, is amended by striking ''shall submit to the congressional defense committees'' and inserting ''shall prepare''.

(o) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2008.—The National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181) is amended as follows:

(1) ARMY INDUSTRIAL FACILITIES COOPERATIVE ACTIVITIES REPORT.—Section 328 (10 U.S.C. 4544 note) is amended by striking subsection (b).

(2) ARMY PRODUCT IMPROVEMENT REPORT.—Section 330 (122 Stat. 68) is amended by striking subsection (e).

(p) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009.—The Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417) is amended as follows:

(1) SUPPORT FOR NON-CONVENTIONAL ASSISTED RECOVERY ACTIVITIES REPORT.—Section 943 (122 Stat. 4578) is amended—

(A) by striking subsection (e); and

(B) by redesignating subsections (f), (g), and (h) as subsections (e), (f), and (g), respectively.

(2) REIMBURSEMENT OF NAVY MESS EXPENSES REPORT.—Section 1014 (122 Stat. 4585) is amended by striking subsection (c).

(3) ELECTROMAGNETIC PULSE ATTACK REPORT.—Section 1048 (122 Stat. 4603) is repealed.

(q) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2010.—Section 121 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2211), relating to an annual report on the Littoral Combat Ship Program, is amended by striking subsection (e).

(r) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.—The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383) is amended as follows:

(1) NAVY AIRBORNE SIGNALS INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITIES REPORT.—Section 112(b) (124 Stat. 4153) is amended—

(A) by striking paragraph (3); and

(B) by redesignating paragraph (4) as paragraph (3).

(2) INCLUSION OF TECHNOLOGY PROTECTION FEATURES DURING RESEARCH AND DEVELOPMENT OF DEFENSE SYSTEMS REPORT.—Section 243 (10 U.S.C. 2358 note) is amended—

(A) by striking subsection (c); and

(B) by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(3) ACQUISITION OF MILITARY PURPOSE NONDEVELOPMENTAL ITEMS REPORT.—Section 866 (10 U.S.C. 2302 note) is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(4) NUCLEAR TRIAD REPORT.—Section 1054 (10 U.S.C. 113 note) is repealed.

(s) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2012.—The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81) is amended as follows:

(1) PERFORMANCE MANAGEMENT SYSTEM AND APPOINTMENT PROCEDURES REPORT.—Section 1102 (5 U.S.C. 9902 note) is amended by striking subsection (b).

(2) GLOBAL SECURITY CONTINGENCY FUND REPORT.—Section 1207 (22 U.S.C. 2151 note) is amended—

(A) by striking subsection (n); and

(B) by redesignating subsections (o) and (p) as subsections (n) and (o).

(3) DATA SERVERS AND CENTERS COST SAVINGS REPORT.—Section 2867 (10 U.S.C. 2223a note) is amended by striking subsection (d).

(t) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2013.—The National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239) is amended as follows:

(1) F–22A RAPTOR MODERNIZATION PROGRAM REPORT.—Section 144 (126 Stat. 1663) is amended by striking subsection (c).

(2) TRICARE MAIL-ORDER PHARMACY PROGRAM REPORT.—Section 716 (10 U.S.C. 1074g note) is amended—

(A) by striking subsection (e); and

(B) by redesignating subsections (f) and (g) as subsections (e) and (f).

(3) WARRIORS IN TRANSITION PROGRAMS REPORT.—Section 738 (10 U.S.C. 1071 note) is amended—

(A) by striking subsection (e); and

(B) by redesignating subsection (f) as subsection (e).

(4) USE OF INDEMNIFICATION AGREEMENTS REPORT.—Section 865 (126 Stat. 1861) is repealed.

(5) COUNTER SPACE TECHNOLOGY REPORT.—Section 917 (126 Stat. 1878) is repealed.

(6) IMAGERY INTELLIGENCE AND GEOSPATIAL INFORMATION SUPPORT REPORT.—Section 921 (126 Stat. 1878) is amended by striking subsection (c).

(7) COMPUTER NETWORK OPERATIONS COORDINATION REPORT.—Section 1079 (10 U.S.C. 221 note) is amended by striking subsection (c).

(8) UPDATES OF ACTIVITIES OF OFFICE OF SECURITY COOPERATION IN IRAQ REPORT.—Section 1211 (126 Stat. 1983) is amended by striking paragraph (3).

(9) UNITED STATES PARTICIPATION IN THE ATARES PROGRAM REPORT.—Section 1276 (10 U.S.C. 2350c note) is amended—

(A) by striking subsections (e) and (f); and

(B) by redesignating subsection (g) as subsection (e).

(u) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014.—The National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66) is amended as follows:

(1) MODERNIZING PERSONNEL SECURITY STRATEGY METRICS REPORT.—Section 907(c)(3) (10 U.S.C. 1564 note) is amended—

(A) by striking ''(A) METRICS REQUIRED.—In'' and inserting ''In''; and

(B) by striking subparagraph (B).

(2) DEFENSE CLANDESTINE SERVICE REPORT.—Section 923 (10 U.S.C. prec. 421 note) is amended—

(A) by striking subsection (b); and

(B) by redesignating subsections (c), (d), and (e) as subsection (b), (c), and (d), respectively.

(3) INTERNATIONAL AGREEMENTS RELATING TO DOD REPORT.—Section 1249 (127 Stat. 925) is repealed.

(4) SMALL BUSINESS GROWTH REPORT.—Section 1611 (127 Stat. 946) is amended by striking subsection (d).

(v) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015.—The Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291) is amended as follows:

(1) ASSIGNMENT OF PRIVATE SECTOR PERSONNEL TO DEFENSE ADVANCED RESEARCH PROJECTS AGENCY REPORT.—Section 232 (10 U.S.C. 2358 note) is amended—

(A) by striking subsection (e); and

(B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(2) GOVERNMENT LODGING PROGRAM REPORT.—Section 914 (5 U.S.C. 5911 note) is amended by striking subsection (d).

(3) DOD RESPONSE TO COMPROMISES OF CLASSIFIED INFORMATION REPORT.—Section 1052 (128 Stat. 3497) is repealed.

(4) PERSONNEL PROTECTION AND PERSONNEL SURVIVABILITY EQUIPMENT LOAN REPORT.—Section 1207 (10 U.S.C. 2342 note) is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as subsection (d).

(5) DOD ASSISTANCE TO COUNTER ISIS REPORT.—Section 1236 (128 Stat. 3558) is amended by striking subsection (d).

(6) COOPERATIVE THREAT REDUCTION PROGRAM USE OF CONTRIBUTIONS REPORT.—Section 1325 (50 U.S.C. 3715) is amended—

(A) by striking subsection (e); and

(B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(7) COOPERATIVE THREAT REDUCTION PROGRAM FACILITIES CERTIFICATION REPORT.—Section 1341 (50 U.S.C. 3741) is repealed.

(8) COOPERATIVE THREAT REDUCTION PROGRAM PROJECT CATEGORY REPORT.—Section 1342 (50 U.S.C. 3742) is repealed.

(9) STATEMENT ON ALLOCATION OF FUNDS FOR SPACE SECURITY AND DEFENSE PROGRAM.—Section 1607 (128 Stat. 3625) is amended—

(A) by striking ''(a) ALLOCATION OF FUNDS.—'';

(B) by striking subsections (b), (c), and (d); and

(C) by adding at the end the following new sentence: ''This requirement shall terminate on December 19, 2019.''.

(w) PRESERVATION OF CERTAIN ADDITIONAL REPORTS.—Effective as of December 23, 2016, and as if included therein as enacted, section 1061(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended as follows:

(1) GENERAL DEFENSE REPORTS.—Paragraph (1) is amended by striking ''113(i)'' and inserting ''113(c), (e), and (i)''.

(2) ANNUAL OPERATIONS AND MAINTENANCE REPORT.—Paragraph (2) is amended by inserting after ''Section'' the following: ''116 and section''.

(3) SELECTED ACQUISITION REPORTS.—Paragraph (44) is amended by inserting after ''Section'' the following: ''2432 and section''.

(4) NATIONAL GUARD BUREAU REPORT.—By inserting after paragraph (63) the following new paragraph:

''(64) Section 10504(b).''.

(x) PRESERVATION OF VETTED SYRIAN OPPOSITION REPORT.—Effective as of December 23, 2016, and as if included therein as enacted, section 1061(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by adding at the end the following new paragraph:

''(18) Section 1209(d) (127 Stat. 3542).''.

(y) EFFECTIVE DATE.—Except as provided in subsections (w) and (x), the amendments made by this section shall take effect on the later of—

(1) the date of the enactment of this Act; or

(2) November 25, 2017.

SEC. 1052. REPORT ON DEPARTMENT OF DEFENSE ARCTIC CAPABILITY AND RESOURCE GAPS.

(a) 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 regarding necessary steps the Department of Defense is undertaking to resolve arctic security capability and resource gaps.

(b) ELEMENTS.—The report under subsection (a) shall include an analysis of each of the following:

(1) The infrastructure needed to ensure national security in the arctic region.

(2) Any shortfalls in observation, remote sensing capabilities, ice prediction, and weather forecasting.

(3) Any shortfalls of the Department in navigational aids.

(4) Any additional, necessary high-latitude electronic and communications infrastructure requirements.

(5) Any gaps in intelligence, surveillance, and reconnaissance coverage and recommendations for additional intelligence, surveillance, and reconnaissance capabilities

(6) Any shortfalls in personnel recovery capabilities.

(7) Any additional capabilities the Secretary determines should be incorporated into future Navy surface combatants.

(c) FORM OF REPORT.—The report under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1053. REVIEW AND ASSESSMENT OF DEPARTMENT OF DEFENSE PERSONNEL RECOVERY AND NONCONVENTIONAL ASSISTED RECOVERY MECHANISMS.

(a) IN GENERAL.—Not later than March 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a review and assessment of personnel recovery and nonconventional assisted recovery programs, authorities, and policies.

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

(1) An overall strategy defining personnel recovery and nonconventional assisted recovery programs and activities, including how such programs and activities support the requirements of the geographic combatant commanders.

(2) A comprehensive review and assessment of statutory authorities, policies, and interagency coordination mechanisms, including limitations and shortfalls, for personnel recovery and nonconventional assisted recovery programs and activities.

(3) A comprehensive description of current and anticipated future personnel recovery and nonconventional assisted recovery requirements across the future years defense program, as validated by the Joint Staff.

(4) An overview of validated current and expected future force structure requirements necessary to meet near-, mid-, and long-term personnel recovery and nonconventional assisted recovery programs and activities of the geographic combatant commanders.

(5) Any other matters the Secretary considers appropriate.

(c) FORM OF ASSESSMENT.—The assessment required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) COMPTROLLER GENERAL REVIEW.—Not later than 90 days after the date on which the assessment required under subsection (a) is submitted, the Comptroller General of the United States shall submit to the congressional defense committees a review of such assessment.

SEC. 1054. MINE WARFARE READINESS INSPECTION PLAN AND REPORT.

(a) INSPECTION PLAN.—Not later than one year after the date of the enactment of this subsection, the Chief of Naval Operations, in consultation with the Combatant Commanders, shall submit a plan for inspections of each unit and organization tasked with delivering operational capability, missions and mission essential tasks, functions, supporting roles, organization, manning, training, and materiel for naval mine warfare. At a minimum, inspected units and organizations shall include those required in the Joint Strategic Capabilities Plan and those assigned in the Forces For Unified Commands document or have the potential to support, by deployment or otherwise, a directed Operation Plan, Concept Plan, contingency operation, homeland security operation, or Defense Support of Civil Authorities requirements for naval offensive or defensive mine warfare.

(b) CRITERIA.—This inspection plan shall propose methods to analytically assess, evaluate, improve and assure mission readiness of each unit or organization with required operational capabilities for naval mine warfare. Inspection shall include—

(1) an assessment or verification of material condition;

(2) unit wide training and personnel readiness as measured by established tasks, conditions and standards that demonstrate the unit readiness to perform their wartime or homeland defense mission;

(3) force through unit level training;

(4) readiness to support multi-echelon, joint service mine warfare operations as part of an offensive, defensive mining or mine countermeasures task;

(5) readiness to support combatant commander campaign plans, operational plan, concept plan, or the Joint Strategic Capabilities Plan;

(6) required operational capability;

(7) inspection and reinspection process; and

(8) inspection periodicy.

(c) APPLICABILITY.—The inspection requirements under this subsection apply to the following units and organizations:

(1) Surface MCM vessels or vessels performing MCM tasks.

(2) Airborne MCM squadrons.

(3) Mobile mine assembly groups and mobile mine assembly units.

(4) Fleet patrol squadrons with mine laying capabilities.

(5) LCS and LCS MCM mission modules upon reaching IOC.

(6) Mine countermeasures squadrons.

(7) Units exercising command and control over MIW forces.

(8) MCM operational support ships.

(9) Attack and guided missile submarines with mine laying capabilities.

(10) Magnetic and acoustic silencing facilities.

(11) EOD MCM or VSW Companies and Platoons.

(12) SEAL (ESG / CSG) USMC units with VSW capability.

(d) CERTIFICATION.—The Chief of Naval Operations shall submit to the Secretary of Defense, the Combatant Commanders, the Chairman of the Joint Chiefs of Staff and to Congress a report on the program under this subsection. The report shall contain a classified section which addresses capability and capacity to meet JSCP, OPLAN, CONPLAN and contingency requirements and unclassified section with general summary and readiness trends.

(e) CONFORMING REPEAL.—Section 1090 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92) is repealed.

SEC. 1055. REPORT ON CIVILIAN CASUALTIES FROM DEPARTMENT OF DEFENSE STRIKES.

(a) REPORT REQUIRED.—For each calendar year, the Secretary of Defense shall submit to the congressional defense committees a report on strikes carried out by the Department of Defense against terrorist targets located outside Government-designated areas of active hostilities and against enemy combatants located inside Government-designated areas of active hostilities during the period beginning on January 1 and ending on December 31 of the year covered by the report. Such report shall include each of the following, for the period covered by the report:

(1) The number of such strikes carried out in—

(A) locations outside Government-designated areas of active hostilities; and

(B) locations inside Government-designated areas of active hostilities.

(2) An assessment of the combatant and noncombatant deaths resulting from those strikes, including the number of such deaths—

(A) occurring outside of Government-designated areas of active hostilities; and

(B) occurring within Government-designated areas of active hostilities, with the number of such deaths displayed to indicate the Government-designated country or location within the Government-designated country where such deaths occurred.

(3) To the extent feasible and appropriate, the general reasons for any discrepancies between post-strike assessments from the Department of Defense and credible reporting from nongovernmental organizations regarding non-combatant deaths resulting from such strikes.

(4) A description of steps taken by the Department of Defense to mitigate harm to civilians in conducting such strikes.

(5) Definitions of the terms ''combatant'' and ''noncombatant'' as used in the report.

(6) The monthly tabulations collected by the Department of Defense of combatant and noncombatant casualties occurring inside of areas of active hostilities, and any revisions to previously reported tabulations.

(7) A specification of the countries where strikes occurred, or locations within countries where strikes occurred—

(A) designated as areas of active hostilities; and

(B) not designated as areas of active hostilities.

(b) DEADLINE FOR REPORTS.—The reports required by subsection (a) shall be submitted as follows:

(1) The report for 2018 shall be submitted not later than December 31, 2018.

(2) The report for 2019, and for each subsequent year, shall be submitted by not later than March 1 of the year following the year covered by the report.

(c) REVIEW OF REPORTING.—In preparing a report under this section, the Secretary of Defense shall review relevant and credible post-strike all-source reporting, including such information from nongovernmental sources.

(d) FORM OF REPORT.—The reports required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(e) PUBLIC AVAILABILITY.—The Secretary of Defense shall make the unclassified form of the reports publicly available.

SEC. 1056. REPORTS ON INFRASTRUCTURE AND CAPABILITIES OF LAJES FIELD, PORTUGAL.

(a) FINDINGS.—Congress makes the following findings:

(1) Lajes Field, Portugal, is an enabler of United States operations in Europe, Africa, and the Atlantic.

(2) Lajes field has capabilities and infrastructure that reflect significant long-term investments by the United States, including a 10,000 foot runway, housing for more than 650 personnel and their families, a power plant and water facilities, significant communication capability, and an award-winning medical clinic.

(3) Lajes Field provides a strategic location to monitor the activities of foreign powers in the Atlantic and Mediterranean, including Russia's increased naval presence and China's efforts to establish a military presence in the Atlantic.

(4) The Department of Defense has not fully utilized the infrastructure at Lajes Field.

(b) INFRASTRUCTURE AND CAPABILITIES REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and House of Representatives a report on the infrastructure and capabilities of Lajes Field, Portugal. Such report shall include each of the following:

(1) An assessment of the communications infrastructure at Lajes Field, including the estimated cost to—

(A) upgrade the existing infrastructure to add additional bandwidth of 56 giga-bits-per-second; and

(B) connect the existing infrastructure to any currently planned additional undersea cables to increase the available bandwidth by at least 56 giga-bits-per-second.

(2) A justification for the current status of Lajes Field as an unaccompanied tour location and an assessment of the estimated costs of converting assignments at Lajes Field to an accompanied tour location.

(3) An assessment of the estimated cost of allowing members of the Armed Forces of the United States to occupy the on-base housing owned by the United States.

(4) An update to the Housing Requirements and Market Analysis for Lajes Field to assess the housing availability for a base population of up to 2000 military and civilian personnel.

(5) The cost to establish Lajes Field as a location for air-to-air training or anti-submarine warfare missions, including the costs of any necessary infrastructure upgrades, as well as any potential operational benefits.

(c) FUEL STORAGE SYSTEM REPORT.—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 House of Representatives a report on the environmental impact of fuel storage systems at Lajes Field, Portugal. Such report shall include an impact assessment of the soil contamination from Department of Defense fuel storage systems at Lajes Field, including an assessment of the causes of the leak of the Cabrito Pipeline.

SEC. 1057. REPORT ON JOINT PACIFIC ALASKA RANGE COMPLEX MODERNIZATION.

(a) REPORT REQUIRED.—Not later than 120 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 regarding proposed improvements to the Joint Pacific Alaska Range Complex.

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

(1) An analysis of existing JPARC infrastructure.

(2) A summary of improvements to the range infrastructure the Secretary determines are necessary—

(A) for fifth generation fighters to train at maximum potential; and

(B) to provide a realistic air warfare environment versus a near-peer adversary for—

(i) four squadrons of fifth generation fighters;

(ii) annual Red Flag-Alaska exercises; and

(iii) biannual Operation Northern Edge exercises.

Subtitle F—Other Matters

SEC. 1061. TECHNICAL, CONFORMING, AND CLERICAL AMENDMENTS.

(a) TITLE 10, UNITED STATES CODE.—Title 10, United States Code, is amended as follows:

(1) Section 113(j)(1) is amended by striking ''the Committee on'' the first place it appears and all that follows through ''of Representatives'' and inserting ''congressional defense committees''.

(2) Section 115(i)(9) is amended by striking ''section 1203(b) of the Cooperative Threat Reduction Act of 1993 (22 U.S.C. 5952(b))'' and inserting ''section 1321(a) of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711(a))''.

(3) Section 122a(a) is amended by striking ''acting through the Office of the Assistant Secretary of Defense for Public Affairs'' and inserting ''acting through the Assistant to the Secretary of Defense for Public Affairs''.

(4) Section 127(c)(1) is amended by striking ''the Committee on'' the first place it appears and all that follows through ''of Representatives'' and inserting ''congressional defense committees''.

(5) Section 129a is amended—

(A) in subsection (b), by striking ''(as identified pursuant to section 118b of this title)''; and

(B) in subsection (d)—

(i) by striking paragraph (1); and

(ii) by redesignating paragraphs (2), (3), and (4) as paragraphs (1), (2), and (3), respectively.

(6) Section 130f(b)(1) is amended by adding a period at the end.

(7) Section 139b(c)(2) is amended by inserting a period at the end of subparagraph (K).

(8) Section 153(a) is amended by inserting a colon after ''the following'' in the matter preceding paragraph (1).

(9) Section 162(a)(4) is amended by striking the comma after ''command of''.

(10) Section 164(a)(1)(B) is amended by striking ''section 664(f)'' and inserting ''section 664(d)''.

(11) Section 166(c) is amended by striking ''section 2011'' and inserting ''section 322''.

(12) Section 167b(e)(2)(A)(iii)(II) is amended by striking ''Fiscal Year 2014'' and inserting ''Fiscal Year 2016''.

(13) Section 171a is amended—

(A) in subsection (f), by striking ''(4))'' and inserting ''(4)))''; and

(B) in subsection (i)(3), by striking ''section 2366(e)'' and inserting ''sections 2366(e) and 2366a(d)''.

(14) Section 179(f)(3)(B)(iii) is amended by striking ''Joints'' and inserting ''Joint''.

(15) Section 181(b)(1) is amended by striking ''section 118'' and inserting ''section 113(g)''.

(16) Section 222(b) is amended by striking ''both'' through the period at the end and inserting ''major force programs.''.

(17) Section 342(j)(2) is amended by striking the second period at the end.

(18) Section 347(a)(1)(A) is amended by inserting ''section'' in clauses (i) and (iii) after ''Academy under''.

(19) Section 494(b)(2)(B) is amended by striking ''of title 10'' and inserting ''of this title''.

(20) Section 661(c) is amended by striking ''section 664(f)'' in paragraphs (1)(B)(i) and (3)(A) and inserting ''section 664(d)''.

(21) Section 801 (article 1 of the Uniform Code of Military Justice) is amended in the matter preceding paragraph (1) by striking ''chapter:'' and inserting ''chapter (the Uniform Code of Military Justice):''.

(22) Section 806b(b) (article 6b(b) of the Uniform Code of Military Justice) is amended by striking ''(the Uniform Code of Military Justice)''.

(23) Section 1073c(a)(1)(E) is amended by striking ''miliary'' and inserting ''military''.

(24) Section 1074g(a)(9) is amended by moving subparagraphs (B) and (C) two ems to the left.

(25) Section 1451 is amended in subsections (a) and (b) by striking ''section 1450(a)(4)'' each place it appears and inserting ''section 1450(a)(5)''.

(26) Section 1452(c) is amended in paragraphs (1) and (3) by striking ''section 1450(a)(4)'' both places it appears and inserting ''section 1450(a)(5)''.

(27) Section 1552(h) is amended by striking ''calender'' each place it appears and inserting ''calendar''.

(28) Section 1553(f) is amended by striking ''calender'' each place it appears and inserting ''calendar''.

(29) Section 2264(b)(3) is amended by striking ''the date of the'' and all the follows through ''2015'' and inserting ''December 19, 2014''.

(30) Section 2330a is amended—

(A) in subsection (d)(1)(C), by striking ''management.;'' and inserting ''management;''; and

(B) in subsection (h)—

(i) in paragraph (1), by inserting ''PERFORMANCE-BASED.—'' after ''(1)'';

(ii) by designating the four paragraphs after paragraph (4) as paragraphs (5), (6), (7), and (8), respectively;

(iii) in paragraph (5), as redesignated, by inserting ''SERVICE ACQUISITION PORTFOLIO GROUPS.—'' after ''(5)''; and

(iv) in paragraph (6), as redesignated, by inserting ''STAFF AUGMENTATION CONTRACTS.—'' after ''(6)''.

(31) Section 2334(a)(6)(B) is amended by adding a semicolon at the end.

(32) Section 2335 is amended by striking ''(2 U.S.C. 431 et seq.)'' in subsections (c)(1) and (d)(3) and inserting ''(52 U.S.C. 30101 et seq.)''.

(33) The table of sections at the beginning of chapter 139 is amended by inserting at period at the end of the items relating to sections 2372 and 2372a.

(34) Section 2364(a)(6) is amended by striking ''conveys'' and inserting ''convey''.

(35) Section 2411(1)(D) is amended by striking ''(Public Law 93–638; 25 U.S.C. 450b(l))'' and inserting ''(25 U.S.C. 5304(1))''.

(36) The item relating to section 2431b in the table of sections at the beginning of chapter 144 is amended to read as follows:

''2431b. Risk management and mitigation in major defense acquisition programs and major systems.''.

(37) Section 2430 is amended by striking ''subsection (a)(2)'' in subsections (b) and (c) and inserting ''subsection (a)(1)(B)''.

(38) Section 2431a(d) is amended by inserting ''(1)'' after ''REVIEW.—''.

(39) Section 2446b(e) is amended—

(A) in the matter preceding paragraph (1), by striking ''in writing that—'' and inserting ''in writing—''; and

(B) in paragraph (1), by inserting '', that'' after ''open system approach''.

(40) Section 2548(e) is amended—

(A) by striking ''REQUIREMENTS'' and all that follows through ''by the Secretary'' and inserting ''REQUIREMENT.—The annual report prepared by the Secretary'';

(B) by striking ''system; and'' and inserting ''system.''; and

(C) by striking paragraph (2).

(41) The table of sections at the beginning of chapter 152 is amended by inserting a period at the end of the item relating to section 2567.

(42) Section 2564 is amended—

(A) in subsection (b)(3), by striking ''section 377'' and inserting ''section 277''; and

(B) in subsection (f), by striking ''sections 375 and 376'' and inserting ''sections 275 and 276''.

(43) Section 2576a(b) is amended by striking ''and'' at the end of paragraph (4).

(44) Section 2612(a) is amended by striking ''section 2166(f)(4)'' and inserting ''section 343(f)(4)''.

(45) Section 2662(f)(1)(D) is amended by striking ''section 334'' and inserting ''section 254''.

(46) Section 2667(e) is amended—

(A) in paragraph (1)(E), by striking ''military museum described in section 489(a) of this title'' and inserting ''military museum'';

(B) in paragraph (4), by striking ''before January 1, 2005, shall be deposited into the account'' and inserting ''shall be deposited into the Department of Defense Base Closure Account''; and

(C) by striking paragraph (5).

(47) Section 2667(k) is amended by striking ''section 9101'' and inserting ''section 8101''.

(48) Section 2674(f)(2) is amended by adding at the end the following new sentence: ''The term includes the Raven Rock Mountain Complex.''.

(49) Section 2925(b)(1) is amended by striking ''section 138c'' and inserting ''section 2926(b)''.

(50) Chapter 449 is amended—

(A) by striking the second section 4781; and

(B) in the table of sections, by striking the item relating to the second section 4781.

(51) Section 7235(e)(1) is amended by striking ''24 months after the date of the enactment of this section'' and inserting ''November 25, 2017,''.

(52) The item relating to section 9517 in the table of sections at the beginning of chapter 931 is amended by making the first letter of the third word lower case.

(b) AMENDMENTS RELATED TO REPEAL OF PENDING AUTHORITY TO ESTABLISH UNDER SECRETARY OF DEFENSE FOR BUSINESS MANAGEMENT AND INFORMATION.—

(1) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015.—Effective as of December 23, 2016, section 901 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3462), as amended by section 901(d) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2342), is further amended—

(A) by striking subsection (j);

(B) in subsection (l)(1), by striking subparagraph (A);

(C) in subsection (m), by striking paragraphs (1) and (2); and

(D) in subsection (n), by striking paragraph (1).

(2) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016.—Effective as of November 25, 2015, subsection (f) of section 883 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), as added by section 1081(c)(5) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), is amended by striking paragraph (1).

(c) TECHNICAL CORRECTIONS RELATED TO UNIFORM CODE OF MILITARY JUSTICE REFORM.—

(1) IN GENERAL.—Chapter 47 of title 10, United States Code (the Uniform Code of Military Justice), as amended by the Military Justice Act of 2016 (division E of Public Law 114–328), is further amended as follows:

(A) Subsection (a)(4) of section 839 (article 39), as added by section 5222(1) of the Military Justice Act of 2016 (130 Stat. 2909), is amended by striking ''in non-capital cases unless the accused requests sentencing by members under section 825 of this title (article 25)'' and inserting ''under section 853(b)(1) of this title (article 53(b)(1))''.

(B) Subsection (i) of section 843 (article 43), as added by section 5225(c) of the Military Justice Act of 2016 (130 Stat. 2909), is amended by striking ''DNA EVIDENCE.—'' and inserting ''DNA EVIDENCE.—''.

(C) Section 848(c)(1) (article 48(c)(1)), as amended by section 5230 of the Military Justice Act of 2016 (130 Stat. 2913), is further amended by striking ''section 866(g) of this title (article 66(g))'' and inserting ''section 866(h) of this title (article 66(h))''.

(D) Section 853(b)(1)(B) (article 53(b)(1)(B)), as amended by section 5236 of the Military Justice Act of 2016 (130 Stat. 2937), is further amended by striking ''in a trial''.

(E) Subsection (d) of section 853a (article 53a), as added by section 5237 of the Military Justice Act of 2016 (130 Stat. 2917), is amended by striking ''military judge'' the second place it appears and inserting ''court-martial''.

(F) Section 864(a) (article 64(a)), as amended by section 5328(a) of the Military Justice Act of 2016 (130 Stat. 2929), is further amended by striking ''(a) (a) IN GENERAL.—'' and inserting ''(a) IN GENERAL.—''.

(G) Subsection (b)(1) of section 865 (article 65), as added by section 5329 of the Military Justice Act of 2016 (130 Stat. 2930), is amended by striking ''section 866(b)(2) of this title (article 66(b)(2))'' and inserting ''section 866(b)(3) of this title (article 66(b)(3))''.

(H) Subsection (f)(3) of section 866 (article 66), as added by section 5330 of the Military Justice Act of 2016 (130 Stat. 2932), is amended by inserting after ''Court'' the first place it appears the following: ''of Criminal Appeals''.

(I) Section 869(c)(1)(A) (article 69(c)(1)(A)), as amended by section 5333 of the Military Justice Act of 2016 (130 Stat. 2935), is further amended by inserting a comma after ''in part''.

(J) Section 882(b) (article 82(b)), as amended by section 5403 of the Military Justice Act of 2016 (130 Stat. 2939), is further amended by striking ''section 99'' and inserting ''section 899''.

(K) Section 919a(b) (article 119a(b)), as amended by section 5401(13)(B) of the Military Justice Act of 2016 (130 Stat. 2939), is further amended—

(i) by striking ''928a, 926, and 928'' and inserting ''926, 928, and 928a''; and

(ii) by striking ''128a 126, and 128'' and inserting ''126, 128, and 128a''.

(L) Section 920(g)(2) (article 120(g)(2)), as amended by section 5430(b) of the Military Justice Act of 2016 (130 Stat. 2949), is further amended in the first sentence by striking ''brest'' and inserting ''breast''.

(M) Section 928(b)(2) (article 128(b)(2)), as amended by section 5441 of the Military Justice Act of 2016 (130 Stat. 2954), is further amended by striking the comma after ''substantial bodily harm''.

(N) Subsection (b)(2) of section 932 (article 132), as added by section 5450 of the Military Justice Act of 2016 (130 Stat. 2957), is amended by striking ''section 1034(h)'' and inserting ''section 1034(j)''.

(O) Section 937 (article 137), as amended by section 5503 of the Military Justice Act of 2016 (130 Stat. 2960), is further amended by striking ''(the Uniform Code of Military Justice)'' each place it appears as follows:

(i) In subsection (a)(1), in the matter preceding subparagraph (A).

(ii) In subsection (b), in the matter preceding subparagraph (A).

(iii) In subsection (d), in the matter preceding paragraph (1).

(2) CROSS-REFERENCES TO STALKING.—Title 10, United States Code, is amended as follows:

(A) Section 673(a) is amended—

(i) by striking ''920a, or 920c'' and inserting ''920c, or 930''; and

(ii) by striking ''120a, or 120c'' and inserting ''120c, or 130''.

(B) Section 674(a) is amended—

(i) by striking ''920a, 920b, 920c, or 925'' and inserting ''920b, 920c, 125, or 930''; and

(ii) by striking ''120a, 120b, 120c, or 125'' and inserting ''120b, 120c, 125, or 130''.

(C) Section 1034(c)(2)(A) is amended by striking ''sections 920 through 920c of this title (articles 120 through 120c of the Uniform Code of Military Justice)'' and inserting ''section 920, 920b, 920c, or 930 of this title (article 120, 120b, 120c, or 130 of the Uniform Code of Military Justice)''.

(D) Section 1044e(g)(1) is amended—

(i) by striking ''920a, 920b, 920c, or 925'' and inserting ''920b, 920c, 125, or 930''; and

(ii) by striking ''120a, 120b, 120c, or 125'' and inserting ''120b, 120c, 125, or 130''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect immediately after the amendments made by the Military Justice Act of 2016 (division E of Public Law 114–328) take effect as provided for in section 5542 of that Act (130 Stat. 2967).

(d) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2017.—Effective as of December 23, 2016, and as if included therein as enacted, the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended as follows:

(1) Section 217(a)(2) (130 Stat. 2051) is amended by striking ''section 821b'' and inserting ''section 821(b)''.

(2) Section 233 (10 U.S.C. 2358 note; 130 Stat. 2061) is amended in subsections (a)(1) and (b)(1), by striking ''secretaries'' and inserting ''Secretaries''.

(3) Section 728(b)(1) (130 Stat. 2234) is amended by inserting ''(c)'' after ''Section 1073b''.

(4) Section 805(a)(2) (130 Stat. 2255) is amended by striking ''The table of chapters for title 10, United States Code, is'' and inserting ''The tables of chapters at the beginning of subtitle A, and at the beginning of part IV of subtitle A, of title 10, United States Code, are''.

(5) The matter to be inserted by section 824(d)(1)(B) (130 Stat. 2279) is amended—

(A) by striking ''(3)'' and inserting ''(4)''; and

(B) by striking ''(4)'' and inserting ''(5)''.

(6) Section 833(b)(2)(C) (130 Stat. 2284) is amended—

(A) in clause (ii), by striking ''Section 2330a(j) of title 10, United States Code,'' and inserting ''Section 2330a(h) of title 10, United States Code, as redesignated by section 812(d),''; and

(B) in clause (iii), in the matter proposed to be inserted, by striking ''section 2330a(j)'' and inserting ''section 2330a(h)''.

(7) Section 865(b)(2) (130 Stat. 2305) is amended by striking ''section 2330a(g)(5)'' and inserting ''section 2330a(h)(6)''.

(8) Section 893(c) (130 Stat. 2324) is amended by inserting ''paragraph (2) of'' after ''is further amended in''.

(9) Section 902(b) (130 Stat. 2344) is amended by striking ''Section 151(b)(5)'' and inserting ''Section 131(b)(5)''.

(10) Section 921(c) (130 Stat. 2351) is amended by inserting after ''The text of'' the following: ''subsection (a) (after the subsection heading)''.

(11) Section 1061(c)(23) (130 Stat. 2400) is amended by striking ''488(c)'' and inserting ''488''.

(12) Section 1061(i) (130 Stat. 2404) is amended—

(A) in paragraph (23), by striking ''2010 (Public Law 110–417)'' and inserting ''2009 (Public Law 110–417; 10 U.S.C. prec. 701 note)''; and

(B) in paragraph (24), by striking ''2010'' and inserting ''2009''.

(13) Section 1064(b) (130 Stat. 2409) is amended by striking ''Public Law 113–239'' and inserting ''Public Law 112–239''.

(14) Section 1253(b) (130 Stat. 2532) is amended by striking ''this subchapter'' both places it appears and inserting ''this subtitle''.

(15) Section 2811(c) (130 Stat. 2716) is amended by striking '', and the provisions of law amended by subsections (a) and (b) of that section shall be restored as if such section had not been enacted into law''.

(16) Section 2829E(a) (130 Stat. 2733) is amended by striking paragraph (3).

(17) Section 5225(f) (130 Stat. 2910) is amended by striking ''this subsection'' and inserting ''this section''.

(18) The table of sections to be inserted by section 5452 (130 Stat. 2958) is amended—

(A) by striking ''Art.'' each place it appears, except the first place it appears;

(B) in the item relating to section 887a, by striking ''Resistence'' and inserting ''Resistance'';

(C) in the item relating to section 908, by striking ''of the United States–Loss'' and inserting ''of United States–Loss,'';

(D) in the item relating to section 909, by striking ''of the'' and inserting ''of''; and

(E) in the item relating to section 909a, by striking the second period at the end.

(19) The matters to be inserted by section 5541 (130 Stat. 2965) is amended—

(A) by striking ''Art.'' each place it appears;

(B) by striking ''825.'' and inserting ''825a.''; and

(C) by striking ''830.'' and inserting ''830a.''.

(e) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2016.—Effective as of November 25, 2015, and as if included therein as enacted, section 574 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 831) is amended by striking ''1785 note'' both places it appears and inserting ''1788 note''.

(f) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2015.—Effective as of December 19, 2014, and as if included therein as enacted, section 1044(a)(2)(A) of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3493) is amended by striking ''October 28'' and inserting ''September 30''.

(g) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2011.—Effective as of January 7, 2011, and as if included therein as enacted, section 896(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–398; 124 Stat. 4315) is amended—

(1) in paragraph (1), by striking ''Chapter'' and inserting ''Subchapter II of chapter''; and

(2) in paragraph (2), by striking ''chapter'' and inserting ''subchapter''.

(h) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2009.—Section 943(d)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417), as amended by section 1205(c)(2) of Public Law 112–81 (125 Stat. 1623), is further amended by striking the second period at the end of the first sentence.

(i) NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2004.—Section 1022(e) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136; 10 U.S.C. 271 note) is amended by striking ''section 1004(j)'' and all that follows through the end of the subsection and inserting ''section 284(i) of title 10, United States Code''.

(j) COORDINATION WITH OTHER AMENDMENTS MADE BY THIS ACT.—For purposes of applying amendments made by provisions of this Act other than this section, the amendments made by this section shall be treated as having been enacted immediately before any such amendments by other provisions of this Act.

SEC. 1062. WORKFORCE ISSUES FOR RELOCATION OF MARINES TO GUAM.

(a) IN GENERAL.—Section 6(b) of the Joint Resolution entitled ''A Joint Resolution to approve the 'Covenant To Establish a Commonwealth of the Northern Mariana Islands in Political Union With the United States of America', and for other purposes'', approved March 24, 1976 (48 U.S.C. 1806(b)) is amended to read as follows:

''(b) NUMERICAL LIMITATIONS FOR NONIMMIGRANT WORKERS.—An alien, if otherwise qualified, may seek admission to Guam or to the Commonwealth during the transition program as a nonimmigrant worker under section 101(a)(15)(H) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)) without counting against the numerical limitations set forth in section 214(g) of such Act (8 U.S.C. 1184(g)). An alien, if otherwise qualified, may, before October 1, 2020, be admitted under section 101(a)(15)(H)(ii)(b) of such Act for a period of up to 3 years (which may be extended by the Secretary of Homeland Security before October 1, 2020, for an additional period or periods not to exceed 3 years each) to perform services or labor on Guam pursuant to any agreement entered into by a prime contractor or subcontractor calling for services or labor required for performance of the contract or subcontract in direct support of all military-funded construction, repairs, renovation, and facilities services, or to perform services or labor on Guam as a health-care worker, notwithstanding the requirement of such section that the service or labor be temporary. This subsection does not apply to any employment to be performed outside of Guam or the Commonwealth.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date that is 120 days after the date of the enactment of this Act.

SEC. 1063. PROTECTION OF SECOND AMENDMENT RIGHTS OF MILITARY FAMILIES.

(a) SHORT TITLE.—This section may be cited as the ''Protect Our Military Families' 2nd Amendment Rights Act''.

(b) RESIDENCY OF SPOUSES OF MEMBERS OF THE ARMED FORCES TO BE DETERMINED ON THE SAME BASIS AS THE RESIDENCY OF SUCH MEMBERS FOR PURPOSES OF FEDERAL FIREARMS LAWS.—Section 921(b) of title 18, United States Code, is amended to read as follows:

''(b) For purposes of this chapter:

''(1) A member of the Armed Forces on active duty and the spouse of such a member are residents of the State in which the permanent duty station of the member is located.

''(2) The spouse of such a member may satisfy the identification document requirements of this chapter by presenting—

''(A) the military identification card issued to the spouse; and

''(B) the official Permanent Change of Station Orders annotating the spouse as being authorized for collocation, or an official letter from the commanding officer of the member verifying that the member and the spouse are collocated at the permanent duty station of the member.''.

(c) EFFECTIVE DATE.—The amendment made by subsection (b) shall apply to conduct engaged in after the 6-month period that begins with the date of the enactment of this Act.

SEC. 1064. TRANSFER OF SURPLUS FIREARMS TO CORPORATION FOR THE PROMOTION OF RIFLE PRACTICE AND FIREARMS SAFETY.

(a) IN GENERAL.—Section 40728(h) of title 36, United States Code, is amended—

(1) by striking ''(1) Subject to paragraph (2), the Secretary may transfer'' and inserting ''The Secretary shall transfer'';

(2) by striking ''The Secretary shall determine a reasonable schedule for the transfer of such surplus pistols.''; and

(3) by striking paragraph (2).

(b) TERMINATION OF PILOT PROGRAM.—Section 1087 of the National Defense Authorization

Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1012) is amended by striking subsections (b) and (c).

SEC. 1065. NATIONAL GUARD ACCESSIBILITY TO DEPARTMENT OF DEFENSE ISSUED UNMANNED AIRCRAFT.

(a) REVIEW REQUIRED.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Chief of the National Guard Bureau, the Commander of United States Northern Command, and the Commander of United States Pacific Command, shall conduct an efficiency and effectiveness review of the governance structure, coordination processes, documentation, and timing and deadline requirements stipulated in Department of Defense Policy Memorandum 15-002, entitled ''Guidance for the Domestic Use of Unmanned Aircraft Systems'' and dated February 17, 2015. In conducting the review, the Secretary shall take into account information and data points provided by State governors and State adjutant generals in assessing the efficiency and effectiveness of accessing Department of Defense issued unmanned aircraft systems for State and National Guard operations.

(b) SUBMITTAL TO CONGRESS.—Not later than 30 days after the completion of the review required by subsection (a), the Secretary shall submit the review to the Committees on Armed Services of the Senate and House of Representatives.

SEC. 1066. SENSE OF CONGRESS REGARDING AIRCRAFT CARRIERS.

(a) FINDINGS.—Congress makes the following findings:

(1) Naval aviation was born in the United States when Eugene Ely launched from the deck of a United States Navy ship on November 14, 1910, in a Curtiss Model D.

(2) In 1915, Cpt. Henry C. Mustin made the first catapult launch and first take off in a ship underway in a Curtiss Model AB-2, beginning a century of technological advancements that have led to today's Electromagnetic Aircraft Launch System which has replaced the steam pistons with powerful magnets to launch jet aircraft.

(3) In 1924, Lt. Dixie Kiefer made the first night catapult launch in a Vought UO-1 in San Diego harbor, leading to today's aircraft carriers being a floating city at sea with a 24-hour airport.

(4) The first nuclear-powered aircraft carrier, USS Enterprise (CVN 65), was commissioned in 1961, ushering in a new era of the world's most dominant and capable warships.

(5) In 2013, the first of the next generation of aircraft carriers, Gerald R. Ford, was christened, marking a continuation of the innovative naval aviation spirit, technological advancement, and war fighting capabilities of aircraft carriers.

(6) In 2013, aircraft carrier USS George Washington (CVN 73) provided humanitarian assistance, medical supplies, food, and water to the victims in the Philippines of Super Typhoon Haiyan, once again demonstrating versatility of the aircraft carrier for combat, diplomatic and humanitarian operations.

(7) For over 70 years, aircraft carriers have been employed in every major and many smaller conflicts, including World War II, Korea, Vietnam, Grenada, Lebanon, Libya, Operation Desert Storm, Afghanistan, Iraq, and the fight against terrorism.

(8) The United States Navy's aircraft carriers are a cornerstone of the Nation's ability to project its power and strength.

(9) When aircraft carriers sail the globe they are a statement of national purpose and a symbol of the Nation's industrial strength, competitive edge, and economic prosperity.

(10) Aircraft carriers are 4.5 acres of sovereign United States territory enabling the Nation to reduce its dependency on other nations while it pursues its national security interests.

(11) Aircraft carriers enable the United States Armed Forces to carry out operations from international waters, avoiding the complications of securing fly-over rights and land-base rights from other nations.

(12) Aircraft carriers are a modern, very mobile United States military base complete with airfield, hospital, and communications systems from which the United States can strike at its enemies.

(13) Over 90 percent of world trade is moved by sea, including much of the world's gas and oil supply, and aircraft carriers and their strike forces are constantly on patrol in vital regions of the world to keep shipping lanes open and protect the interests of the United States and its allies.

(14) There are more than 2,450 companies in 48 States and over 364 congressional districts, and more than 13,100 shipbuilders who proudly contribute to the construction and maintenance of these complex and technologically advanced ships.

(15) Thousands of members of the United States Armed Forces have served the Nation aboard aircraft carriers in war, peace, and times of crisis.

(16) When crisis occurs the first question that comes to everyone's lips is ''Where is the nearest carrier?''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) United States aircraft carriers are the preeminent power projection platform and have served the Nation's interests in times of war and in times of peace, adapting to the immediate and ever-changing nature of the world for over 90 years;

(2) aircraft carrier contributions and heritage should be celebrated; and

(3) the people of the United States should be encouraged to celebrate the history of aircraft carriers in the United States and to always remember the vital role these vessels play in defending the Nation's freedom.

SEC. 1067. NOTICE TO CONGRESS OF TERMS OF DEPARTMENT OF DEFENSE SETTLEMENT AGREEMENTS.

(a) IN GENERAL.—Notwithstanding any other provision of law or any court order, at the request of the Chairman of the Committee on Armed Services of the Senate or the House of Representatives or the Chairman of the Committee on Appropriations of the Senate or the House of Representatives, the Secretary of Defense shall make available (in an appropriate manner with respect to classified information, if necessary) to such chairman a settlement agreement (including a consent decree) in any civil action involving the Department of Defense, a military department, or a Defense Agency, if, in the opinion of the Secretary, in consultation with the Attorney General, the terms of the settlement agreement affect the congressional authorization or appropriations process with respect to the Department of Defense.

(b) CONSULTATION REQUIREMENT.—Before making a request under subsection (a)—

(1) the Chairman of the Committee on Armed Services or the Committee on Appropriations of the Senate shall consult with the Chairman of the Committee on the Judiciary of the Senate; and

(2) the Chairman of the Committee on Armed Services or the Committee on Appropriations of the House of Representatives shall consult with the Chairman of the Committee on the Judiciary of the House of Representatives.

SEC. 1068. SENSE OF CONGRESS RECOGNIZING THE UNITED STATES NAVY SEABEES.

(a) FINDINGS.—Congress makes the following findings:

(1) On March 5, 1942, Navy Construction Battalion personnel were officially named Seabees by the Navy Department.

(2) The purpose of the Navy Seabees is to build, maintain, and support base infrastructure in remote locations for the Navy and Marine Corps, while simultaneously being capable of engaging in combat operations.

(3) The Navy Seabees dual-role is exemplified by the Seabee motto Construimus, Batuimus: We Build, We Fight.

(4) Throughout their history, the Navy Seabees have answered the call of duty to protect the United States and its democratic values both in times of war and peace.

(5) The Navy Seabees support United States national security at combatant commands worldwide, through the construction, both on land and underwater, of bases, airfields, roads, bridges, and other infrastructure.

(6) Members of the Navy Seabees and their families have demonstrated unmatched courage and dedication to sacrifice for the United States, from service in World War II, Korea, and Vietnam to the recent conflicts in Afghanistan, Iraq, and elsewhere.

(7) The Navy Seabees exhibit honor, personal courage, and commitment as they sacrifice their personal comfort to keep the United States safe from threats.

(8) The Navy Seabees continue to display strength, professionalism, and bravery in the all-volunteer force.

(b) SENSE OF CONGRESS.—Congress recognizes the United States Navy Seabees and the Navy personnel who comprise the construction force for the Navy and the Marine Corps as critical elements in deterring conflict, overcoming aggression, and rebuilding democratic institutions.

SEC. 1069. RECOGNITION OF THE UNITED STATES SPECIAL OPERATIONS COMMAND.

(a) FINDINGS.—Congress makes the following findings:

(1) On April 16, 1987, Congress required the establishment of a Special Operations Command, which was to be an elite fighting force drawn from all of the branches of the Armed Forces.

(2) As a headquarters organization, USSOCOM comprises four service-component commands, consisting of the United States Army Special Operations Command, United States Naval Special Warfare Command, United States Marine Corps Forces Special Operations Command, and United States Air Force Special Operations Command, and includes various sub-unified commands.

(3) Each service-component command has subcomponent commands consisting of—

(A) Army Special Forces (Green Berets), Rangers, Special Operations Aviation, Civil Affairs, Military Information Support Operations;

(B) Navy SEALS and Special Warfare Combatant-Craft Crewmen;

(C) Air Force Commandos and Special Tactics Airmen;

(D) Marine Raiders; and

(E) other Joint Special Operations Forces;

(4) USSOCOM protects and defends the United States in a variety of ways, including direct action, special reconnaissance, unconventional warfare, foreign internal defense, civil affairs operations, counterterrorism, military information support operations, counter-proliferation of weapons of mass destruction, security force assistance, counterinsurgency, hostage rescue and recovery, foreign humanitarian assistance, and other missions as assigned.

(5) USSOCOM has an unequaled ability to analyze and respond to terrorist threats and USSOCOM has led many successful missions globally.

(6) Many USSOCOM missions are classified, so the American people may never know the details and extent of the bravery of Special Operations Forces, but a sample of missions provide a glimpse into the bravery and talents of these members of the Armed Forces:

(A) On May 2, 2011, Osama bin Laden was killed in a special operations mission in Pakistan, for which the outstanding men and women in America's intelligence and Armed Forces, especially those from SOCOM, remained focused on bringing Osama bin Laden to justice, and on May 2, 2011, justice was done.

(B) On April 12, 2009, the Maersk Alabama was rescued unharmed in a special operations

mission in the Indian Ocean, after a five-day standoff between the United States Navy and Somalian pirates.

(C) On April 1, 2003, Jessica Lynch, a United States Army clerk taken prisoner for nine days in Iraq, was rescued by Special Operations Forces during a night raid in the hospital where she was being held.

(D) On December 13, 2003, in Operation Red Dawn, Special Operations Forces captured deposed Iraqi president Saddam Hussein, who was hiding in a spider hole.

(E) On January 17, 1991, as Operation Desert Storm began, Special Operations Forces slipped hundreds of miles into Iraq to identify Iraqi Scud missiles as targets for American fighter jets.

(F) On December 20, 1989, in Operation Just Cause and Operation Nifty Package, Special Operations Forces ventured into Panama to bring its then President Manuel Noriega to justice for drug-trafficking.

(7) Approximately 70,000 Regular component, National Guard, and reserve component personnel from all four services and Department of Defense civilians are assigned to USSOCOM headquarters in Tampa, its four service-component commands, and eight sub-unified commands.

(8) The heroism, skill, and patriotism of USSOCOM personnel and their families are without parallel.

(9) The responsibilities of USSOCOM are growing and its mission is now and will continue to be central to the defense of the United States in future decades.

(10) The sacrifices of many, the service of all, and the talents of the Special Operations Forces are cause for confidence and optimism.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the soldiers, sailors, airmen, Marines, and civilians who, together with their family members, comprise the United States Special Operations Forces community should be honored for their service and commitment to keeping the United States safe.

SEC. 1070. SENSE OF CONGRESS REGARDING WORLD WAR I.

(a) FINDINGS.—Congress makes the following findings:

(1) The United States declared war against Germany on April 6, 1917, to redress wrongs, including Germany's resumption of unrestricted submarine warfare, violation of United States neutrality, and denial of freedom of the seas to nonbelligerent nations.

(2) The United States associated itself with the allied powers of the United Kingdom and its Commonwealth, France and its colonies, Russia, Italy, and Japan to defeat the German Empire

(3) The United States Army, consisting of the Regular Army, National Guard, and Reserve Corps, with the addition of volunteers and the draftees of the National Army, underwent a transformation from a frontier constabulary and coastal defense force to a modern land warfare force.

(4) Early 20th century military and technological advances resulted in the incorporation of motor transport, aviation, anti-aircraft artillery, tanks, chemical weapons, aircraft carriers, submarines and anti-submarine warfare, sonar, underwater mines, and other innovations into the military arsenal of the United States.

(5) The need to quickly build a military strength of four million soldiers and half a million sailors required the mobilization of the human resources of the United States, during which members of diverse ethnic groups, races, and creeds, both native-born and immigrant, forged a new American identity.

(6) The United States Army maintained its defense of American seacoasts, southern border, and overseas possessions, while the Army American Expeditionary Forces deployed ''Over There'' for combat operations in Europe starting in June 1917.

(7) By the end of World War I, almost two million members of the Army served overseas in the American Expeditionary Forces; Whereas, during World War I, the United States Navy increased in strength from approximately 69,000 officers and sailors and 342 vessels to more than 533,000 officers and sailors and 774 vessels.

(8) The Navy operated in the Atlantic and Pacific Oceans, and the North and Mediterranean Seas in cooperation with allied navies.

(9) The Navy began the fight against the German U-boat menace by dispatching destroyers, which eventually totaled 70 in number, and 169 other vessels to counter the submarine threat.

(10) Navy vessels escorted troop transports carrying 1,250,000 passengers and escorted supply transports carrying 27 percent of all cargo shipped to Europe.

(11) The Navy deployed five batteries of large-caliber battleship guns mounted on railroad trains to France for service as long-range artillery for the Army;.

(12) The United States Coast Guard transferred to the operational control of the Navy, and augmented that service with approximately 5,000 officers and sailors, 47 vessels of all types, and 279 shore stations;.

(13) The United States Marine Corps, with an eventual wartime strength of 75,000 officers and men, detached two regiments and a machine gun battalion to constitute an infantry brigade integrated into the Army's 2d Division for service in France;.

(14) On July 4, 1917, Colonel Charles E. Stanton, one of the officers on the staff of General John Pershing, commander of the American Expeditionary Forces in Europe, famously announced America's commitment to the fight when Colonel Stanton proclaimed upon his arrival in France, ''Lafayette, we are here!''.

(15) Whereas the American Expeditionary Forces formed three field armies, nine corps and forty-three divisions, plus various units of the Services of Supply.

(16) The American Expeditionary Forces suffered 244,000 casualties in fighting in thirteen named campaigns in World War I;.

(17) Participation in World War I resulted in the completion of a period of reform and professionalism that transformed the Armed Forces from a small dispersed organization to a modern industrialized fighting force capable of global reach and influence.

(b) SENSE OF CONGRESS.—Congress—

(1) honors the memory of the fallen heroes who wore the uniform of the United States Armed Forces during World War I;

(2) commends the Unites States Armed Forces for preserving and protecting the interests of the United States during World War I;

(3) commends the brave members of the United States Armed Forces for their efforts in ''making the world safe for democracy,'' and preserving the founding principles of the United States at home and abroad during World War I;

(4) commends the brave members of the United States Armed Forces for preserving and protecting the sea lanes of commerce and communications during World War I that ensured the continued prosperity of the United States;

(5) celebrates and congratulates the United States Army, Navy, Marine Corps, Air Force, and Coast Guard during the commemoration of the centennial of World War I for a job well done; and

(6) calls on all people of the United States to join in the commemoration of the centennial of World War I in events throughout the United States and overseas.

SEC. 1071. FINDINGS AND SENSE OF CONGRESS REGARDING THE NATIONAL GUARD YOUTH CHALLENGE PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) Fewer than 30 percent of youth in the United States qualify for military service, either because of poor physical health, a criminal record, or lack of a high school degree.

(2) The National Guard Youth Challenge Program provides the Department of Defense an opportunity to work with State and local governments to engage with the youth of the nation, providing military-based training, the opportunity to earn a high school degree, and high physical fitness standards.

(b) SENSE OF CONGRESS.—It is the sense of Congress that it is critical to allocate the necessary resources to the National Guard Youth Challenge Program of the Department of Defense as it plays a critical role in preparing the next generation of qualified youth for military service.

SEC. 1072. SENSE OF CONGRESS REGARDING NATIONAL PURPLE HEART RECOGNITION DAY.

(a) FINDINGS.—Congress finds the following:

(1) On August 7, 1782, during the Revolutionary War, General George Washington established what is now known as the Purple Heart medal when he issued an order establishing the Badge of Military Merit.

(2) The Badge of Military Merit was designed in the shape of a heart in purple cloth or silk.

(3) While the award of the Badge of Military Merit ceased with the end of the Revolutionary War, the Purple Heart medal was authorized in 1932 as the official successor decoration to the Badge of Military Merit.

(4) The Purple Heart medal is the oldest United States military decoration in present use.

(5) The Purple Heart medal is awarded in the name of the President of the United States to recognize members of the Armed Forces who are killed or wounded in action against an enemy of the United States or are killed or wounded while held as prisoners of war.

(b) SENSE OF CONGRESS.—Congress—

(1) supports the goals and ideals of National Purple Heart Recognition Day; and

(2) encourages all people of the United States—

(A) to learn about the history of the Purple Heart medal;

(B) to honor recipients of the Purple Heart medal; and

(C) to conduct appropriate ceremonies, activities, and programs to demonstrate support for people who have been awarded the Purple Heart medal.

TITLE XI—CIVILIAN PERSONNEL MATTERS

SEC. 1101. EXTENSION OF DIRECT HIRE AUTHORITY FOR DOMESTIC DEFENSE INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE.

(a) IN GENERAL.—Subsection (a) of section 1125 of subtitle B of title XI of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by striking ''During fiscal years 2017 and 2018,'' and inserting ''During each of fiscal years 2017 through 2021,''.

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2018 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) a description of the effect of such section 1125 (as amended by subsection (a)) on the management of the Department of Defense civilian workforce during the most recently ended fiscal year; and

(2) the number of employees—

(A) hired under such section during such fiscal year; and

(B) expected to be hired under such section during the fiscal year in which the briefing is provided.

SEC. 1102. EXTENSION OF AUTHORITY TO PROVIDE VOLUNTARY SEPARATION INCENTIVE PAY FOR CIVILIAN EMPLOYEES OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Section 1107 of subtitle A of title XI of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by striking ''September 30, 2018'' and inserting ''September 30, 2021''.

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2018 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) a description of the effect of such section 1107 (as amended by subsection (a)) on the management of the Department of Defense civilian workforce during the most recently ended fiscal year;

(2) the number of employees offered voluntary separation incentive payments during such fiscal year by operation of such section; and

(3) the number of such employees that accepted such payments.

SEC. 1103. ADDITIONAL DEPARTMENT OF DEFENSE SCIENCE AND TECHNOLOGY REINVENTION LABORATORIES.

Section 1105(a) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2487; 10 U.S.C. 2358 note) is amended by adding at the end the following:

''(20) The Naval Medical Research Center.

''(21) The Joint Warfighting Analysis Center.''.

SEC. 1104. ONE YEAR EXTENSION OF AUTHORITY TO WAIVE ANNUAL LIMITATION ON PREMIUM PAY AND AGGREGATE LIMITATION ON PAY FOR FEDERAL CIVILIAN EMPLOYEES WORKING OVERSEAS.

Subsection (a) of section 1101 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4615), as most recently amended by section 1137 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2460), is amended by striking ''through 2017'' and inserting ''through 2018''.

SEC. 1105. APPOINTMENT OF RETIRED MEMBERS OF THE ARMED FORCES TO POSITIONS IN OR UNDER THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—During fiscal years 2017 through 2021, in addition to the authority provided under paragraphs (1) and (2) of subsection (b) of section 3326 of title 5, United States Code, and consistent with the requirements of such section, a retired member of the armed forces may be appointed under such subsection if—

(1) the Department of Defense has been granted direct hire authority to fill the position;

(2) the appointment is to fill an emergency appointment for which the Secretary concerned determines competitive appointment is not appropriate or reasonable due to the need to fill the emergency need as quickly as possible; or

(3) the appointment is for a highly qualified expert under section 9903 of such title.

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2017 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) with respect to the waiver process under section 3326(b)(1) of title 5, United States Code—

(A) the number of individuals appointed during the most recently ended fiscal year under such process; and

(B) the Department of Defense's plan on the use of such process during the fiscal year in which the report is submitted;

(2) the number of individuals—

(A) appointed under the authority provided by subsection (a) during the most recently ended fiscal year; and

(B) expected to be appointed under such subsection during the fiscal year in which the briefing is provided; and

(3) the impact of subsection (a) on the management of the Department civilian workforce during the most recently ended fiscal year.

SEC. 1106. DIRECT HIRE AUTHORITY FOR FINANCIAL MANAGEMENT EXPERTS IN THE DEPARTMENT OF DEFENSE WORKFORCE.

(a) IN GENERAL.—Section 1110 of the National Defense Authorization Act for 2017 (Public Law 114–328) is amended—

(1) in subsection (a), by striking ''the Defense Agencies or the applicable military Department'' and inserting ''a Department of Defense component'';

(2) in subsection (b)(1), by striking ''the Defense Agencies'' and inserting ''each Department of Defense component listed in subsection (f)(2) other than the Department of the Army, the Department of the Navy, and the Department of the Air Force'';

(3) in subsection (d)—

(A) by striking ''any Defense Agency or military department'' and inserting ''any Department of Defense component''; and

(B) by striking ''such Defense Agency or military department'' and inserting ''such Department of Defense component''; and

(4) by striking subsection (f) and inserting the following:

''(f) DEFINITIONS.—In this section:

''(1) EMPLOYEE.—The term 'employee' has the meaning given that term in section 2105 of title 5, United States Code.

''(2) DEPARTMENT OF DEFENSE COMPONENT.—The term 'Department of Defense component' means the following:

''(A) A Defense Agency.

''(B) The Office of the Chairman of the Joint Chiefs of Staff.

''(C) The Joint Staff.

''(D) A combatant command.

''(E) The Office of the Inspector General of the Department of Defense.

''(F) A Field Activity of the Department of Defense.

''(G) The Department of the Army.

''(H) The Department of the Navy.

''(I) The Department of the Air Force.

''(J) Any organizational entity within the Department of Defense that is not described in subparagraphs (A) through (I).''.

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2017 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) a description of the effect of section 1110 of subtitle A of title XI of the National Defense Authorization Act, 2017 (Public Law 114–328), as amended by subsection (a), on the management of the Department of Defense civilian workforce during the most recently ended fiscal year; and

(2) the number of employees—

(A) hired under such section during such fiscal year; and

(B) expected to be hired under such section during the fiscal year in which the briefing is provided.

SEC. 1107. EXTENSION OF AUTHORITY FOR TEMPORARY PERSONNEL FLEXIBILITIES FOR DOMESTIC DEFENSE INDUSTRIAL BASE FACILITIES AND MAJOR RANGE AND TEST FACILITIES BASE CIVILIAN PERSONNEL.

(a) IN GENERAL.—Subsection (a) of section 1132 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2457) is amended by striking ''and 2018'' and inserting ''through 2021''.

(b) BRIEFING.—Not later than 90 days after the end of each of fiscal years 2017 through 2021, the Secretary of Defense shall provide a briefing to the Committee on Armed Services of the House of Representatives and the Committee on Oversight and Government Reform of the House of Representatives including—

(1) a description of the effect of such section 1132 (as amended by subsection (a)) on the management of civilian personnel at domestic defense industrial base facilities and Major Range and Test Facilities Base during the most recently ended fiscal year; and

(2) the number of employees—

(A) hired under such section during such fiscal year; and

(B) expected to be hired under such section during the fiscal year in which the briefing is provided.

SEC. 1108. ONE-YEAR EXTENSION OF TEMPORARY AUTHORITY TO GRANT ALLOWANCES, BENEFITS, AND GRATUITIES TO CIVILIAN PERSONNEL ON OFFICIAL DUTY IN A COMBAT ZONE.

Paragraph (2) of section 1603(a) of the Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery, 2006 (Public Law 109–234; 120 Stat. 443), as added by section 1102 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616) and as most recently amended by section 1133 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2459), is further amended by striking ''2018'' and inserting ''2019''.

TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

Subtitle A—Assistance and Training

SEC. 1201. ONE-YEAR EXTENSION OF LOGISTICAL SUPPORT FOR COALITION FORCES SUPPORTING CERTAIN UNITED STATES MILITARY OPERATIONS.

Section 1234 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 394), as most recently amended by section 1201 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2473), is further amended—

(1) in subsection (a), by striking ''fiscal year 2017'' and inserting ''fiscal year 2018'';

(2) in subsection (d), by striking ''during the period beginning on October 1, 2016, and ending on December 31, 2017'' and inserting ''during the period beginning on October 1, 2017, and ending on December 31, 2018''; and

(3) in subsection (e)(1), by striking ''December 31, 2017'' and inserting ''December 31, 2018''.

SEC. 1202. MODIFICATION TO SPECIAL DEFENSE ACQUISITION FUND.

(a) IN GENERAL.—Effective as of October 1, 2017, paragraph (1) of section 114(c) of title 10, United States Code, is amended by striking ''$2,500,000,000'' and inserting ''$2,000,000,000''.

(b) INCREASE IN SIZE OF FUND.—Such section is further amended—

(1) in paragraph (1), by striking ''The size'' and inserting ''Except as provided in paragraph (3), the size''; and

(2) in paragraph (3), by striking ''Of the amount available in the Special Defense Acquisition Fund in any fiscal year after fiscal year 2016, $500,000,000'' and inserting ''The size of the Special Defense Acquisition Fund in any fiscal year after fiscal year 2017 may exceed the dollar amount limitation described in paragraph (1) by an amount not to exceed $500,000,000 and such excess amount''.

SEC. 1203. MODIFICATION TO MINISTRY OF DEFENSE ADVISOR AUTHORITY.

(a) MINISTRY OF DEFENSE ADVISOR AUTHORITY.—Subsection (a) of section 332 of title 10, United States Code, is amended by inserting ''and members of the armed forces'' after ''civilian employees of the Department of Defense''.

(b) TRAINING OF PERSONNEL OF FOREIGN MINISTRIES WITH SECURITY MISSIONS.—Subsection (b) of such section is amended—

(1) in paragraph (1), by inserting ''to assign civilian employees of the Department of Defense and members of the armed forces as advisors or trainers'' after ''carry out a program''; and

(2) in paragraph (2)(B)—

(A) by striking ''employees'' in each place it appears and inserting ''advisors or trainers''; and

(B) by striking ''each assigned employee's activities'' and inserting ''the activities of each assigned advisor or trainer''.

(c) CONGRESSIONAL NOTICE.—Subsection (c) of such section is amended—

(1) in the matter preceding paragraph (1), by inserting ''or a member of the armed forces'' after ''a civilian employee of the Department of Defense'';

(2) in paragraph (1), by striking ''employee as an advisor'' and inserting ''advisor or trainer''; and

(3) in paragraph (3), by striking ''employee'' and inserting ''advisor or trainer''.

SEC. 1204. MODIFICATION OF AUTHORITY TO BUILD CAPACITY OF FOREIGN SECURITY FORCES.

Subsection (c) of section 333 of title 10, United States Code, is amended—

(1) in paragraph (2), by adding at the end the following:

''(C) Institutional capacity building to organize, administer, employ, manage, maintain, sustain, or oversee national security forces.'';

(2) in paragraph (3), by inserting ''or the Department of State'' after ''Department of Defense'';

(3) in paragraph (4)—

(A) in the heading, by striking ''INSTITUTIONAL CAPACITY BUILDING'' and inserting ''RESPECT FOR CIVILIAN CONTROL OF THE MILITARY'';

(B) in the first sentence, by striking ''that the Department is already undertaking, or will undertake as part of the program'' and all that follows and inserting ''that the Department of Defense or another department or agency is already undertaking, or will undertake as part of the security sector assistance provided to the foreign country concerned, a program to enhance the capacity of such foreign country to exercise responsible civilian control of the national security forces of such foreign country.''; and

(C) by striking the second sentence; and

(4) by adding at the end the following:

''(5) INSTITUTIONAL CAPACITY BUILDING.—In order to meet the requirement in paragraph (2)(C) with respect to a particular foreign country under a program under subsection (a), the Secretary shall certify, prior to the initiation of the program, that the Department of Defense or another department or agency is already undertaking, or will undertake as part of the security sector assistance provided to the foreign country concerned, a program of institutional capacity building with appropriate institutions of such foreign country to enhance the capacity of such foreign country to organize, administer, employ, manage, maintain, sustain, or oversee the national security forces of such foreign country.''.

SEC. 1205. EXTENSION AND MODIFICATION OF AUTHORITY ON TRAINING FOR EASTERN EUROPEAN NATIONAL MILITARY FORCES IN THE COURSE OF MULTILATERAL EXERCISES.

(a) ONE-YEAR EXTENSION.—Subsection (h) of section 1251 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1070; 10 U.S.C. 2282 note), as amended by section 1233 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2489), is further amended—

(1) by striking ''September 30, 2018'' and inserting ''December 31, 2019''; and

(2) by striking ''fiscal years 2016 through 2018'' and inserting ''for the period beginning on October 1, 2015, and ending on December 31, 2019''.

(b) REGULATIONS FOR ADMINISTRATION OF INCREMENTAL EXPENSES.—Subsection (d) of such section, as so amended, is further amended by adding at the end the following:

''(4) REGULATIONS.—

''(A) IN GENERAL.—The Secretary of Defense shall prescribe regulations for payment of incremental expenses under subsection (a). Not later than 120 days after the date of the enactment of this paragraph, the Secretary shall submit the regulations to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives.

''(B) PROCEDURES TO BE INCLUDED.—The regulations required under subparagraph (A) shall include the following:

''(i) Procedures to limit the payment of incremental expenses to developing countries determined pursuant to subsection (c) to be eligible for the provision of training under subsection (a), except in the case of exceptional circumstances as specified in the regulations.

''(ii) Procedures to require reimbursement of incremental expenses from non-developing countries determined pursuant to subsection (c) to be eligible for the provision of training under subsection (a), except in the case of exceptional circumstances as specified in the regulations.

''(C) DEVELOPING COUNTRY DEFINED.—In this paragraph, the term 'developing country' has the meaning given such term in section 301(4) of title 10, United States Code.''.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—Such section, as so amended, is further amended—

(1) in subsection (e), by striking ''that'' and inserting ''than'';

(2) in subsection (f), by striking ''section 2282'' and inserting ''chapter 16''; and

(3) in subsection (g), by striking ''means'' and all that follows and inserting ''has the meaning given such term in section 301(5) of title 10, United States Code.''.

SEC. 1206. EXTENSION OF PARTICIPATION IN AND SUPPORT OF THE INTER-AMERICAN DEFENSE COLLEGE.

Subsection (c) of section 1243 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2516; 10 U.S.C. 1050 note) is amended—

(1) in the heading, by striking ''FISCAL YEAR 2017'' and inserting ''FISCAL YEARS 2017 AND 2018''; and

(2) by striking ''fiscal year 2017'' and inserting ''fiscal years 2017 and 2018''.

Subtitle B—Matters Relating to Afghanistan and Pakistan

SEC. 1211. EXTENSION OF AUTHORITY TO TRANSFER DEFENSE ARTICLES AND PROVIDE DEFENSE SERVICES TO THE MILITARY AND SECURITY FORCES OF AFGHANISTAN.

(a) EXTENSION OF EXPIRATION.—Subsection (h) of section 1222 of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 1992), as most recently amended by section 1213 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2478), is further amended by striking ''December 31, 2017'' and inserting ''December 31, 2018''.

(b) EXCESS DEFENSE ARTICLES.—Subsection (i)(2) of such section, as so amended, is further amended by striking ''December 31, 2017,'' in each place it appears and inserting ''December 31, 2018''.

SEC. 1212. REPORT ON UNITED STATES STRATEGY IN AFGHANISTAN.

(a) REPORT REQUIRED.—Not later than February 15, 2018, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report that describes the United States strategy in Afghanistan.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) A description of United States assumptions, security interests, and corresponding objectives in Afghanistan.

(2) A description of how current military efforts align to such objectives and, given current or projected progress, a realistic prognosis for a timeline necessary to achieve such objectives.

(3) An explanation of the conditions necessary for the Afghan National Defense and Security Forces to become self-sufficient.

(4) A description of the projected long-term and sustainable United States role in Afghanistan.

(5) A description of the threat of harm to United States forces in Afghanistan and a justification based on the threat to United States interests.

(c) 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 Affairs of the House of Representatives.

SEC. 1213. EXTENSION AND MODIFICATION OF AUTHORITY FOR REIMBURSEMENT OF CERTAIN COALITION NATIONS FOR SUPPORT PROVIDED TO UNITED STATES MILITARY OPERATIONS.

(a) EXTENSION.—

(1) IN GENERAL.—Subsection (a) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1218(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2482), is further amended—

(A) by striking ''October 1, 2016'' and inserting ''October 1, 2017''; and

(B) by striking ''December 31, 2017'' and inserting ''December 31, 2018''.

(2) REPORT REQUIRED.—

(A) IN GENERAL.—Not later than December 31, 2018, the Secretary of Defense shall submit to the appropriate congressional committees a report on the expenditure of funds under the authority in subsection (a)(2) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), including a description of the following:

(i) The purpose for which such funds were expended.

(ii) Each organization on whose behalf such funds were expended, including the amount expended on such organization and the number of members of such organization supported by such amount.

(iii) Any limitation imposed on the expenditure of funds under such subsection, including on any recipient of funds or any use of funds expended.

(B) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this paragraph, the term ''appropriate congressional committees'' means—

(i) the congressional defense committees; and

(ii) the Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

(b) NOTICE REQUIREMENT.—Section 1232(b)(6) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1218(e) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2484), is further amended by striking ''December 31, 2017'' and inserting ''December 31, 2018''.

(c) LIMITATION ON REIMBURSEMENT PENDING CERTIFICATION.—Section 1227(d)(1) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2001), as most recently amended by section 1218(f) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2484), is further amended by striking ''December 31, 2017'' and inserting ''December 31, 2018''.

(d) ADDITIONAL LIMITATIONS ON REIMBURSEMENT.—

(1) EXTENSION OF LIMITATIONS ON AMOUNTS.—Subsection (d)(1) of section 1233 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 393), as most recently amended by section 1218(c) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2483), is further amended—

(A) in the first sentence, by striking ''$1,100,000,000'' and inserting ''$1,000,000,000'';

(B) in the second sentence, by striking ''$900,000,000'' and inserting ''$800,000,000'';

(C) by striking ''October 1, 2016'' in each place it appears and inserting ''October 1, 2017''; and

(D) by striking ''December 31, 2017'' in each place it appears and inserting ''December 31, 2018''.

(2) EXTENSION OF LIMITATION ON AMOUNTS ELIGIBLE FOR WAIVER.—Subsection (g) of section 1218 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2484) is amended—

(A) by striking ''October 1, 2016'' and inserting ''October 1, 2017''; and

(B) by striking ''December 31, 2017'' and inserting ''December 31, 2018''.

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

SEC. 1221. REPORT ON UNITED STATES STRATEGY IN SYRIA.

(a) IN GENERAL.—Not later than February 1, 2018, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report that describes the strategy of the United States in Syria.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include each of the following:

(1) A description of the key security and geopolitical interests, objectives, and long-term goals in Syria for the United States and indicators for the effectiveness of efforts to achieve such objectives and goals.

(2) A description of United States assumptions regarding the current intelligence picture, the roles and ambitions of other countries, and the interests of relevant Syrian groups with respect to such objectives.

(3) A description of how current military and diplomatic efforts in Syria align with such objectives, and a realistic projection of the timeline necessary to achieve such objectives.

(4) The resources required to achieve such objectives.

(5) An analysis of the threats posed to United States interests by Russian and Iranian influences in Syria, as well as the threats posed to such interests by the Islamic State of Iraq and the Levant, Al Qaeda, Hezbollah, and other violent extremist organizations in Syria.

(6) A description of long-term and sustainable United States involvement in Syria and the conclusion of the current United States effort in Syria.

(7) A description of the coordination between the Department of Defense and the Department of State regarding the transition from military operations to stabilization programming, including a description of how local governance and civil society will be restored in areas secured through United States military operations in Syria.

(8) A description of the threat of harm to United States forces in Syria and a justification based on the threat to United States interests.

(c) APPROPRIATE 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 House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 1222. EXTENSION AND MODIFICATION OF AUTHORITY TO PROVIDE ASSISTANCE TO COUNTER THE ISLAMIC STATE OF IRAQ AND THE LEVANT.

(a) AUTHORITY.—Subsection (a) 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. 3559), as most recently amended by section 1222 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2485), is further amended by striking ''December 31, 2018'' and inserting ''December 31, 2019''.

(b) QUARTERLY PROGRESS REPORT.—Subsection (d) of such section is further amended—

(1) in the first sentence of the matter preceding paragraph (1), by adding at the end before the period the following: '', which shall be provided in unclassified form with a classified annex if necessary''; and

(2) by adding at the end the following:

''(12) An assessment of—

''(A) security in liberated areas in Iraq;

''(B) the extent to which security forces trained and equipped, directly or indirectly, through the Office of Security Cooperation in Iraq (OSC-I) are prepared to provide post-conflict stabilization and security in such liberated areas; and

''(C) the effectiveness of security forces in the post-conflict environment and an identification of which such forces will provide post-conflict stabilization and security in such liberated areas.''.

(c) FUNDING.—Subsection (g) of such section is further amended—

(1) by striking ''National Defense Authorization Act for Fiscal Year 2017'' and inserting ''National Defense Authorization Act for Fiscal Year 2018'';

(2) by striking ''fiscal year 2017'' and inserting ''fiscal year 2018''; and

(3) by striking ''$630,000,000'' and inserting ''$1,269,000,000''.

(d) SENSE OF CONGRESS.—Recognizing the important role of the Iraqi Christian militias within the military campaign against ISIL in Iraq, and the specific threat to the Christian population in Iraq, it is the sense of Congress that the United States should provide arms, training, and appropriate equipment to vetted elements of the Nineveh Plain Council.

SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY TO SUPPORT OPERATIONS AND ACTIVITIES OF THE OFFICE OF SECURITY COOPERATION IN IRAQ.

(a) EXTENSION OF AUTHORITY.—Subsection (f)(1) of section 1215 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631; 10 U.S.C. 113 note), as most recently amended by section 1223 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2486), is further amended by striking ''fiscal year 2017'' and inserting ''fiscal year 2018''.

(b) LIMITATION ON AMOUNT.—Subsection (c) of such section is amended—

(1) by striking ''fiscal year 2017'' and inserting ''fiscal year 2018'' ; and

(2) by striking ''$70,000,000'' and inserting ''$42,000,000''.

(c) SOURCE OF FUNDS.—Subsection (d) of such section is amended by striking ''fiscal year 2017'' and inserting ''fiscal year 2018''.

SEC. 1224. SENSE OF CONGRESS ON THREATS POSED BY THE GOVERNMENT OF IRAN.

(a) FINDING.—Congress expressed concerns over state-sponsored threats posed by Iran and over Iran's integration of conventional warfare, cyber and information operations, intelligence operations, and other activities to undermine United States national security interests.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should counter the malign activities of the Government of Iran;

(2) the United States should maintain a capable military presence in the Arabian Gulf region to deter, and, if necessary, respond to Iranian aggression;

(3) the United States should strengthen ballistic missile defense capabilities;

(4) the United States should ensure freedom of navigation at the Bab al Mandab strait and the Strait of Hormuz; and

(5) the United States should counter Iranian efforts to illicitly proliferate weapons, including cruise and ballistic missiles.

Subtitle D—Matters Relating to the Russian Federation

SEC. 1231. EXTENSION OF LIMITATION ON MILITARY COOPERATION BETWEEN THE UNITED STATES AND THE RUSSIAN FEDERATION.

Section 1232(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2488) is amended by striking ''fiscal year 2017'' and inserting ''fiscal year 2018''.

SEC. 1232. PROHIBITION ON AVAILABILITY OF FUNDS RELATING TO SOVEREIGNTY OF THE RUSSIAN FEDERATION OVER CRIMEA.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to implement any activity that recognizes the sovereignty of the Russian Federation over Crimea.

(b) WAIVER.—The Secretary of Defense, with the concurrence of the Secretary of State, may waive the 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 waiver is invoked, 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. 1233. STATEMENT OF POLICY ON THE RUSSIAN FEDERATION.

(a) FINDINGS.—Congress makes the following findings:

(1) The Russian Federation, under the leadership of President Vladimir Putin, continues to demonstrate its malign activities to expand its sphere of influence and undermine international norms and institutions both regionally and globally, including through the following activities:

(A) An assessment of the United States intelligence community stated ''. . .Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election'', presented in the intelligence community's January 6, 2017, declassified report, ''Assessing Russian Activities and Intentions in Recent U.S. Elections''.

(B) The Russian Federation has interfered in the April 2017 election and runoff election in May 2017 of the French Presidential elections. As confirmed by Admiral Mike Rogers, Director of the National Security Agency, at a Senate Committee on Armed Services hearing on May 9, 2017, ''If you look at the French elections . . . we had become aware of Russian activity.''

(C) The Russian Federation has threatened stability in their sphere of influence. As stated by General Curtis M. Scaparrotti, Commander of the United States European Command, in testimony at a House Committee on Armed Services hearing on March 28, 2017, ''In the east, a resurgent Russia has turned from partner to antagonist. Countries along Russia's periphery, especially Ukraine and Georgia, are under threat from Moscow's malign influence and military aggression.''.

(D) The Russian Federation has occupied and attempted to annex Crimea from Ukraine.

(E) The Russian Federation has employed hybrid warfare tactics, including cyber warfare, electronic warfare, and information warfare to gain influence. This includes the use of hybrid tactics in assisting combined Russian-separatist forces in eastern Ukraine and, in 2008, the Russian incursion in Georgia.

(F) Military intervention in the civil war in Syria.

(2) Both the Secretary of Defense, James Mattis, and the Chairman of the Joint Chiefs of Staff, General Joseph Dunford, highlight the Russian Federation as the number one geo-strategic threat to the United States.

(3) The Government of the Russian Federation continues its decades' long modernization of its conventional military force with the buildup of large numbers of professionalized forces on Russia's borders with Europe, re-establishing military presence in the Arctic, investment in its nuclear triad, advanced weapons systems, fighter jets, and naval vessels.

(4) In June 2016, the Center for Strategic and International Studies released its report, ''Evaluating U.S. Army Force Posture in Europe: Phase II'', which included the recommendation that an Armed Brigade Combat Team and a combat aviation brigade should be permanently assigned to Europe. The report also recommends additional prepositioned equipment in Western Europe.

(5) In January 2016, the National Commission on the Future of the Army released its findings and recommendations, which included Recommendation 14, calling for permanently stationing an Armored Brigade Combat Team Forward in Europe and Recommendation 15 calling for the conversion of Army Europe Aviation Headquarters to a warfighting mission command.

(6) In the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291), the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92), and the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328), Congress authorized approximately $5,200,000 for the European Reassurance Initiative, now the European Deterrence Initiative, to reassure partners and allies and begin building a credible deterrence to the Russian Federation through—

(A) large increases in conventional resources, including additional rotational deployments of United States troops and prepositioning of equipment into Europe; and

(B) increased funding for unconventional warfare resources, including cyber and special operations forces, and for intelligence and indicators and warnings.

(b) STATEMENT OF POLICY.—

(1) IN GENERAL.—It is the policy of the United States to develop, implement, and sustain credible deterrence against aggression by the Government of the Russian Federation, in order to enhance regional and global security and stability.

(2) CONDUCT OF POLICY.—The policy described in paragraph (1) shall, among other things, be carried out through a comprehensive defense strategy and guidance to outline and resource the necessary defense capabilities in the European theater. Such policy shall include the following:

(A) Increased United States presence in Europe through additional permanently stationed forces.

(B) Continued United States presence in Europe through additional rotational forces.

(C) Increased United States prepositioned military equipment to include logistics enablers and a division headquarters.

(D) Sufficient and necessary infrastructure additions and improvements throughout the European theater.

(E) Increased investment and priority to counter unconventional methods of warfare, including sufficient cyber warfare resources, information operations resources, and intelligence resources.

(F) Effective security cooperation resources and opportunities with partners and allies, including NATO member countries.

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. 1068), as amended by section 1237 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2494), is further amended—

(1) in subsection (c)—

(A) in paragraph (1), by striking ''$175,000,000 of the funds available for fiscal year 2017 pursuant to subsection (f)(2)'' and inserting ''$75,000,000 of the funds available for fiscal year 2018 pursuant to subsection (f)(3)''; and

(B) in paragraph (3)—

(i) by striking ''fiscal year 2017'' and inserting ''fiscal year 2018''; and

(ii) by striking ''$100,000,000'' and inserting ''$50,000,000'';

(2) in subsection (f), by adding at the end the following:

''(3) For fiscal year 2018, $150,000,000.''; and

(3) in subsection (h), by striking ''December 31, 2018'' and inserting ''December 31, 2019''.

SEC. 1235. LIMITATION ON AVAILABILITY OF FUNDS RELATING TO IMPLEMENTATION OF THE OPEN SKIES TREATY.

(a) LIMITATION ON CONDUCT OF FLIGHTS.—

(1) IN GENERAL.—None of the funds authorized to be appropriated by this Act or otherwise made available for any fiscal year after fiscal year 2017 for the Department of Defense for operation and maintenance, Defense-wide, or operation and maintenance, Air Force, may be obligated or expended to conduct any flight during such fiscal year for purposes of implementing the Open Skies Treaty until the date that is seven days after the date on which the President submits to the appropriate congressional committees a plan described in paragraph (2) with respect to such fiscal year.

(2) PLAN DESCRIBED.—The plan described in this paragraph is a plan developed by the Secretary of Defense, in coordination with the Secretary of State, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, that contains a description of the objectives for all planned flights described in paragraph (1) during such fiscal year.

(3) UPDATE.—To the extent necessary and appropriate, the Secretary of Defense, in coordination with the Secretary of State, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, may update the plan described in paragraph (2) with respect to a fiscal year and submit the updated plan to the appropriate congressional committees.

(4) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Select Committee on Intelligence and Committee on Foreign Relations of the Senate and the Permanent Select Committee on Intelligence and the Committee on Foreign Affairs of the House of Representatives.

(5) SUNSET.—The requirements of this subsection shall terminate on the date that is five years after the date of the enactment of this Act.

(b) PROHIBITION ON ACTIVITIES TO MODIFY UNITED STATES AIRCRAFT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Air Force, for arms control implementation (PE 0305145F) or procurement, Air Force, for digital visual imaging system (BA–05, Line Item #1900) may be obligated or expended to carry out any activities to modify any United States aircraft for purposes of implementing the Open Skies Treaty.

(c) OPEN SKIES TREATY DEFINED.—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. 1236. SENSE OF CONGRESS ON IMPORTANCE OF NUCLEAR CAPABILITIES OF NATO.

(a) FINDINGS.—Congress finds the following:

(1) The Warsaw Summit Communique, issued on July 9, 2016, by the North Atlantic Treaty Organization (in this section referred to as ''NATO'') clearly defines the need for, and the importance of, the nuclear mission of NATO.

(2) The Warsaw Summit Communique states—

(A) with respect to the nuclear deterrence capability of NATO, ''As a means to prevent conflict and war, credible deterrence and defence is essential. Therefore, deterrence and defence, based on an appropriate mix of nuclear, conventional, and missile defence capabilities, remains a core element of our overall strategy. . . The fundamental purpose of NATO's nuclear capability is to preserve peace, prevent coercion, and deter aggression. Nuclear weapons are unique. Any employment of nuclear weapons against NATO would fundamentally alter the nature of a conflict. The circumstances in which NATO might have to use nuclear weapons are extremely remote'';

(B) with respect to the nature of the nuclear deterrence posture of NATO, ''NATO must continue to adapt its strategy in line with trends in the security environment–including with respect to capabilities and other measures required–to ensure that NATO's overall deterrence and defence posture is capable of addressing potential adversaries' doctrine and capabilities, and that it remains credible, flexible, resilient, and adaptable.''; and

(C) with respect to the importance of contributions to the nuclear deterrence mission from across the NATO alliance, ''The strategic forces of the Alliance, particularly those of the United States, are the supreme guarantee of the security of the Allies. The independent strategic nuclear forces of the United Kingdom and France have a deterrent role of their own and contribute to the overall security of the Alliance. These Allies' separate centres of decision-making contribute to deterrence by complicating the calculations of potential adversaries. NATO's nuclear deterrence posture also relies, in part, on United States' nuclear weapons forward-deployed in Europe and on capabilities and infrastructure provided by Allies concerned. These Allies will ensure that all components of NATO's nuclear deterrent remain safe, secure, and effective. That requires sustained leadership focus and institutional excellence for the nuclear deterrence mission and planning guidance aligned with 21st century requirements. The Alliance will ensure the broadest possible participation of Allies concerned in their agreed nuclear burden-sharing arrangements.''.

(3) Secretary of Defense James Mattis, in response to the advance policy questions for his Senate confirmation hearing on January 12, 2017, stated that—

(A) ''NATO's nuclear deterrence posture relies in part on U.S. nuclear weapons forward-deployed in Europe and on capabilities and infrastructure provided by NATO allies. These capabilities include dual-capable aircraft that contribute to current burden-sharing arrangements within NATO. In general, we must take care to maintain this particular capability, and to modernize it appropriately and in a timely fashion.''; and

(B) the role of the nuclear weapons of the United States is ''to deter nuclear war and to serve as last resort weapons of self-defense. In this sense, U.S. nuclear weapons are fundamental to our nation's security and have historically provided a deterrent against aggression and security assurance to U.S. allies. A robust, flexible, and survivable U.S. nuclear arsenal underpins the U.S. ability to deploy conventional forces worldwide.''.

(4) On March 28, 2017, General Curtis Scaparrotti, Commander of the United States European Command and the Supreme Allied Commander, Europe, testified to the Committee on Armed Services of the House of Representatives that ''NATO and U.S. nuclear forces continue to be a vital component of our deterrence. Our modernization efforts are crucial; we must preserve a ready, credible, and safe nuclear capability.''.

(5) The Russian Federation is currently undergoing significant modernization and recapitalization of all three legs of its nuclear triad, continues to field and modernize a large variety of non-strategic nuclear weapons, and is developing and deploying new and unique nuclear capabilities.

(6) Russia remains in violation of the INF Treaty due to the development, testing, and, most recently, the operational deployment of ground-launched cruise missiles in violation of the INF Treaty.

(7) On March 28, 2017, General Paul Selva, Vice Chairman of the Joint Chiefs of Staff, described the security consequences of the deployment of such INF Treaty-violating missiles, testifying to the Committee on Armed Services of the House of Representatives that ''our assessment of the impact is that it more threatens NATO and infrastructure within the European continent than any other...area of the world that we have national interests in or alliance interests in.''.

(8) On March 28, 2017, General Curtis Scaparrotti, in testimony before the Committee on Armed Services of the House of Representatives, responded to a question asking if Russia intends to return to compliance with the INF Treaty by stating, ''I don't have any indication that they will at this time.''.

(9) Rhetoric from Russian officials has demonstrated that Moscow has sought to leverage its nuclear arsenal to threaten and intimidate neighboring countries, including members of NATO, as was the case when the Russian Ambassador to Denmark stated, ''Danish warships will be targets for Russian nuclear missiles'' in response to Denmark's potential cooperation in the NATO missile defense system.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the nuclear and conventional deterrence capabilities of NATO are of critical importance to the security of the United States and of the NATO alliance, and must continue to adapt to the changed security environment in Europe;

(2) the ability of the United States to forward-deploy dual-capable aircraft and nuclear weapons, and of select members of NATO to participate in the nuclear deterrence mission of NATO by hosting forward-deployed nuclear weapons of the United States or operating dual-capable aircraft, is central to the credibility of the nuclear deterrence and defense posture of NATO;

(3) the strategic forces of the United States, the independent nuclear forces of the United Kingdom and the French Republic, and the dual-capable aircraft operated by the United States and other members of NATO constitute foundational elements of the nuclear deterrence and defense posture of NATO;

(4) NATO should modernize its nuclear-related infrastructure to ensure the highest-level of safety and security;

(5) effective deterrence requires NATO to conduct nuclear planning and exercises aligned with 21st century requirements and modernize nuclear-related capabilities and infrastructure, including dual-capable aircraft, command and control networks, and facilities; and

(6) to ensure the continued credibility of the deterrence and defense posture of NATO, the planned completion of F–35A aircraft development and testing, as well as the delivery of such aircraft to members of NATO, must not be delayed.

(c) INF TREATY DEFINED.—In this section, the term ''INF Treaty'' means the Treaty Between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, commonly referred to as the ''Intermediate- Range Nuclear Forces (INF) Treaty'', signed at Washington December 8, 1987, and entered into force June 1, 1988.

SEC. 1237. SENSE OF CONGRESS ON SUPPORT FOR GEORGIA.

(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 NATO-led International Security Assistance Force (ISAF) 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 of ISAF, Georgia is engaged in the Resolute Support Mission in Afghanistan with the second largest contingent on the ground.

(b) SENSE OF CONGRESS.—Congress—

(1) reaffirms United States support for Georgia's sovereignty and territorial integrity 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

(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 people and sovereign territory.

SEC. 1238. SENSE OF CONGRESS ON SUPPORT FOR ESTONIA, LATVIA, AND LITHUANIA.

(a) FINDINGS.—Congress finds the following:

(1) The Baltic States of Estonia, Latvia, and Lithuania are highly valued allies of the United States, and they have repeatedly demonstrated their commitment to advancing our mutual interests as well as those of the NATO Alliance.

(2) Operation Atlantic Resolve is a series of exercises and coordinating efforts demonstrating the United States' commitment to its European partners and allies, including the Baltic States of Estonia, Latvia, and Lithuania, with the shared goal of peace and stability in 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 States, into a common defense framework.

(4) All three Baltic States contributed to the NATO-led International Security Assistance Force in Afghanistan, sending disproportionate numbers of troops and operating with few caveats. The Baltic States continue to engage in Operation Resolute Support 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 concerns 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 States; and

(4) encourages the Administration to further enhance defense cooperation efforts with Estonia, Latvia, and Lithuania and supports the efforts of their Governments to provide for the defense of their people and sovereign territory.

Subtitle E—Intermediate-Range Nuclear Forces (INF) Treaty Preservation Act of 2017

SEC. 1241. SHORT TITLE.

This subtitle may be cited as the ''Intermediate-Range Nuclear Forces (INF) Treaty Preservation Act of 2017''.

SEC. 1242. FINDINGS.

Congress makes the following findings:

(1) The 2014, 2015, and 2016 Department of State reports entitled, ''Adherence to and Compliance with Arms Control, Nonproliferation, and Disarmament Agreements and Commitments'', all stated that the United States has determined that ''the Russian Federation is in violation of its obligations under the INF Treaty not to possess, produce, or flight-test a ground-launched cruise missile (GLCM) with a range capability of 500 km to 5,500 km, or to possess or produce launchers of such missiles''.

(2) The 2016 report also noted that ''the cruise missile developed by Russia meets the INF Treaty definition of a ground-launched cruise missile with a range capability of 500 km to 5,500 km, and as such, all missiles of that type, and all launchers of the type used or tested to launch such a missile, are prohibited under the provisions of the INF Treaty''.

(3) Potential consistency and compliance concerns regarding the INF Treaty noncompliant GLCM have existed since 2008, were not officially raised with the Russian Federation until 2013, and were not briefed to the North Atlantic Treaty Organization (NATO) until January 2014.

(4) The United States Government is aware of other consistency and compliance concerns regarding Russia actions vis-à-vis its INF Treaty obligations.

(5) Since 2013, senior United States officials, including the President, the Secretary of State, and the Chairman of the Joint Chiefs of Staff, have raised Russian noncompliance with the INF Treaty to their counterparts, but no progress has been made in bringing the Russian Federation back into compliance with the INF Treaty.

(6) In April 2014, General Breedlove, the Supreme Allied Commander Europe, correctly stated, ''A weapon capability that violates the INF, that is introduced into the greater European land mass, is absolutely a tool that will have to be dealt with . . . It can't go unanswered.''.

(7) The Department of Defense in its September 2013 report, Report on Conventional Prompt Global Strike Options if Exempt from the Restrictions of the Intermediate-Range Nuclear Forces Treaty Between the United States of America and the Union of Soviet Socialist Republics, stated that it has multiple validated military requirement gaps due to the prohibitions imposed on the United States as a result of its compliance with the INF Treaty.

(8) It is not in the national security interests of the United States to be unilaterally legally prohibited from developing dual-capable ground-launched cruise missiles with ranges between 500 and 5,500 kilometers, while Russia makes advances in developing and fielding this class of weapon systems, and such unilateral limitation cannot be allowed to continue indefinitely.

(9) Admiral Harry Harris, Jr., Commander of the United States Pacific Command, testified before the Senate Armed Services Committee on April 27, 2017, that ''[W]e're in a multi-polar world where we have a lot of countries who are developing these weapons, including China, that I worry about. And I worry about their DF-21 and DF-26 missile programs, their anti-carrier ballistic missile programs, if you will. INF doesn't address missiles launched from ships or airplanes, but it focuses on those land-based systems. I think there's goodness in the INF treaty, anything you can do to limit nuclear weapons writ-large is generally good. But the aspects of the INF Treaty that limit our ability to counter Chinese and other countries' land-based missiles, I think, is problematic.''.

(10) A material breach of the INF Treaty by the Russian Federation affords the United States the right to invoke legal countermeasures which include suspension of the treaty in whole or in part.

(11) Article XV of the INF Treaty provides that ''Each Party shall, in exercising its national sovereignty, have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized its supreme interests.''.

SEC. 1243. COMPLIANCE ENFORCEMENT REGARDING RUSSIAN VIOLATIONS OF THE INF TREATY.

(a) STATEMENT OF UNITED STATES POLICY.—It is the policy of the United States as follows:

(1) The actions undertaken by the Russian Federation in violation of the INF Treaty constitute a material breach of the treaty.

(2) In light of the Russian Federation's material breach of the INF Treaty, the United States is legally entitled to suspend the operation of the INF Treaty in whole or in part for so long as the Russian Federation continues to be in material breach.

(3) For so long as the Russian Federation remains in noncompliance with the INF Treaty, the United States should take actions to encourage the Russian Federation return to compliance, including by—

(A) providing additional funds for the capabilities identified in section 1243(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1062); and

(B) seeking additional missile defense assets in the European theater to protect United States and NATO forces from ground-launched missile systems of the Russian Federation that are in noncompliance with the INF Treaty.

(b) AUTHORIZATION OF ADDITIONAL APPROPRIATIONS.—

(1) IN GENERAL.—Of the funds authorized to be appropriated by this Act for fiscal year 2018 for research, development, test, and evaluation, as specified in the funding table in division D, $50,000,000 shall be made available for—

(A) the development of active defenses to counter ground-launched missile systems with ranges between 500 and 5,500 kilometers;

(B) counterforce capabilities to prevent attacks from these missiles; and

(C) countervailing strike capabilities to enhance the capabilities of the United States identified in section 1243(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1062).

(2) DEVELOPMENT.—Of the amount authorized to be appropriated by paragraph (1), $25,000,000 is authorized to be appropriated for activities undertaken to carry out section 1244(a), including with respect to research and development activities.

SEC. 1244. DEVELOPMENT OF INF RANGE GROUND-LAUNCHED MISSILE SYSTEM.

(a) ESTABLISHMENT OF A PROGRAM OF RECORD.—The Secretary of Defense shall establish a program of record to develop a conventional road-mobile ground-launched cruise missile system with a range of between 500 to 5,500 kilometers.

(b) REPORT.—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, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate a report on the cost, schedule, and feasibility to modify existing and planned missile systems, including the tomahawk land attack cruise missile, the standard missile-3, the standard missile-6, and Army tactical missile system missiles for ground launch with a range of between 500 and 5,500 kilometers in order to provide any of the capabilities identified in section 1243(d) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1062).

SEC. 1245. NOTIFICATION REQUIREMENT RELATED TO RUSSIAN FEDERATION DEVELOPMENT OF NONCOMPLIANT SYSTEMS AND UNITED STATES ACTIONS REGARDING MATERIAL BREACH OF INF TREATY BY THE RUSSIAN FEDERATION.

(a) DECLARATION OF POLICY.—Congress declares that because of the Russian Federation's violations of the INF Treaty, including the flight-test, production, and possession of prohibited systems, its actions have defeated the object and purpose of the INF Treaty, and thus constitute a material breach of the INF Treaty.

(b) NOTIFICTION BY DIRECTOR OF NATIONAL INTELLIGENCE.—

(1) IN GENERAL.—The Director of National Intelligence shall notify the appropriate congressional committees of any development, deployment, or test of a system by the Russian Federation that the Director determines is inconsistent with the INF Treaty.

(2) DEADLINE.—A notification under this subsection shall be made not later than 15 days after the date on which the Director makes the determination under this subsection with respect to which the notification is required.

(c) REPORT BY PRESIDENT.—Not later than 15 months after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a determination of the President of whether the Russian Federation has flight-tested, produced, or is in possession of a ground-launched cruise missile or ground-launched ballistic missile with a range of between 500 and 5,500 kilometers during each of the three consecutive 120-day periods beginning on the date of the enactment of this Act.

(d) UNITED STATES ACTIONS.—If the determination of the President contained in the report required to be submitted under subsection (c) is that the Russian Federation has flight-tested, produced, or is in possession of any missile described in subsection (c) during each of the periods described in subsection (c), the prohibitions set forth in Article VI of the INF Treaty shall no longer be binding on the United States as a matter of United States law.

SEC. 1246. LIMITATION ON AVAILABILITY OF FUNDS TO EXTEND THE IMPLEMENTATION OF THE NEW START TREATY.

None of the funds authorized to be appropriated or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to extend the implementation of the New START Treaty unless the President certifies to the appropriate congressional committees that the Russian Federation has verifiably eliminated all missiles that are in violation of or may be inconsistent with the INF Treaty.

SEC. 1247. REVIEW OF RS–26 BALLISTIC MISSILE.

(a) IN GENERAL.—The President, in consultation with the Secretary of State, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, shall conduct a review of the RS–26 ballistic missile of the Russian Federation.

(b) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the President, in consultation with the Secretary of State, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, shall submit to the appropriate congressional committees a report on the review conducted under subsection (a). The report shall include—

(1) a determination whether the RS–26 ballistic missile is covered under the New START Treaty or would be a violation of the INF Treaty because Russia has flight-tested such missile to ranges covered by the INF Treaty in more than one warhead configuration; and

(2) if the President determines that the RS–26 ballistic missile is covered under the New START Treaty, a determination whether the Russian Federation—

(A) has agreed through the Bilateral Consultative Commission that such a system is limited under the New START Treaty central limits; and

(B) has agreed to an exhibition of such a system.

(c) EFFECT OF DETERMINATION.—If the President, with the concurrence of the Secretary of State, the Secretary of Defense, the Chairman of the Joint Chiefs of Staff, and the Director of National Intelligence, determines that the RS–26 ballistic missile is covered under the New START Treaty and that the Russian Federation has not taken the steps described under subsection (b)(2), the United States Government shall consider for purposes of all policies and decisions that the RS–26 ballistic missile of the Russian Federation is a violation of the INF Treaty.

SEC. 1248. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Select Committee on Intelligence, the Committee on Foreign Relations, the Committee on Armed Services, and the Committee on Appropriations of the Senate; and

(B) the Permanent Select Committee on Intelligence, the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations of the House of Representatives.

(2) INF TREATY.—The term ''INF Treaty'' means the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988.

(3) INTELLIGENCE COMMUNITY.—The term ''intelligence community'' has the meaning given the term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

(4) NEW START TREATY.—The term ''New START Treaty'' means the Treaty between the United States of America and the Russian Federation on Measures for the Further Reduction and Limitation of Strategic Offensive Arms, signed at Prague April 8, 2010, and entered into force February 5, 2011.

(5) OPEN SKIES TREATY.—The term ''Open Skies Treaty'' means the Treaty on Open Skies, done at Helsinki March 24, 1992, and entered into force January 1, 2002.

Subtitle F—Fostering Unity Against Russian Aggression Act of 2017

SEC. 1251. SHORT TITLE.

This subtitle may be cited as the ''Fostering Unity Against Russian Aggression Act of 2017''.

SEC. 1252. FINDINGS AND SENSE OF CONGRESS.

(a) FINDINGS.—Congress finds the following:

(1) General Curtis M. Scaparrotti, Commander of the United States European Command, testified before the House Armed Services Committee on March 27, 2017, that ''Today we face the most dynamic European security environment in history.'' and that ''Russia's malign actions are supported by its diplomatic, information, economic, and military initiatives.''.

(2) The Russian Federation has shifted to a military doctrine that envisions using nuclear weapons in an attempt to end a failing regional conventional conflict. On June 25, 2015, Deputy Secretary of Defense Robert Work and then-Vice-Chairman of the Joint Chiefs of Staff Admiral James Winnefeld testified before the House Armed Services Committee that ''Russian military doctrine includes what some have called an 'escalate to de-escalate' strategy—a strategy that purportedly seeks to deescalate a conventional conflict through coercive threats, including limited nuclear use. We think that this label is dangerously misleading. Anyone who thinks they can control escalation through the use of nuclear weapons is literally playing with fire. Escalation is escalation, and nuclear use would be the ultimate escalation.''.

(3) General Scaparrotti noted in his March 27, 2017, testimony before the House Armed Services Committee that ''Moscow's provocative rhetoric and nuclear threats increase the likelihood of misunderstanding and miscalculation.''.

(4) The Russian Federation continues to conduct ongoing influence campaigns aimed at undermining democracies around the world. According to an assessment by the intelligence community, ''Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election'', which included the use of the Russian military intelligence organization. The intelligence community also assessed that Russia would apply lessons learned

to future influence efforts worldwide, including against United States allies and their election systems.

(5) The Russian Federation continues its aggression on its periphery. In 2008, the Russian Federation fomented conflict in Georgia. Further, the Russian Federation is directing combined Russian-Separatist units in eastern Ukraine, actively inciting violence and prolonging the most significant conflict in Europe.

(6) The investment of over $5 billion in the European Reassurance Initiative (ERI), now the European Deterrence Initiative (EDI), has proven successful in significantly enhancing the ability of United States forces, NATO allies, and regional partners to deter Russian aggression. EDI has not only assured our European allies and partners but supported essential investments in NATO's military capacity, interoperability, and agility.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the risks of miscalculation in a crisis are exacerbated by the Russian Federation's shift to a military doctrine of ''escalate to de-escalate'', lowering the threshold for Russian use of nuclear weapons and thereby increasing the risk of using nuclear weapons, potentially escalating in to a massive nuclear exchange;

(2) subversive and destabilizing activities by the Russian Federation targeting NATO allies and partners causes concern and should be condemned;

(3) European Deterrence Initiative (EDI) investments are long-term and, as such, Congress expects future budgets to reflect United States commitment by planning for funding in the base budget, and further EDI should build on United States presence by increasing the United States permanent force posture; and

(4) credible deterrence requires steadfast cooperation and joint action with NATO allies and partners and other United States allies and partners in Europe.

SEC. 1253. STRATEGY TO COUNTER THREATS BY THE RUSSIAN FEDERATION.

(a) STRATEGY REQUIRED.—The Secretary of Defense, in coordination with the Secretary of State and in consultation with each of the Secretaries of the military departments, the Joint Chiefs of Staff, and the commanders of each of the regional and functional combatant commands, shall develop and implement a comprehensive strategy to counter threats by the Russian Federation.

(b) REPORT REQUIRED.—

(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 appropriate congressional committees a report on the strategy required by subsection (a).

(2) ELEMENTS.—The report required by this subsection shall include the following elements:

(A) An evaluation of strategic objectives and motivations of the Russian Federation.

(B) A detailed description of Russian threats to the national security of the United States, including threats that may pose challenges below the threshold of armed conflict.

(C) A discussion of how the strategy complements the National Defense Strategy and the National Military Strategy.

(D) A discussion of the ends, ways, and means inherent to the strategy.

(E) A discussion of the strategy's objectives with respect to deterrence, escalation control, and conflict resolution.

(F) A description of the military activities across geographic regions and military functions and domains that are inherent to the strategy.

(G) A description of the posture, forward presence, and readiness requirements inherent to the strategy.

(H) A description of the roles of the United States Armed Forces in implementing the strategy, including—

(i) the role of United States nuclear capabilities;

(ii) the role of United States space capabilities;

(iii) the role of United States cyber capabilities;

(iv) the role of United States conventional ground forces;

(v) the role of United States naval forces;

(vi) the role of United States air forces; and

(vii) the role of United States special operations forces.

(I) An assessment of the force requirements needed to implement and sustain the strategy.

(J) A description of the logistical requirements needed to implement and sustain the strategy.

(K) An assessment of the technological research and development requirements needed to implement and sustain the strategy.

(L) An assessment of the training and exercise requirements needed to implement and sustain the strategy.

(M) An assessment of the budgetary resource requirements needed to implement and sustain the strategy through December 31, 2030.

(N) A discussion of how the strategy provides a framework for future planning and investments in regional defense initiatives, including the European Deterrence Initiative.

(3) FORM.—The report required by this subsection shall be submitted in unclassified form but may contain a classified annex.

SEC. 1254. STRATEGY TO INCREASE CONVENTIONAL PRECISION STRIKE WEAPON STOCKPILES IN THE UNITED STATES EUROPEAN COMMAND'S AREAS OF RESPONSIBILITY.

(a) STRATEGY REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, in coordination with the Secretary of State, shall develop and implement a strategy to increase conventional precision strike weapon stockpiles in the United States European Command's areas of responsibility.

(2) ELEMENTS.—The strategy required by this subsection shall include necessary increases in the quantities of such stockpiles that the Secretary determines will enhance deterrence and warfighting capability of the North Atlantic Treaty Organization forces.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than April 1, 2018, the Secretary of Defense shall submit to the appropriate congressional committees a report on the strategy required by subsection (a).

(2) FORM.—The report required by this subsection shall be submitted in unclassified form but may contain a classified annex.

SEC. 1255. PLAN TO COUNTER THE MILITARY CAPABILITIES OF THE RUSSIAN FEDERATION.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall develop and implement a plan to counter the military capabilities of the Russian Federation.

(2) ELEMENTS.—The plan required by this subsection shall include the following:

(A) Accelerating programs to improve the capability of United States military forces to operate in a Global Positioning System (GPS)-denied or GPS-degraded environment.

(B) Accelerating programs of the Department of the Army to counter Russian unmanned aircraft systems, electronic warfare, and long-range precision strike capabilities.

(C) Countering unconventional capabilities and hybrid threats from the Russian Federation.

(D) Any other elements that the Secretary determines to be appropriate.

(b) REPORT REQUIRED.—

(1) IN GENERAL.—Not later than April 1, 2018, the Secretary of Defense shall submit to the appropriate congressional committees a report on the plan required by subsection (a).

(2) FORM.—The report required by this subsection shall be submitted in unclassified form but may contain a classified annex.

(c) SENSE OF CONGRESS.—It is the sense of Congress that concerns persist over the growing sophistication of unconventional and hybrid state-sponsored threats by the Russian Federation as demonstrated through its advancement and integration of conventional warfare, economic warfare, cyber and information operations, intelligence operations, and other activities to undermine United States national security objectives.

SEC. 1256. PLAN TO INCREASE CYBER AND INFORMATION OPERATIONS, DETERRENCE, AND DEFENSE.

(a) PLAN.—The Secretary of Defense and the Secretary of State shall jointly develop a plan to—

(1) increase inclusion of regional cyber planning within larger United States joint planning exercises in the European region;

(2) enhance joint, regional, and combined information operations and strategic communication strategies to counter Russian Federation information warfare, malign influence, and propaganda activities; and

(3) identify potential areas of cybersecurity collaboration and partnership capabilities with NATO and other European allies and partners of the United States.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on the plan required under subsection (a).

SEC. 1257. SENSE OF CONGRESS ON ENHANCING MARITIME CAPABILITIES.

Congress notes the 2016 Force Structure Assessment (FSA) that increased the requirement for fast attack submarine (SSN) from 48 to 66 and supports an acquisition plan that enhances maritime capabilities that address this requirement.

SEC. 1258. PLAN TO REDUCE THE RISKS OF MISCALCULATION AND UNINTENDED CONSEQUENCES THAT COULD PRECIPITATE A NUCLEAR WAR.

(a) FINDINGS.—Congress finds that—

(1) the Russian Federation has adopted a dangerous nuclear doctrine that includes a strategy of ''escalate to de-escalate'', which could lower the threshold for Russian use of nuclear weapons in a regional conflict; and

(2) such nuclear doctrine exacerbates the risks of miscalculation and unintended consequences that could precipitate a nuclear war.

(b) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than March 1, 2018, the Secretary of Defense, in coordination with the Chairman of the Joint Chief of Staff, the Commander of the United States Strategic Command, and the Commander of the United States European Command, shall submit to the congressional defense committees a plan that includes options to reduce the risk of miscalculation and unintended consequences that could precipitate a nuclear war.

(2) ELEMENTS.—The plan required under this subsection shall include—

(A) an assessment of the value of military-to-military dialog to reduce such risk; and

(B) any other recommendations the Secretary determines to be appropriate.

SEC. 1259. DEFINITIONS.

In this subtitle:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—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) NATO.—The term ''NATO'' means the North Atlantic Treaty Organization.

Subtitle G—Matters Relating to the Indo-Asia-Pacific Region

SEC. 1261. SENSE OF CONGRESS ON THE INDO-ASIA-PACIFIC REGION.

It is the sense of Congress that—

(1) the security, stability, and prosperity of the Indo-Asia-Pacific region are vital to the national interests of the United States;

(2) the United States should maintain a military capability in the region that is able to project power, deter acts of aggression, and respond, if necessary, to regional threats;

(3) continuing efforts by the Department of Defense to realign forces, commit additional assets, and increase investments to the Indo-Asia-Pacific region are necessary to maintain a robust United States commitment to the region;

(4) the Secretary of Defense should—

(A) assess the current United States force posture in the Indo-Asia-Pacific region to ensure that the United States maintains an appropriate forward presence in the region;

(B) invest in critical munitions, undersea warfare capabilities, amphibious capabilities, resilient space architectures, missile defense, offensive and defensive cyber capabilities, and other capabilities conducive to operating effectively in contested environments; and

(C) enhance regional force readiness through joint training and exercises, considering contingencies ranging from grey zone to high-end near-peer conflict; and

(5) the United States should continue to engage in the Indo-Asia-Pacific region by strengthening alliances and partnerships, supporting regional institutions and bodies such as the Association of Southeast Asian Nations (ASEAN), building cooperative security arrangements, addressing shared challenges, and reinforcing the role of international law.

SEC. 1262. REPORT ON STRATEGY TO PRIORITIZE UNITED STATES DEFENSE INTERESTS IN THE INDO-ASIA-PACIFIC REGION.

(a) REQUIRED REPORT.—Not later than February 1, 2018, the Secretary of Defense, in consultation with the Secretary of State, shall 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 report that contains a strategy to prioritize United States defense interests in the Indo-Asia-Pacific region. The strategy shall address the following:

(1) The security challenges, including threats, emanating from the Indo-Asia-Pacific region.

(2) The primary objectives and priorities in the Indo-Asia-Pacific region, including—

(A) the military missions necessary to address threats on the Korean Peninsula;

(B) the role of the Department of Defense in the Indo-Asia-Pacific region regarding security challenges posed by China;

(C) the primary objectives and priorities for combating terrorism in the Indo-Asia-Pacific region;

(3) Department of Defense plans, force posture, capabilities, and resources to address any gaps.

(4) The roles of allies, partners, and other countries in achieving United States defense objectives and priorities.

(5) Actions the Department of Defense could take, in cooperation with other Federal departments or agencies, to advance United Sates national security interests in the Indo-Asia-Pacific region.

(6) Any other matters the Secretary of Defense determines to be appropriate.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may contain a classified annex.

(c) ANNUAL BUDGET.—The President, acting through the Director of the Office of Management and Budget, shall ensure that the annual budget submitted to Congress under section 1105 of title 31, United States Code, clearly highlights programs and projects that are being funded in the annual budget of the United States Government that relate to the strategy referred to in subsection (a).

(d) REPEAL.—Section 1251 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3570) is hereby repealed.

SEC. 1263. ASSESSMENT OF UNITED STATES FORCE POSTURE AND BASING NEEDS IN THE INDO-ASIA-PACIFIC REGION.

(a) ASSESSMENT REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense shall conduct an assessment of United States force posture and basing needs in the Indo-Asia-Pacific region.

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

(A) A review of military requirements based on operation and contingency plans, scenarios, capabilities of potential adversaries, and any assessed gaps or shortfalls of the Armed Forces.

(B) A review of current United States military force posture and deployment plans of the United States Pacific Command.

(C) An analysis of potential future realignments of United States forces in the region, including options for strengthening United States presence, access, readiness, training, exercises, logistics, and pre-positioning.

(D) A discussion of any factors that may influence the United States posture.

(E) Any recommended changes to the United States posture in the region.

(F) Any other matters the Secretary of Defense determines to be appropriate.

(b) REPORT.—

(1) IN GENERAL.—Not later than March 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a report that includes the assessment required under subsection (a).

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

SEC. 1264. EXTENDED DETERRENCE COMMITMENT TO THE ASIA-PACIFIC REGION.

(a) FINDINGS.—Congress finds the following:

(1) The 2010 Nuclear Posture Review reaffirmed the commitment of the United States to extended deterrence and continued protection of the treaty allies of the United States under the United States nuclear umbrella.

(2) The United States-Republic of Korea Deterrence Strategy Committee and the United States-Japan Extended Deterrence Dialogue provide valuable communication channels for ensuring the commitment of the United States to the policy of extended nuclear deterrence and allow for bilateral discussions on how United States capabilities can be leveraged to credibly deter, and if necessary, defeat, North Korean nuclear weapons, weapons of mass destruction, and missile threats and aggression.

(3) Statements by officials of the United States have consistently emphasized the United States commitment to providing extended deterrence and defense across the full spectrum of military capabilities, including nuclear capabilities.

(4) On September 9, 2016, President Obama responded to a North Korean nuclear test by issuing the following statement, ''I restated to President Park and Prime Minister Abe the unshakable U.S. commitment to take necessary steps to defend our allies in the region, including through our deployment of a Terminal High Altitude Area Defense (THAAD) battery to the ROK, and the commitment to extended deterrence, guaranteed by the full spectrum of U.S. defense capabilities.''.

(5) On October 14, 2016, Chairman of the Joint Chiefs of Staff, General Joseph Dunford, ''reaffirmed the ironclad commitment of the U.S. to defend both the ROK and Japan and provide extended deterrence guaranteed by the full spectrum of U.S. military capabilities, including conventional, nuclear, and missile defense capabilities''.

(6) On October 19, 2016, Secretary of Defense Ashton Carter, stated, ''the U.S. commitment to the defense of South Korea is unwavering. This includes our commitment to provide extended deterrence, guaranteed by the full spectrum of U.S. defense capabilities. Make no mistake: Any attack on America or our allies will not only be defeated, but any use of nuclear weapons will be met with an overwhelming and effective response.''.

(7) On October 19, 2016, Secretary of State John Kerry, during a joint press conference with the South Korean Foreign Minister, confirmed the United States would ''defend South Korea through a robust combined defense posture and through extended deterrence, including the US nuclear umbrella, conventional strike and missile defense capabilities.''.

(8) On February 3, 2017, Secretary of Defense James Mattis, during a visit to South Korea, stated, ''America's commitments to defending our allies and to upholding our extended deterrence guarantees remain ironclad: Any attack on the United States, or our allies, will be defeated, and any use of nuclear weapons would be met with a response that would be effective and overwhelming.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the defense of the Republic of Korea and Japan must remain a top priority for the administration;

(2) the United States maintains an unwavering and steadfast commitment to the policy of extended deterrence, especially with respect to South Korea and Japan;

(3) bilateral extended deterrence dialogues and discussions with South Korea and Japan are of great value to the United States and its partners and must remain a central component of these relationships;

(4) the United States must sustain and modernize current United States nuclear capabilities to ensure the extended deterrence commitments of the United States remain credible and executable; and

(5) the timely development, production, and deployment of modern nuclear-capable aircraft are fundamental to ensure that the United States remains able to meet extended deterrence requirements in the Asia-Pacific region far into the future.

(c) RULE OF CONSTRUCTION.—Nothing in this section may be construed to alter the shared goal of the United States, South Korea, and Japan for a denuclearized Korean Peninsula or to change the United States nuclear posture in the Asia-Pacific region.

SEC. 1265. AUTHORIZATION OF APPROPRIATIONS TO MEET UNITED STATES FINANCIAL OBLIGATIONS UNDER COMPACT OF FREE ASSOCIATION WITH PALAU.

There is authorized to be appropriated for fiscal year 2018 $123,900,000 to the Secretary of the Interior, to remain available until expended, for use in meeting the financial obligations of the Government of the United States under the Agreement between the Government of the United States of America and the Government of the Republic of Palau under section 432 of the Compact of Free Association with Palau (48 U.S.C. 1931 note; Public Law 99–658).

SEC. 1266. SENSE OF CONGRESS REAFFIRMING SECURITY COMMITMENTS TO THE GOVERNMENTS OF JAPAN AND SOUTH KOREA AND TRILATERAL COOPERATION BETWEEN THE UNITED STATES, JAPAN, AND SOUTH KOREA.

It is the sense of Congress that—

(1) the United States values its alliances with the Governments of Japan and the Republic of Korea, based on shared values of democracy, the rule of law, free and open markets, and respect for human rights;

(2) the United States reaffirms its commitment to these alliances with Japan and South Korea, which are critical for the preservation of peace and stability in the Asia-Pacific region and throughout the world;

(3) the United States recognizes the substantial financial commitments of Japan and South Korea to the maintenance of United States forces in these countries, making them among the most significant burden-sharing partners of the United States;

(4) the United States reaffirms its commitment to Article V of the Treaty of Mutual Cooperation and Security between the United States of America and Japan, which applies to the Japanese-administered Senkaku Islands;

(5) the United States supports continued implementation and expansion of defense cooperation with Japan in accordance with the 2015 U.S.-Japan Defense Guidelines and additional measures to strengthen this defense cooperation, including by expanding foreign military sales, establishing new cooperative technology development programs, increasing military exercises, or other actions as appropriate;

(6) the United States and South Korea share deep concerns that the nuclear and ballistic missile programs of North Korea and its repeated provocations pose great threats to peace and stability on the Korean Peninsula, and the United States recognizes that South Korea has made important commitments to the bilateral security alliance, including by hosting a Terminal High Altitude Area Defense (THAAD) system;

(7) the United States and South Korea should continue further defense cooperation, by enhancing mutual security based on the Mutual Defense Treaty between the United States and the Republic of Korea and investing in capabilities critical to the combined defense;

(8) the United States welcomes greater security cooperation with, and among, Japan and South Korea to promote mutual interests and address shared concerns, including the bilateral military intelligence-sharing pact between Japan and South Korea, signed on November 23, 2016, and the trilateral intelligence sharing agreement between the United States, Japan, and South Korea, signed on December 29, 2015; and

(9) recognizing that North Korea poses a threat to the United States, Japan, and South Korea, and that the security of the three countries is intertwined, the United States welcomes and encourages deeper trilateral defense cooperation, including through expanded exercises, training, and information sharing that strengthens integration.

SEC. 1267. SENSE OF CONGRESS ON FREEDOM OF NAVIGATION OPERATIONS IN THE SOUTH CHINA SEA.

It is the sense of Congress that—

(1) the United States has a national interest in maintaining freedom of navigation, respect for international law, and unimpeded lawful commerce in the South China Sea;

(2) the United States should condemn any assertion that limits the right to freedom of navigation and overflight; and

(3) the United States should keep to a regular and routine schedule for freedom of navigation operations in the sea and air.

SEC. 1268. SENSE OF CONGRESS ON STRENGTHENING THE DEFENSE OF TAIWAN.

It is the sense of Congress that—

(1) the Taiwan Relations Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) codified the basis for commercial, cultural, and other relations between the United States and Taiwan, and the Six Assurances are an important aspect in guiding bilateral relations;

(2) Section 3(a) of that Act states that ''the United States will make available to Taiwan such defense articles and defense services in such quantity as may be necessary to enable Taiwan to maintain a sufficient self-defense capability'';

(3) the United States, in accordance with such section, should make available and provide timely review of requests for defense articles and defense services that may be necessary for Taiwan to maintain a sufficient self-defense capability;

(4) Taiwan should significantly increase its defense budget to maintain a sufficient self-defense capability;

(5) the United States should support expanded exchanges focused on practical training for Taiwan personnel by and with United States military units, including exchanges between services, to empower senior military officers to identify and develop asymmetric and innovative capabilities that strengthen Taiwan's ability to deter aggression;

(6) the United States should seek opportunities for expanded training and exercises with Taiwan;

(7) the United States should encourage Taiwan's continued investments in asymmetric self-defense capabilities that are mobile, survivable against threatening forces, and able to take full advantage of Taiwan's geography; and

(8) the United States should continue to—

(A) support humanitarian assistance and disaster relief exercises that increase Taiwan's resiliency and ability to respond to and recover from natural disasters; and

(B) recognize Taiwan's already valuable military contributions to such efforts.

SEC. 1269. SENSE OF CONGRESS ON THE ASSOCIATION OF SOUTHEAST ASIAN NATIONS.

(a) FINDING.—Congress finds that 2017 is the 50th anniversary of the formation of the Association of Southeast Asian Nations (ASEAN), which includes Indonesia, Malaysia, the Philippines, Singapore, Thailand, Brunei, Vietnam, Laos, Burma, and Cambodia.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States supports the development of regional institutions and bodies, including the ASEAN Regional Forum, the ASEAN Defense Ministers Meeting Plus, the East Asia Summit, and the expanded ASEAN Maritime Forum, to increase regional cooperation and ensure that disputes are managed without intimidation, coercion, or force;

(2) the United States recognizes ASEAN efforts to promote peace, stability, and prosperity in the region, including the steps taken to highlight the importance of peaceful dispute resolution and the need for adherence to international rules and standards.

(3) United States defense engagement with ASEAN and the ASEAN Defense Ministers Meeting Plus should continue to be forums to discuss shared challenges in the maritime domain and the need for greater information sharing among ASEAN nations; and

(4) the United States welcomes continued work with ASEAN and other regional partners to establish more reliable and routine crisis communication mechanisms.

SEC. 1270. SENSE OF CONGRESS ON REAFFIRMING THE IMPORTANCE OF THE UNITED STATES-AUSTRALIA DEFENSE ALLIANCE.

It is the sense of Congress that—

(1) the United States values its alliance with the Government of Australia, and the shared values and interests between both countries are essential to promoting peace, security, stability, and economic prosperity in the Indo-Asia-Pacific region;

(2) the annual rotations of United States Marine Corps forces to Darwin, Australia and enhanced rotations of United States Air Force aircraft to Australia pave the way for even closer defense and security cooperation;

(3) the Treaty Between the Government of the United States of America and the Government of Australia Concerning Defense Trade Cooperation, done at Sydney, September 5, 2007, should continue to facilitate industry collaboration and innovation to meet shared security challenges and reinforce military ties;

(4) as described by Australian Prime Minister Malcolm Turnbull, North Korea is ''a threat to the peace of the region'' and the United States and Australia should continue to cooperate to defend against the threat of North Korea's nuclear and missile capabilities; and

(5) the United States and Australia also should continue to address the threat of terrorism and strengthen information sharing.

Subtitle H—Other Matters

SEC. 1271. NATO COOPERATIVE CYBER DEFENSE CENTER OF EXCELLENCE.

(a) AUTHORIZATION.—Of the amounts authorized to be appropriated by this Act for fiscal year 2018 for support of North Atlantic Treaty Organization (in this section referred to as ''NATO'') operations, as specified in the funding tables in division D, not more than $5,000,000 may be obligated or expended for the purposes described in subsection (b).

(b) PURPOSES.—The Secretary of Defense shall provide funds for the NATO Cooperative Cyber Defense Center of Excellence (in this section referred to as the ''Center'') to—

(1) enhance the capability, cooperation, and information sharing among NATO, NATO member nations, and partners, with respect to cyber defense and warfare; and

(2) facilitate education, research and development, lessons learned and consultation in cyber defense and warfare.

(c) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the Committees on Armed Services of the House of Representatives and the Senate that the Secretary has assigned executive agent responsibility for the Center to an appropriate organization within the Department of Defense, and detail the steps being undertaken to strengthen the role of the Center in fostering cyber defense and warfare capabilities within NATO.

(d) BRIEFING REQUIREMENT.—The Secretary of Defense shall periodically brief the Committees on Armed Services of the House of Representatives and the Senate on the efforts of the Department of Defense to strengthen the role of the Center in fostering cyber defense and warfare capabilities within NATO.

SEC. 1272. NATO STRATEGIC COMMUNICATIONS CENTER OF EXCELLENCE.

(a) AUTHORIZATION.—Of the amounts authorized to be appropriated by this Act for fiscal year 2018 for support of North Atlantic Treaty Organization (in this section referred to as ''NATO'') operations, as specified in the funding tables in division D, not more than $5,000,000 may be obligated or expended for the purposes described in subsection (b).

(b) PURPOSES.—The Secretary of Defense shall provide funds for the NATO Strategic Communications Center of Excellence (in this section referred to as the ''Center'') to—

(1) enhance the capability, cooperation, and information sharing among NATO, NATO member nations, and partners, with respect to strategic communications and information operations; and

(2) facilitate education, research and development, lessons learned, and consultation in strategic communications and information operations.

(c) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the Committees on Armed Services of the House of Representatives and the Senate that the Secretary has assigned executive agent responsibility for the Center to an appropriate organization within the Department of Defense, and detail the steps being undertaken to strengthen the role of Center in fostering strategic communications and information operations within NATO.

(d) BRIEFING REQUIREMENT.—

(1) IN GENERAL.—The Secretary of Defense shall periodically brief the committees listed in paragraph (2) on the efforts of the Department of Defense to strengthen the role of the Center in fostering strategic communications and information operations within NATO.

(2) COMMITTEES.—The committees listed in this paragraph are 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.

SEC. 1273. SECURITY AND STABILITY STRATEGY FOR SOMALIA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a comprehensive United States strategy to achieve long-term security and stability in Somalia and includes each of the following elements:

(1) A description of United States strategic objectives in Somalia and the benchmarks for assessing progress toward such objectives.

(2) An assessment of the threats posed to Somalia, the broader region, the United States, and partners of the United States, by al-Shabaab and organizations affiliated with the Islamic State of Iraq and the Levant in Somalia, including the origins, strategic aims, tactical methods, funding sources, and leadership of each organization.

(3) A description of the key international and United States governance, diplomatic, development, military, and intelligence resources available to address instability in Somalia.

(4) A plan to improve coordination among, and effectiveness of, United States governance, diplomatic, development, military, and intelligence resources to counter the threat of al-Shabaab and organizations affiliated with the Islamic State of Iraq and the Levant in Somalia.

(5) A description of the role the United States is playing or will play to address political instability and support long-term security and stability in Somalia.

(6) A description of the contributions made by the African Union Mission in Somalia (in this section referred to as ''AMISOM'') to security in Somalia and an assessment of the anticipated duration of support provided to AMISOM by troop contributing countries.

(7) A plan to train the Somali National Army and other Somali security forces, that also includes—

(A) a description of the assistance provided by other countries for such training; and

(B) a description of the efforts to integrate regional militias into the uniformed Somali security forces; and

(C) a description of the security assistance authorities under which any such training would be provided by the United States and the recommendations of the Secretary to address any gaps under such authorities to advise, assist, or accompany the Somali National Army or other Somali security forces within appropriate roles and responsibilities that are not fulfilled by other countries or by international organizations.

(8) A description of the steps the United States, AMISOM, and any forces trained by the United States are taking in Somalia to minimize civilian casualties and other harm to civilians.

(9) Any other matters the President considers appropriate.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate.

SEC. 1274. ASSESSMENT OF GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEM.

(a) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report setting forth an assessment, obtained by the Secretary for purposes of the report, of the effectiveness of measures taken to improve the functionality of the Global Theater Security Cooperation Management Information System (in this section referred to as the ''G-TSCMIS'').

(b) INDEPENDENT ASSESSMENT.—

(1) IN GENERAL.—The assessment obtained for purposes of subsection (a) shall be conducted by a federally funded research and development center (FFRDC), or another appropriate independent entity with expertise in security cooperation programs and activities of the Department of Defense, selected by the Secretary for purposes of the assessment.

(2) USE OF PREVIOUS STUDIES.—The entity conducting the assessment may use and incorporate information from previous studies on matters appropriate to the assessment.

(c) ELEMENTS.—The assessment obtained for purposes of subsection (a) shall include the following:

(1) An assessment of the extent to which security cooperation organizations are entering consistent, full, and accurate information into G-TSCMIS in a timely manner, and the impacts of inconsistent, incomplete, inaccurate, and tardy data entry on the functionality of the G-TSCMIS as a tool for security cooperation planning, resource allocation, and program adjustment.

(2) An assessment of any measures taken by the Department of Defense to ensure the full scope of security cooperation activities are entered into the G-TSCMIS in a timely manner, including any guidance issued or resource allocation determinations.

(3) An assessment of the effectiveness of oversight measures to ensure the full scope of security cooperation activities are entered into the G-TSCMIS in a timely manner.

(4) An assessment of utilization by and functionality for users of the G-TSCMIS across the Department of Defense, including the extent of G-TSCMIS business process reengineering that was conducted to best align needs from the functional community with the capabilities of the information management tool.

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

(d) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

SEC. 1275. FUTURE YEARS PLAN FOR THE EUROPEAN DETERRENCE INITIATIVE.

(a) PLAN REQUIRED.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Commander of the United States European Command, shall submit to the congressional defense committees a future years plan on activities and resources of the European Deterrence Initiative (in this section referred to as the ''EDI'').

(2) APPLICABILITY.—The plan shall apply with respect fiscal year 2018 and at least the four succeeding fiscal years.

(b) MATTERS TO BE INCLUDED.—The plan required under subsection (a) shall include the following:

(1) A description of the objectives of the EDI.

(2) An assessment of resource requirements to achieve the objectives of the EDI.

(3) An assessment of capabilities requirements to achieve the objectives of the EDI.

(4) An assessment of logistics requirements, including force enablers, equipment, supplies, storage, and maintenance requirements, to achieve the objectives of the EDI.

(5) An identification and assessment of required infrastructure investments to achieve the objectives of the EDI, including potential infrastructure investments by host nations and new construction or modernization of existing sites that would be funded by the United States.

(6) An assessment of security cooperation investments required to achieve the objectives of the EDI.

(7) A plan to fully resource United States force posture and capabilities, including—

(A) details regarding the strategy to balance the force structure of the United States forces to source additional permanently stationed United States forces in Europe as a part of any planned growth in end strength and force posture;

(B) the infrastructure capacity of existing locations and their ability to accommodate additional permanently stationed United States forces in Europe;

(C) the potential new locations for additional permanently stationed United States forces in Europe, including an assessment of infrastructure and military construction resources necessary to accommodate additional United States forces in Europe;

(D) a detailed timeline to achieve desired permanent posture requirements;

(E) a reevaluation of sites identified for divestiture but not yet divested under the European Infrastructure Consolidation initiative, accounting for updated military requirements; and

(F) any changes and associated costs incurred with retaining each site identified for divestiture but not yet divested under the European Infrastructure Consolidation initiative, including possible leasing agreements, sustainment, and maintenance.

(c) FORM.—The plan required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) LIMITATIONS.—

(1) GENERAL LIMITATION.—The Secretary of Defense may not take any action to divest any site identified for divestiture but not yet divested under the European Infrastructure Consolidation initiative until the Secretary submits to the congressional defense committees the plan required under subsection (a).

(2) SITE-SPECIFIC LIMITATION.—In the case of a proposed divestiture of a site under the European Infrastructure Consolidation initiative, the Secretary of Defense may not take any action to divest the site unless prior to taking such action, the Secretary certifies to the congressional defense committees that no military requirement for future use of the site is foreseeable.

SEC. 1276. EXTENSION OF AUTHORITY TO ENTER INTO AGREEMENTS WITH PARTICIPATING COUNTRIES IN THE AMERICAN, BRITISH, CANADIAN, AND AUSTRALIAN ARMIES' PROGRAM.

Section 1274(g) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2026; 10 U.S.C. 2350a note) is amended by striking ''five years'' and inserting ''ten years''.

SEC. 1277. SECURITY STRATEGY FOR YEMEN.

(a) REPORT REQUIRED.—Not later than 120 days after the date of enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a security strategy for Yemen.

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

(1) A discussion of the strategy's compliance with applicable legal authorities.

(2) A detailed description of the security environment.

(3) A detailed description of the threats posed by Al Qaeda in the Arabian Peninsula and the Islamic State in Iraq and the Levant–Yemen Province, including the origins, leadership, strategic aims, tactical methods, and resources attributable to each organization.

(4) A detailed description of the threats posed to freedom of navigation through the Bab al Mandab Strait and waters in proximity to Yemen as well as any United States efforts to mitigate those threats.

(5) A discussion of the ends, ways, and means inherent to the strategy.

(6) A discussion of the strategy's objectives regarding counterterrorism and long-term stability in Yemen.

(7) A plan to coordinate the United States diplomatic, development, military, and intelligence resources necessary to implement the strategy.

(8) A detailed description of the roles of the United States Armed Forces in implementing the strategy.

(c) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1278. LIMITATION ON TRANSFER OF EXCESS DEFENSE ARTICLES THAT ARE HIGH MOBILITY MULTI-PURPOSE WHEELED VEHICLES.

(a) LIMITATION.—The President may not transfer excess defense articles that are high mobility multi-purpose wheeled vehicles under the authority of section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) to foreign countries until 30 days after the date on which the Comptroller General of the United States has submitted the report required under subsection (b) to the appropriate congressional committees.

(b) REPORT REQUIRED.—The Comptroller General of the United States shall submit to the appropriate congressional committees a report on all proposed and completed transfers of excess defense articles that are high mobility multi-purpose wheeled vehicles under the authority of section 516 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j) during fiscal years 2012 through 2016. Such report shall include the following:

(1) An assessment of the timing, rigorousness, and procedures used in conducting the analysis of the impact of each such transfer on the national technology and industrial base and, particularly, the impact on opportunities of entities in the national technology and industrial base to sell new or used equipment to the countries to which such articles were to be or were transferred in accordance with section 516(b)(1)(E) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321j(b)(1)(E)).

(2) Any other related matters the Comptroller General determines to be appropriate.

(c) WAIVER.—The President may waive the limitation in subsection (a) with respect to a proposed transfer of excess defense articles if the President—

(1) determines that such transfer is in the national interest of the United States; and

(2) notifies the appropriate congressional committees of such waiver in writing not less than 30 days prior to such transfer.

(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 Affairs of the House of Representatives.

(e) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act and shall apply with respect to letters of offer to transfer excess defense articles that are high mobility multi-purpose wheeled vehicles issued on or after such date of enactment.

SEC. 1279. DEPARTMENT OF DEFENSE PROGRAM TO PROTECT UNITED STATES STUDENTS AGAINST FOREIGN AGENTS.

(a) PROGRAM.—The Secretary of Defense shall develop and implement a program to prepare United States students studying abroad through Department of Defense National Security Education Programs to recognize and protect themselves against recruitment efforts by intelligence agents.

(b) BRIEFING.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall provide to the Committee on Armed Services of the Senate and the Committee on Armed Services of the House of Representatives a briefing on the program required under subsection (a).

SEC. 1280. EXTENSION OF UNITED STATES-ISRAEL ANTI-TUNNEL COOPERATION AUTHORITY.

Section 1279(f) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1079; 22 U.S.C. 8606 note) is amended by striking ''December 31, 2018'' and inserting ''December 31, 2020''.

SEC. 1281. ANTICORRUPTION STRATEGY.

(a) IN GENERAL.—Not later than 120 days after the United States engages in a contingency operation, the Secretary of Defense, the Secretary of State, and the Administrator of the United States Agency for International Development, in consultation with the heads of other relevant Federal agencies, shall jointly develop a strategy to prevent corruption in any reconstruction efforts associated with such operation and submit such strategy to—

(1) the congressional defense committees;

(2) the Committee on Foreign Relations of the Senate; and

(3) the Committee on Foreign Affairs of the House of Representatives.

(b) BENCHMARKS.—The strategy described in subsection (a) shall include measurable benchmarks to be met as a condition for disbursement of any funds for reconstruction efforts associated with such operation.

(c) REPORT.—For the duration of a contingency operation for which the Secretary of Defense has submitted a strategy pursuant to subsection (a), the Secretary shall submit to Congress an annual report evaluating the implementation and effectiveness of such strategy and describing any necessary adjustments to the strategy.

TITLE XIII—COOPERATIVE THREAT REDUCTION

SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT REDUCTION FUNDS.

(a) FISCAL YEAR 2018 COOPERATIVE THREAT REDUCTION FUNDS DEFINED.—In this title, the term ''fiscal year 2018 Cooperative Threat Reduction funds'' means the 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 established under section 1321 of the Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3711).

(b) AVAILABILITY OF FUNDS.—Funds appropriated pursuant to the authorization of appropriations in section 301 and made available by the funding table in division D for the Department of Defense Cooperative Threat Reduction Program shall be available for obligation for fiscal years 2018, 2019, and 2020.

SEC. 1302. FUNDING ALLOCATIONS.

(a) IN GENERAL.—Of the $324,600,000 authorized to be appropriated to the Department of Defense for fiscal year 2018 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, $12,100,000.

(2) For chemical weapons destruction, $5,000,000.

(3) For global nuclear security, $17,900,000.

(4) For cooperative biological engagement, $172,800,000.

(5) For proliferation prevention, $89,800,000.

(6) For activities designated as Other Assessments/Administrative Costs, $27,000,000.

(b) MODIFICATION TO CERTAIN REQUIREMENTS.—The Department of Defense Cooperative Threat Reduction Act (50 U.S.C. 3701 et seq.) is amended as follows:

(1) Section 1321(g)(1) (50 U.S.C. 3711(g)(1)) is amended by striking ''45 days'' and inserting ''15 days''.

(2) Section 1324 (50 U.S.C. 3714) is amended—

(A) in subsection (a)(1)(C), by striking ''45 days'' and inserting ''15 days''; and

(B) in subsection (b)(3), by striking ''45 days'' and inserting ''15 days''.

(3) Section 1335(a) (50 U.S.C. 3735(a)) is amended by striking ''or expended''.

TITLE XIV—OTHER AUTHORIZATIONS

Subtitle A—Military Programs

SEC. 1401. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2018 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 2018 for expenses, not otherwise provided for, for Chemical Agents and Munitions Destruction, Defense, as specified in the funding table in section 4501.

(b) USE.—Amounts authorized to be appropriated under subsection (a) are authorized for—

(1) the destruction of lethal chemical agents and munitions in accordance with section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521); and

(2) the destruction of chemical warfare materiel of the United States that is not covered by section 1412 of such Act.

SEC. 1403. DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2018 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 2018 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 fiscal year 2018 for the Defense Health Program, as specified in the funding table in section 4501, for use of the Armed Forces and other activities and agencies of the Department of Defense in providing for the health of eligible beneficiaries.

SEC. 1406. NATIONAL DEFENSE SEALIFT FUND.

Funds are hereby authorized to be appropriated for fiscal year 2018 for the National Defense Sealift Fund, as specified in the funding table 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 DEMONSTRATION FUND FOR CAPTAIN JAMES A. LOVELL HEALTH CARE CENTER, ILLINOIS.

(a) AUTHORITY FOR TRANSFER OF FUNDS.—Of the funds authorized to be appropriated by section 1405 and available for the Defense Health Program for operation and maintenance, $115,500,000 may be transferred by the Secretary of Defense to the Joint Department of Defense–Department of Veterans Affairs Medical Facility Demonstration Fund established by subsection (a)(1) of section 1704 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat. 2571). For purposes of subsection (a)(2) of such section 1704, any funds so

transferred shall be treated as amounts authorized and appropriated specifically for the purpose of such a transfer.

(b) USE OF TRANSFERRED FUNDS.—For the purposes of subsection (b) of such section 1704, facility operations for which funds transferred under subsection (a) may be used are operations of the Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy 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 2018 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 AND TREATMENT OF CERTAIN AUTHORIZATIONS OF APPROPRIATIONS.

(a) PURPOSE.—The purpose of this subtitle is to authorize appropriations for the Department of Defense for fiscal year 2018 to provide additional funds—

(1) for overseas contingency operations being carried out by the Armed Forces; and

(2) pursuant to sections 1502, 1503, 1504, and 1505 for expenses, not otherwise provided for, for procurement, research, development, test, and evaluation, operation and maintenance, and military personnel, as specified in the funding tables in sections 4103, 4203, 4303, and 4403.

(b) TREATMENT OF FUNDS.— The Director of the Office of Management and Budget shall apportion the funds identified in subsection (a)(2) to the Department of Defense without restriction, limitation, or constraint on the execution of such funds in support of base requirements, including any restriction, limitation, or constraint imposed by, or described in, the document entitled ''Criteria for War/Overseas Contingency Operations Funding Requests'' transmitted by the Director to the Department of Defense on September 9, 2010, or any successor or related guidance.

SEC. 1502. PROCUREMENT.

Funds are hereby authorized to be appropriated for fiscal year 2018 for procurement accounts for the Army, the Navy and the Marine Corps, the Air Force, and Defense-wide activities, as specified in—

(1) the funding table in section 4102; or

(2) the funding table in section 4103.

SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

Funds are hereby authorized to be appropriated for fiscal year 2018 for the use of the Department of Defense for research, development, test, and evaluation, as specified in—

(1) the funding table in section 4202; or

(2) the funding table in section 4203.

SEC. 1504. OPERATION AND MAINTENANCE.

Funds are hereby authorized to be appropriated for fiscal year 2018 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for operation and maintenance, as specified in—

(1) the funding table in section 4302, or

(2) the funding table in section 4303.

SEC. 1505. MILITARY PERSONNEL.

Funds are hereby authorized to be appropriated for fiscal year 2018 for the use of the Armed Forces and other activities and agencies of the Department of Defense for expenses, not otherwise provided for, for military personnel, as specified in—

(1) the funding table in section 4402; or

(2) the funding table in section 4403..

SEC. 1506. WORKING CAPITAL FUNDS.

Funds are hereby authorized to be appropriated for fiscal year 2018 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 INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE-WIDE.

Funds are hereby authorized to be appropriated for the Department of Defense for fiscal year 2018 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 the Department of Defense for fiscal year 2018 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 2018 for expenses, not otherwise provided for, for the Defense Health Program, as specified in the funding table in section 4502.

Subtitle B—Financial Matters

SEC. 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 2018 between any such authorizations for that fiscal year (or any subdivisions thereof).

(2) EFFECT OF TRANSFER.—Amounts of authorizations transferred under this subsection shall be merged with and be available for the same purposes as the authorization to which transferred.

(3) LIMITATIONS.—The total amount of authorizations that the Secretary may transfer under the authority of this subsection may not exceed $2,500,000,000.

(4) EXCEPTION.—In the case of the authorizations of appropriations contained in sections 1502, 1503, 1504, and 1505 that are provided for the purpose specified in section 1501(2), the transfer authority provided under section 1001, rather than the transfer authority provided by this subsection, shall apply to any transfer of amounts of such authorizations.

(b) TERMS AND CONDITIONS.—Transfers under this section shall be subject to the same terms and conditions as transfers under section 1001.

(c) ADDITIONAL AUTHORITY.—The transfer authority provided by this section is in addition to the transfer authority provided under section 1001.

Subtitle C—Limitations, Reports, and Other Matters

SEC. 1521. AFGHANISTAN SECURITY FORCES FUND.

(a) CONTINUATION OF PRIOR AUTHORITIES AND NOTICE AND REPORTING REQUIREMENTS.—Funds available to the Department of Defense for the Afghanistan Security Forces Fund for fiscal year 2018 shall be subject to the conditions contained in subsections (b) through (g) of section 1513 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as amended by section 1531(b) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 124 Stat. 4424).

(b) EQUIPMENT DISPOSITION.—

(1) ACCEPTANCE OF CERTAIN EQUIPMENT.—Subject to paragraph (2), the Secretary of Defense may accept equipment that is procured using amounts in the Afghanistan Security Forces Fund authorized under this Act and is intended for transfer to the security forces of Afghanistan, but is not accepted by such security forces.

(2) CONDITIONS ON ACCEPTANCE OF EQUIPMENT.—Before accepting any equipment under the authority provided by paragraph (1), the Commander of United States forces in Afghanistan shall make a determination that the equipment was procured for the purpose of meeting requirements of the security forces of Afghanistan, as agreed to by both the Government of Afghanistan and the United States, but is no longer required by such security forces or was damaged before transfer to such security forces.

(3) ELEMENTS OF DETERMINATION.—In making a determination under paragraph (2) regarding equipment, the Commander of United States forces in Afghanistan shall consider alternatives to Secretary of Defense acceptance of the equipment. An explanation of each determination, including the basis for the determination and the alternatives considered, shall be included in the relevant quarterly report required under paragraph (5).

(4) TREATMENT AS DEPARTMENT OF DEFENSE STOCKS.—Equipment accepted under the authority provided by paragraph (1) may be treated as stocks of the Department of Defense upon notification to the congressional defense committees of such treatment.

(5) QUARTERLY REPORTS ON EQUIPMENT DISPOSITION.—Not later than 90 days after the date of the enactment of this Act and every 90-day period thereafter during which the authority provided by paragraph (1) is exercised, the Secretary of Defense shall submit to the congressional defense committees a report describing the equipment accepted under this subsection, section 1531(d) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 938; 10 U.S.C. 2302 note), section 1532(b) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3612), section 1531(b) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1088), and section 1521(b) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) during the period covered by the report. Each report shall include a list of all equipment that was accepted during the period covered by the report and treated as stocks of the Department and copies of the determinations made under paragraph (2), as required by paragraph (3).

(c) ALLOCATION OF FUNDS.—

(1) IN GENERAL.—Of the funds available to the Department of Defense for the Afghan Security Forces Fund for fiscal year 2018, it is the goal that $41,000,000 shall be used for—

(A) the recruitment, integration, retention, training, and treatment of women in the Afghan National 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 women into the Afghan National Security Forces, including the special operations forces;

(B) programs and activities of the Afghan Ministry of Defense Directorate of Human Rights and Gender Integration and the Afghan Ministry of Interior Office of Human Rights, Gender and Child Rights;

(C) development and dissemination of gender and human rights educational and training materials and programs within the Afghan Ministry of Defense and the Afghan Ministry of Interior;

(D) efforts to address harassment and violence against women within the Afghan National Security Forces;

(E) improvements to infrastructure that address the requirements of women serving in the Afghan National Security Forces, including appropriate equipment for female security and police forces, and transportation for policewomen to their station;

(F) support for Afghanistan National Police Family Response Units; and

(G) security provisions for high-profile female police and army officers.

(d) ASSESSMENT OF AFGHANISTAN PROGRESS ON SECURITY OBJECTIVES.—

(1) ASSESSMENT REQUIRED.—Not later than June 1, 2018, the Secretary of Defense, in consultation with the Secretary of State, shall submit 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 an assessment describing the progress of the government of the Islamic Republic of Afghanistan toward meeting shared security objectives. In conducting such assessment the Secretary shall consider each of the following:

(A) The extent to which the government of Afghanistan has taken steps toward increased accountability and reducing corruption within the Ministries of Defense and Interior.

(B) The extent to which the capability and capacity of the Afghan National Defense and Security Forces have improved as a result of Afghan Security Forces Fund investment, including through training.

(C) The extent to which the Afghan National Defense and Security Forces have been able to increase pressure on the Taliban, al-Qaeda, the Haqqani network, and other terrorist organizations, including by re-taking territory, defending territory, and disrupting attacks.

(D) Whether or not the government of Afghanistan is ensuring that supplies, equipment, and weaponry supplied by the United States are appropriately distributed to security forces charged with fighting the Taliban and other terrorist organizations.

(E) Such other factors as the Secretaries consider appropriate.

(2) WITHHOLDING OF ASSISTANCE FOR INSUFFICIENT PROGRESS.—

(A) IN GENERAL.—If the Secretary of Defense, in consultation with the Secretary of State, determines pursuant to the assessment under paragraph (1) that the government of Afghanistan has made insufficient progress, the Secretary of Defense may withhold assistance for the Afghan National Defense and Security Forces until such time as the Secretary determines sufficient progress has been made.

(B) NOTICE TO CONGRESS.—If the Secretary of Defense withholds assistance under subparagraph (A), the Secretary, in consultation with the Secretary of State, shall provide notice to Congress not later than 30 days after making the decision to withhold such assistance.

SEC. 1522. JOINT IMPROVISED-THREAT DEFEAT FUND.

(a) USE AND TRANSFER OF FUNDS.—Subsections (b) and (c) of section 1514 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2439), as in effect before the amendments made by section 1503 of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110-417; 122 Stat. 4649), shall apply to the funds made available for fiscal year 2018 to the Department of Defense for the Joint Improvised-Threat Defeat Fund.

(b) INTERDICTION OF IMPROVISED EXPLOSIVE DEVICE PRECURSOR CHEMICALS.—

(1) AVAILABILITY OF FUNDS.—Of the funds made available to the Department of Defense for the Joint Improvised-Threat Defeat Fund for fiscal year 2018, $15,000,000 may be available to the Secretary of Defense, with the concurrence of the Secretary of State, to provide training, equipment, supplies, and services to ministries and other entities of foreign governments that the Secretary has identified as critical for countering the flow of improvised explosive device precursor chemicals.

(2) PROVISION THROUGH OTHER US AGENCIES.—If jointly agreed upon by the Secretary of Defense and the head of another department or agency of the United States Government, the Secretary of Defense may transfer funds available under paragraph (1) to such department or agency for the provision by such department or agency of training, equipment, supplies, and services to ministries and other entities of foreign governments as described in that paragraph.

(3) NOTICE TO CONGRESS.—None of the funds made available pursuant to paragraph (1) may be obligated or expended to supply training, equipment, supplies, or services to a foreign country before the date that is 15 days after the date on which the Secretary of Defense, in coordination with the Secretary of State, submits to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a notice that contains—

(A) the foreign country for which training, equipment, supplies, or services are proposed to be supplied;

(B) a description of the training, equipment, supplies, and services to be provided using such funds;

(C) a detailed description of the amount of funds proposed to be obligated or expended to supply such training, equipment, supplies or services, including any funds proposed to be obligated or expended to support the participation of another department or agency of the United States and a description of the training, equipment, supplies, or services proposed to be supplied;

(D) an evaluation of the effectiveness of the efforts of the foreign country identified under subparagraph (A) to counter the flow of improvised explosive device precursor chemicals; and

(E) an overall plan for countering the flow of precursor chemicals in the foreign country identified under subparagraph (A).

(4) EXPIRATION.—The authority provided by this subsection expires on December 31, 2018.

TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE MATTERS

Subtitle A—Management and Organization of Space Programs

SEC. 1601. ESTABLISHMENT OF SPACE CORPS IN THE DEPARTMENT OF THE AIR FORCE.

(a) CERTIFICATION.—Not later than January 1, 2019, the Secretary of the Air Force shall certify to the congressional defense committees that the Space Corps under chapter 809 of title 10, United States Code, as added by subsection (b), is established.

(b) ESTABLISHMENT.—

(1) IN GENERAL.—Part I of subtitle D of title 10, United States Code, is amended by adding at the end the following new chapter:

"CHAPTER 809—SPACE CORPS

"Subchapter	***Sec.***
"I. General Matters	***8091***
"II. Organization	***8096***

"SUBCHAPTER I—GENERAL MATTERS

"Sec.
"8091. Establishment.
"8092. Authorities and Responsibilities.
"8093. Research and development and procurement of satellites and terminals.
"8094. Space functions of other elements of Department of Defense.

"§ 8091. Establishment

"(a) ESTABLISHMENT.—Not later than January 1, 2019, the Secretary of Defense shall establish in the executive part of the Department of the Air Force a Space Corps. The function of the Space Corps shall be to assist the Secretary of the Air Force in carrying out the duties described in subsection (c).

"(b) COMPOSITION.—The Space Corps shall be composed of the following:

"(1) The Chief of Staff of the Space Corps.

"(2) Such other offices and officials as may be established by law or as the Secretary of the Air Force, in consultation with the Chief of Staff of the Space Corps, may establish or designate.

"(c) DUTIES.—Except as otherwise specifically prescribed by law, the Space Corps shall be organized in such manner, and the members of the Space Corps shall perform, such duties and have such titles, as the Secretary may prescribe. Such duties shall include—

"(1) protecting the interests of the United States in space;

"(2) deterring aggression in, from, and through space;

"(3) providing combat-ready space forces that enable the commanders of the combatant commands to fight and win wars;

"(4) organizing, training, and equipping space forces; and

"(5) conducting space operations of the Space Corps under the command of the Commander of the United States Space Command.

"§ 8092. Authorities and responsibilities

"(a) PROFESSIONAL ASSISTANCE.—The Chief of Staff of the Space Corps shall furnish professional assistance to the Secretary, the Under Secretary, and the Assistant Secretaries of the Air Force.

"(b) AUTHORITIES.—Under the authority, direction, and control of the Secretary of the Air Force, the Chief of Staff of the Space Corps, shall—

"(1) subject to subsections (c) and (d) of section 8014 of this title, prepare for such employment of the Space Corps, and for such recruiting, organizing, supplying, equipping (including research and development), training, servicing, mobilizing, demobilizing, administering, and maintaining of the Space Corps, as will assist in the execution of any power, duty, or function of the Secretary or the Chief of Staff;

"(2) investigate and report upon the efficiency of the Space Corps and its preparation to support military operations by commanders of the combatant commands;

"(3) prepare detailed instructions for the execution of approved plans and supervise the execution of those plans and instructions;

"(4) as directed by the Secretary, coordinate the action of organizations of the Space Corps; and

"(5) perform such other duties, not otherwise assigned by law, as may be prescribed by the Secretary.

"(c) FUNCTIONS.—To the extent practicable, the Secretary shall provide to the Space Corps the functions of the Department of the Air Force that may be feasibly shared with the Space Corps, including with respect to the United States Air Force Academy, recruitment, and basic training.

"§ 8093. Research and development and procurement of satellites and terminals

"(a) RESEARCH AND DEVELOPMENT.—The Secretary of the Air Force shall serve as the primary agent of the Department of Defense with respect to the research, development, test, and evaluation of satellites and user satellite terminals used by the Air Force, the Space Corps, and the Defense Agencies (except as otherwise provided by section 8094 of this title).

"(b) PROCUREMENT.—The Secretary shall serve as the primary agent of the Department of Defense with respect to the procurement of satellites and user satellite terminals used by the military departments and the Defense Agencies (except as otherwise provided by section 8094 of this title).

"(c) MILESTONE DECISION AUTHORITY.—(1) Notwithstanding any other provision of law,

and except as provided in paragraph (2), the Secretary shall serve as the milestone decision authority (as defined in section 2366a of this title) for major defense acquisition programs or major subprograms relating to space.

''(2) The Secretary may not serve as the milestone decision authority for the user satellite terminal programs of—

''(A) the military departments other than the Air Force and the Space Corps; and

''(B) the Defense Agencies specified in section 8094(c)(1) of this title.

''(d) REQUIREMENTS.—The Chief of Staff of the Space Corps shall develop the requirements for the satellites and user satellite terminals for which the Secretary has the authority for research, development, test, and evaluation, procurement, and milestone decisions pursuant to this section.

''§ 8094. Space functions of other elements of Department of Defense

''(a) MILITARY DEPARTMENTS.—Nothing in this chapter shall affect the authority of each Secretary concerned to—

''(1) carry out the research, development, test, and evaluation of satellites and user satellite terminals of the military department of the Secretary concerned;

''(2) operate such terminals; and

''(3) develop requirements to ensure that the space programs of the Department of Defense support the mission of the Secretary concerned.

''(b) CERTAIN DEFENSE AGENCIES.—Nothing in this chapter shall affect the authority of each Director concerned to—

''(1) carry out the research, development, test, and evaluation and procurement of satellites and user satellite terminals of the Defense Agency of the Director concerned;

''(2) operate such terminals; and

''(3) develop requirements to ensure that the space programs of the Department of Defense support the mission of the Director concerned.

''(c) DEFINITIONS.—In this section:

''(1) The term 'Director concerned' means—

''(A) the Director of the National Reconnaissance Office, with respect to matters concerning the National Reconnaissance Office; and

''(B) the Director of the National Geospatial-Intelligence Agency, with respect to matters concerning the National Geospatial-Intelligence Agency.

''(2) The term 'Secretary concerned' means—

''(A) the Secretary of the Army, with respect to matters concerning the Army; and

''(B) the Secretary of the Navy, with respect to matters concerning the Navy, the Marine Corps, and the Coast Guard when it is operating as a service in the Department of the Navy.

''SUBCHAPTER II—ORGANIZATION

''Sec.

''8096. Chief of Staff of the Space Corps.

''§ 8096. Chief of Staff of the Space Corps

''(a) APPOINTMENT.—(1) There shall be a Chief of Staff of the Space Corps, appointed by the President, by and with the advice and consent of the Senate. The Chief of Staff shall serve at the pleasure of the President.

''(2) The Chief of Staff shall be appointed for a term of six years. In time of war or during a national emergency declared by Congress, the Chief of Staff may be reappointed for a term of not more than six years.

''(3)(A) The first Chief of Staff appointed after the date of the enactment of this section shall be appointed from the general officers of the Air Force. The President may appoint the incumbent Commander of the Air Force Space Command as the first such Chief of Staff without regard to the requirement in paragraph (1) for the advice and consent of the Senate.

''(B) Each subsequent Chief of Staff shall be appointed from the general officers of the Space Corps.

''(4) The President may appoint an officer as Chief of Staff only if—

''(A) the officer has had significant experience in joint duty assignments; and

''(B) such experience includes at least one full tour of duty in a joint duty assignment (as defined in section 664(d) of this title) as a general officer.

''(5) The President may waive paragraph (4) in the case of an officer if the President determines such action is necessary in the national interest.

''(b) GRADE.—The Chief of Staff of the Space Corps, while so serving, has the grade of general without vacating the permanent grade of the officer.

''(c) REPORTING.—Except as otherwise prescribed by law and subject to section 8013(f) of this title, the Chief of Staff of the Space Corps 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.

''(d) DUTIES.—Subject to the authority, direction, and control of the Secretary of the Air Force, the Chief of Staff of the Space Corps shall—

''(1) preside over the Space Corps;

''(2) transmit the plans and recommendations of the Space Corps to the Secretary and advise the Secretary with regard to such plans and recommendations;

''(3) after approval of the plans or recommendations of the Space Corps by the Secretary, act as the agent of the Secretary in carrying them into effect;

''(4) 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 and the Air Force as the Secretary determines;

''(5) perform the duties prescribed for the Chief of Staff by sections 171 and 2547 of this title and other provisions of law; and

''(6) perform such other military duties, not otherwise assigned by law, as are assigned to the Chief of Staff by the President, the Secretary of Defense, or the Secretary of the Air Force.

''(e) JOINT CHIEFS OF STAFF.—(1) The Chief of Staff of the Space Corps shall also perform the duties prescribed for the Chief of Staff as a member 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 Chief of Staff in the performance of the duties of the Chief of Staff as a member of the Joint Chiefs of Staff, the Chief of Staff shall inform the Secretary 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 Chief of Staff shall keep the Secretary of the Air Force fully informed of significant military operations affecting the duties and responsibilities of the Secretary.''.

(2) CLERICAL AMENDMENTS.—The table of chapters at the beginning of subtitle D of title 10, United States Code, and at the beginning of part I of such subtitle, are each amended by inserting after the item relating to chapter 807 the following new item:

''809. Space Corps ..... 8091.''.

(c) JOINT CHIEFS OF STAFF.—Chapter 5 of title 10, United States Code, is amended as follows:

(1) In section 151(a), by adding at the end the following new paragraph:

''(8) The Chief of Staff of the Space Corps.''.

(2) In section 152(b)(1)(B), by striking ''or the Commandant of the Marine Corps'' and inserting ''the Commandant of the Marine Corps, or the Chief of Staff of the Space Corps''.

(d) ARMED FORCES POLICY COUNCIL.—Section 171 of title 10, United States Code, is amended—

(1) in paragraph (12), by striking ''; and'';

(2) in paragraph (13), by striking the period at the end and inserting ''; and''; and

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

''(14) the Chief of Staff of the Space Corps.''.

(e) CHIEF OF SERVICE.—Section 1406(i)(3)(A) of title 10, United States Code, is amended by adding at the end the following new clause:

''(vi) Chief of Staff of the Space Corps.''.

(f) ACQUISITION-RELATED FUNCTIONS OF CHIEFS OF THE ARMED FORCES.—Section 2547(a) of title 10, United States Code, is amended by striking ''and the Commandant of the Marine Corps'' and inserting ''the Commandant of the Marine Corps, and the Chief of Staff of the Space Corps''.

(g) SUCCESSORS TO DUTIES.—Section 8017 of title 10, United States Code, is amended by striking paragraph (4) and inserting the following:

''(4) The Chief of Staff of the Air Force.

''(5) The Chief of Staff of the Space Corps.''.

(h) TERMINATION OF PRINCIPAL DEPARTMENT OF DEFENSE SPACE ADVISOR AND DEFENSE SPACE COUNCIL.—Effective on the date on which the Space Corps is established under section 8091 of title 10, United States Code, as added by subsection (a)(1)—

(1) the position, and the office of, the Principal Department of Defense Space Advisor (previously known as the Department of Defense Executive Agent for Space) shall be terminated;

(2) the personnel of such office shall be transferred to the Air Force and to the Space Corps, as determined appropriate by the Secretary of Defense;

(3) any reference in Federal law, regulations, guidance, instructions, or other documents of the Federal Government to the Principal Department of Defense Space Advisor or the Department of Defense Executive Agent for Space shall be deemed to be a reference to the Secretary of the Air Force or the Chief of Staff of the Space Corps, as appropriate; and

(4) the Defense Space Council shall be terminated.

(i) MILITARY INSTALLATIONS.—Nothing in this section, or the amendments made by this section, shall be construed to authorize or require the relocation of any facility, infrastructure, or military installation of the Air Force.

(j) REPORTS.—

(1) INTERIM REPORT.—Not later than March 1, 2018, the Secretary of Defense shall submit to the congressional defense committees an interim report on the Space Corps established under chapter 809 of title 10, United States Code, as added by subsection (a)(1), that includes—

(A) a review of the organizational and management structure of the Space Corps; and

(B) recommendations for the modification and improvement of such organizational and management structure.

(2) FINAL REPORT.—Not later than August 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a final report on the Space Corps that includes—

(A) an update of the review and recommendations described in paragraph (1), including recommendations for any necessary revisions to appointments and qualifications, duties and powers, and precedent in the Department of Defense;

(B) recommendations for the appropriate sharing of functions between the Air Force and the Space Corps, including functions with respect to personnel matters and uniforms;

(C) a plan for implementing the recommendations described in subparagraphs (A) and (B), which shall include proposed legislative and administrative actions, including conforming and other amendments to law, that the Secretary determines to be appropriate for carrying out such plan;

(D) the estimated number of general officers of the Space Corps, including an identification of the current positions of such general officers that will be transferred to the Space Corps and whether the Secretary determines it necessary for the number of general officers authorized in chapter 32 of title 10, United States Code, to be increased; and

(E) any other matters that the Secretary determines to be appropriate.

SEC. 1602. ESTABLISHMENT OF SUBORDINATE UNIFIED COMMAND OF THE UNITED STATES STRATEGIC COMMAND.

(a) SUBORDINATE UNIFIED COMMAND.—Not later than January 1, 2019, the Secretary of Defense shall establish a subordinate unified command to be known as the United States Space Command under the United States Strategic Command.

(b) COMMANDER.—The Commander of the United States Space Command shall hold the grade of general or, in the case of an officer of the Navy, admiral while serving in that position, without vacating the permanent grade of the officer. The Commander shall be appointed to that grade by the President, by and with the advice and consent of the Senate, for service in that position.

(c) COMMAND OF JOINT SPACE ACTIVITY OR MISSIONS.—Unless otherwise directed by the President or the Secretary of Defense, the Commander of the United States Space Command shall exercise command of joint space activities or missions.

(d) JOINTLY STAFFED.—The United States Space Command shall be jointly staffed.

Subtitle B—Space Activities

SEC. 1611. CODIFICATION, EXTENSION, AND MODIFICATION OF LIMITATION ON CONSTRUCTION ON UNITED STATES TERRITORY OF SATELLITE POSITIONING GROUND MONITORING STATIONS OF FOREIGN GOVERNMENTS.

(a) CODIFICATION, EXTENSION, AND MODIFICATION.—Chapter 135 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2279c. Limitation on construction on United States territory of satellite positioning ground monitoring stations of certain foreign governments.

''(b) EXCEPTION.—The limitation in subsection (a) shall not apply to foreign governments that are allies of the United States.

''(c) SUNSET.—The limitation in subsection (a) shall terminate on December 31, 2023.''.

(b) TRANSFER OF PROVISION.—Subsection (b) of section 1602 of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2281 note) is—

(1) transferred to section 2279c of title 10, United States Code, as added by subsection (a);

(2) inserted as the first subsection of such section;

(3) redesignated as subsection (a); and

(4) amended—

(A) by amending the subsection heading to read as follows: ''LIMITATION''; and

(B) by striking paragraph (6).

SEC. 1612. FOREIGN COMMERCIAL SATELLITE SERVICES: CYBERSECURITY THREATS AND LAUNCHES.

(a) CYBERSECURITY RISKS.—Subsection (a) of section 2279 of title 10, United States Code, is amended—

(1) in paragraph (1), by striking ''; or'' and inserting a semicolon;

(2) in paragraph (2), by striking the period at the end and inserting: ''; or''; and

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

''(3) entering into such contract would create a cybersecurity risk for the Department of Defense.''.

(b) LAUNCHES.—

(1) IN GENERAL.—Such section is amended—

(A) by redesignating subsections (b) through (e) as subsections (c) through (f), respectively; and

(B) by inserting after subsection (a) the following new subsection (b):

''(b) LAUNCHES AND MANUFACTURERS.—

''(1) LIMITATION.—In addition to the prohibition in subsection (a), and except as provided in subsection (c), the Secretary may not enter into a contract for satellite services with any entity if the Secretary reasonably believes that such satellite services will be provided using satellites that will be—

''(A) designed or manufactured in a covered foreign country, or by an entity controlled in whole or in part by, or acting on behalf of, the government of a covered foreign country; or

''(B) launched using a launch vehicle that is designed or manufactured in a covered foreign country, or that is provided by the government of a covered foreign country or by an entity controlled in whole or in part by, or acting on behalf of, the government of a covered foreign country, regardless of the location of the launch (unless such location is in the United States).

''(2) UNITED STATES LAUNCHES.—The limitation in paragraph (1) shall not—

''(A) apply to launches in the United States using launch vehicles with engines designed or manufactured in or provided by any entity of the Russian Federation; or

''(B) affect any other provision of law authorizing the use of Russian rocket engines within a United States launch vehicle.

''(3) LAUNCH VEHICLE DEFINED.—In this subsection, the term 'launch vehicle' means a fully integrated space launch vehicle.''.

(2) EXCEPTION.—The prohibition in subsection (b) of section 2279 of title 10, United States Code, as added by paragraph (1), shall not apply with respect to—

(A) a launch that occurred prior to the date that is six months after the date of the enactment of this Act; or

(B) a contract or other agreement relating to launch services that, prior to the date that is six months after the date of the enactment of this Act, was either fully paid for by the contractor or covered by a legally binding commitment of the contractor to pay for such services.

(c) DEFINITIONS.—Subsection (f) of section 2279 of title 10, United States Code, as redesignated by subsection (b)(1)(A), is amended to read as follows:

''(f) DEFINITIONS.—In this section:

''(1) The term 'covered foreign country' means any of the following:

''(A) A country described in section 1261(c)(2) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2019).

''(B) The Russian Federation.

''(2) The term 'cybersecurity risk' means threats to and vulnerabilities of information or information systems and any related consequences caused by or resulting from unauthorized access, use, disclosure, degradation, disruption, modification, or destruction of such information or information systems, including such related consequences caused by an act of terrorism.''.

(d) CONFORMING AND CLERICAL AMENDMENTS.—

(1) CONFORMING AMENDMENTS.—Such section 2279 is further amended—

*(A) in the section heading, by striking ''services'' and inserting ''**services and foreign launches**'';*

(B) by striking ''subsection (b)'' each place it appears and inserting ''subsection (c)'';

(C) in subsection (a)(2), by striking ''launch or other'';

(D) in subsection (c), as redesignated by subsection (b)(1), by striking ''prohibition in subsection (a)'' and inserting ''prohibitions in subsection (a) and (b)''; and

(E) in subsection (d), as so redesignated, by striking ''prohibition under subsection (a)'' and inserting ''prohibition under subsection (a) or (b)''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 135 of title 10, United States Code, is amended by striking the item relating to section 2279 and inserting the following:

''2279. Foreign commercial satellite services and foreign launches.''.

(e) APPLICATION.—Except as provided by subsection (b)(2), the amendments made by this section shall apply with respect to contracts for satellite services awarded by the Secretary of Defense on or after the date of the enactment of this Act.

SEC. 1613. EXTENSION OF PILOT PROGRAM ON COMMERCIAL WEATHER DATA.

Section 1613 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

(1) in subsection (b), by striking ''one year'' and inserting ''two years'';

(2) in subsection (c)—

(A) by striking ''Committees on Armed Services of the House of Representatives and the Senate'' each place it appears and inserting ''appropriate congressional committees''; and

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

''(3) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term 'appropriate congressional committees' means—

''(A) the Committees on Armed Services of the Senate and the House of Representatives; and

''(B) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.''.

SEC. 1614. CONDITIONAL TRANSFER OF ACQUISITION AND FUNDING AUTHORITY OF CERTAIN WEATHER MISSIONS TO NATIONAL RECONNAISSANCE OFFICE.

Section 1614 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

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

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

''(d) IMPLEMENTATION OF PLANS.—The Secretary of the Air Force shall implement the plan developed under paragraph (1) of subsection (b), and the Director of the National Reconnaissance Office shall implement the plan developed under paragraph (2) of such subsection, unless the Secretary and the Director each make a waiver under subsection (c).''.

SEC. 1615. EVOLVED EXPENDABLE LAUNCH VEHICLE MODERNIZATION AND SUSTAINMENT OF ASSURED ACCESS TO SPACE.

(a) DEVELOPMENT.—

(1) EVOLVED EXPENDABLE LAUNCH VEHICLE.—Using funds described in paragraph (3), the Secretary of Defense may only obligate or expend funds to carry out the evolved expendable launch vehicle program to—

(A) develop a domestic rocket propulsion system to replace non-allied space launch engines;

(B) develop the necessary interfaces to, or integration of, such domestic rocket propulsion system with an existing or new launch vehicle;

(C) develop capabilities necessary to enable commercially available space launch vehicles or infrastructure to meet any requirements that are unique to national security space missions to meet the assured access to space requirements pursuant to section 2273 of title 10, United States Code, with respect to only—

(i) modifications to such vehicles required for national security space missions, including—

(I) certification and compliance of such vehicles for use in national security space missions;

(II) fairings necessary for the launch of national security space payloads to orbit; and

(III) other upgrades to meet performance, reliability, and orbital requirements that cannot otherwise be met through the use of commercially available launch vehicles; and

(ii) the development of infrastructure unique to national security space missions, such as infrastructure for the use of heavy launch vehicles, including—

(I) facilities and equipment for the vertical integration of payloads;

(II) secure facilities for the processing of classified payloads; and

(III) other facilities and equipment, including ground systems and expanded capabilities, unique to national security space launches and the launch of national security payloads;

(D) conduct activities to modernize and improve existing certified launch vehicles, or existing launch vehicles previously contracted for use by the Air Force, including restarting a dormant supply chain, and infrastructure to increase the cost effectiveness of the launch system;

(E) certify new, modified, or existing launch vehicle systems; or

(F) develop, design, and integrate parts for new launch vehicle systems to the extent such parts are developed primarily for national security use.

(2) PROHIBITION.—Except as provided in this section, none of the funds described in paragraph (3) shall be obligated or expended for the evolved expendable launch vehicle program, including the development of new launch vehicles under such program.

(3) FUNDS DESCRIBED.—The funds described in this paragraph are the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Air Force, for the evolved expendable launch vehicle program.

(b) OTHER AUTHORITIES.—Nothing in this section shall affect or prohibit the Secretary from procuring launch services of evolved expendable launch vehicle launch systems, including with respect to any associated operation and maintenance of capabilities and infrastructure relating to such systems.

(c) NOTIFICATION.—Not later than 30 days before any date on which the Secretary publishes a draft or final request for proposals, or obligates funds, for the development under subsection (a)(1), the Secretary shall notify the congressional defense committees of such proposed draft or final request for proposals or proposed obligation, as the case may be. If such proposed draft or final request for proposals or proposed obligation relates to intelligence requirements, the Secretary shall also notify the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(d) ASSESSMENT.—Not later than 120 days after the date of the enactment of this Act, the Secretary, in coordination with the Director of Cost Assessment and Program Evaluation, shall submit to the congressional defense committees, the Permanent Select Committee on Intelligence of the House of Representatives, and the Select Committee on Intelligence of the Senate a report containing an assessment of the most cost-effective method to meet the assured access to space requirements pursuant to section 2273 of title 10, United States Code, with respect to each of the following periods:

(1) The five-year period beginning on the date of the report.

(2) The 10-year period beginning on the date of the report.

(3) The period consisting of the full lifecycle of the evolved expendable launch vehicle program.

(e) ROCKET PROPULSION SYSTEM DEFINED.—In this section, the term ''rocket propulsion system'' means, with respect to the development authorized by subsection (a)(1), a main booster, first-stage rocket engine (including such an engine using kerosene or methane-based or other propellant) or motor. The term does not include a launch vehicle, an upper stage, a strap-on motor, or related infrastructure.

SEC. 1616. COMMERCIAL SATELLITE COMMUNICATIONS PATHFINDER PROGRAM.

(a) SENSE OF CONGRESS.—It is the Sense of Congress that the Secretary of the Air Force should—

(1) use the acquisition authority under the pathfinder program to acquire, from commercial providers, satellite bandwidth, ground services, and advanced services; and

(2) use the transaction authority provided by section 2371 of title 10, United States Code, to make a portion of such acquisitions.

(b) REPORT.—Not later than March 1, 2018, the Secretary of the Air Force shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report that includes the views and plans of the Secretary with respect to making a portion of the acquisitions described in subsection (a)(1) using the transaction authority provided by section 2371 of title 10, United States Code.

(c) DEFINITION.—In this section, the term ''pathfinder program'' means the commercial satellite communications programs of the Air Force designed to demonstrate the feasibility of new, alternative acquisition and procurement models for commercial satellite communications.

SEC. 1617. DEMONSTRATION OF BACKUP AND COMPLEMENTARY POSITIONING, NAVIGATION, AND TIMING CAPABILITIES OF GLOBAL POSITIONING SYSTEM.

(a) PLAN.—During fiscal year 2018, the Secretary of Defense, the Secretary of Transportation, and the Secretary of Homeland Security (referred to in this section as the ''Secretaries'') shall jointly develop a plan for carrying out a backup GPS capability demonstration. The plan shall—

(1) be based on the results of the study conducted under section 1618 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2595); and

(2) include the activities that the Secretaries determine necessary to carry out such demonstration.

(b) BRIEFING.—Not later than 120 days after the date of the enactment of this Act, the Secretaries shall provide to the appropriate congressional committees a briefing on the plan developed under subsection (a). The briefing shall include—

(1) identification of the sectors that would be expected to participate in the backup GPS capability demonstration described in the plan;

(2) an estimate of the costs of implementing the demonstration in each sector identified in paragraph (1); and

(3) an explanation of the extent to which the demonstration may be carried out with the funds appropriated for such purpose.

(c) IMPLEMENTATION.—

(1) IN GENERAL.—Subject to the availability of appropriations and beginning not earlier than the day after the date on which the briefing is provided under subsection (b), the Secretaries shall jointly initiate the backup GPS capability demonstration to the extent described under subsection (b)(3).

(2) TERMINATION.—The authority to carry out the backup GPS capability demonstration under paragraph (1) shall terminate on the date that is 18 months after the date of the enactment of this Act.

(d) REPORT.—Not later than 18 months after the date of the enactment of this Act, the Secretaries shall submit to the appropriate congressional committees a report on the backup GPS capability demonstration carried out under subsection (c) that includes—

(1) a description of the opportunities and challenges learned from such demonstration; and

(2) a description of the next actions the Secretaries determine appropriate to backup and complement the positioning, navigation, and timing capabilities of the Global Positioning System for national security and critical infrastructure, including, at a minimum, the timeline and funding required to issue a request for proposals for such capabilities.

(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section for fiscal year 2018 not more than $10,000,000 for the Department of Defense, as specified in the funding tables in division D.

(f) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees;

(B) the Committee on Science, Space, and Technology, the Committee on Transportation and Infrastructure, and the Committee on Homeland Security of the House of Representatives; and

(C) the Committee on Commerce, Science, and Transportation and the Committee on Homeland Security and Governmental Affairs of the Senate.

(2) The term ''backup GPS capability demonstration'' means a proof-of-concept demonstration of capabilities to backup and complement the positioning, navigation, and timing capabilities of the Global Positioning System for national security and critical infrastructure.

SEC. 1618. ENHANCEMENT OF POSITIONING, NAVIGATION, AND TIMING CAPACITY.

(a) PLAN.—The Secretary of Defense shall develop and implement a plan to increase the positioning, navigation, and timing capacity of the Department of Defense to provide resilience to the positioning, navigation, and timing capabilities of the Department. Such plan shall—

(1) ensure that military Global Positioning System user equipment terminals have the capability to receive signals from the Galileo satellites of the European Union and the QZSS satellites of Japan, beginning with increment 2 of the acquisition of such terminals;

(2) include an assessment of the feasibility, benefits, and risks of military Global Positioning System user equipment terminals having the capability to receive foreign positioning, navigation, and timing signals (with respect to such signals described in the classified annex accompanying this Act), beginning with increment 2 of the acquisition of such terminals;

(3) include an assessment of options to use hosted payloads to provide redundancy for the Global Positioning System signal;

(4) ensure that the Secretary, with the concurrence of the Secretary of State, engages with relevant allies of the United States to—

(A) enable military Global Positioning System user equipment terminals to receive the positioning, navigation, and timing signals of such allies; and

(B) negotiate other potential agreements relating to the enhancement of positioning, navigation, and timing;

(5) include any other options the Secretary of Defense determines appropriate; and

(6) include an evaluation by the Director of National Intelligence of the benefits and risks, if any, of using foreign positioning, navigation, and timing signals.

(b) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall—

(1) 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 the plan under subsection (a); and

(2) submit to the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate the evaluation described in paragraph (6) of such subsection.

SEC. 1619. ESTABLISHMENT OF SPACE FLAG TRAINING EVENT.

(a) ESTABLISHMENT.—Not later than December 31, 2020, the Secretary of Defense shall establish an annual capstone training event titled ''Space Flag'' for space professionals to—

(1) develop and test doctrine, concepts of operation, and tactics, techniques, and procedures, for—

(A) protecting and defending assets and interests of the United States through the spectrum of space control activities;

(B) operating in the event of degradation or loss of space capabilities;

(C) conducting space operations in a conflict that extends to space;

(D) deterring conflict in space; and

(E) other areas the Secretary determines necessary; and

(2) inform and develop the appropriate design of the operational training infrastructure of the space domain, including with respect to appropriate and dedicated ranges, threat replication, test community support, advanced space training requirements, training simulators, and multi-domain force packaging.

(b) TRAINING.—In establishing the Space Flag training event under subsection (a), the Secretary shall—

(1) model the training event on the Red Flag and Cyber Flag exercises; and

(2) ensure that Space Flag includes live, virtual, and constructive training and on-orbit threat replication, as appropriate.

(c) PLAN.—Not later than one year after the date of the enactment of this Act, the Secretary, in coordination with the Commander of the Air Force Space Command, the Commander of the Army Space and Missile Defense Command, and the Commander of the Navy Space and Naval Warfare Systems Command, shall submit to the congressional defense committees a plan to establish the Space Flag training under subsection (a), including a description of each objective of the training.

SEC. 1620. REPORT ON OPERATIONAL AND CONTINGENCY PLANS FOR LOSS OR DEGRADATION OF SPACE CAPABILITIES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff, in coordination with each commander of a combatant command, shall jointly submit to the appropriate congressional committees a report evaluating all operational and contingency plans to assess the implications for mission performance in the event of a loss or degradation of space capabilities of the United States (including with respect to space control) either through the loss or degradation of on-orbit assets or through the disabling of ground components.

(b) MATTERS INCLUDED.—The report under subsection (a) shall address and describe the extent to which the operational and contingency plans described in such subsection—

(1) depend upon space capabilities to achieve successful execution;

(2) account for the loss or degradation of space capabilities;

(3) appropriately reflect intelligence concerning current and projected adversary counter-space capabilities and vulnerabilities of the space systems of the United States;

(4) include measures to mitigate any loss or degradation of space capabilities;

(5) include specific guidance for the short- and long-term loss or disruption of space capabilities;

(6) include specific guidance for the period in which there is a total loss of space capabilities before replacement assets are able to be brought online and operational; and

(7) assess the extent to which adversaries rely on space, including the potential effects of a short or long term loss of, or disruption to, the space capabilities of such adversaries.

(c) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means the following:

(A) With respect to the full report under subsection (a), the Committees on Armed Services of the House of Representatives and the Senate.

(B) With respect to the matters in the report described in subsection (b)(3), and for any other matters in the report relating to the limitations, impacts, and vulnerabilities of the capabilities and systems of the intelligence community, the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term ''intelligence community'' has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 1621. LIMITATION ON AVAILABILITY OF FUNDING FOR JOINT SPACE OPERATIONS CENTER MISSION SYSTEM.

(a) LIMITATION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Joint Space Operations Center mission system, not more than 75 percent may be obligated or expended until the date on which the Secretary of the Air Force certifies to the congressional defense committees that the Secretary has developed the plan under subsection (b).

(b) PLAN.—The Secretary shall develop and implement a plan to operationalize existing commercial space situational awareness capabilities to address warfighter requirements, consistent with the best-in-breed concept. The Secretary shall commence such implementation by not later than March 30, 2018.

SEC. 1622. LIMITATION ON AVAILABILITY OF FUNDS RELATING TO ADVANCED EXTREMELY HIGH FREQUENCY PROGRAM.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Air Force, for protected tactical enterprise (PE 1206760F), protected tactical service (PE 1206761F), or protected satellite communication services (PE 1206855F) for the Evolved Strategic SATCOM (EES) system, may be obligated or expended on a final request for proposals, other than evolution of the AEHF program of record until the date on which the reports required under subsection (b) are submitted to the congressional defense committees.

(b) ASSESSMENTS AND CERTIFICATIONS.—

(1) The Commanders of STRATCOM and NORTHCOM jointly certifies a protected satcom system other than the AEHF program of record or an evolution of the same will meet all applicable requirements for Nuclear Command and Control and continuity of government, and all other functions related to protected communications of the National Command Authority and the Combatant Commands, to include operational forces in a peer-near-peer jamming environment;

(2) The Chairman of the Joint Chiefs of Staff submits the validated military requirement for resilience and mission assurance, and the criteria to measure and evaluate the same, of each and any alternative to an evolved advanced extremely high frequency program; how each alternative affects deterrence and full spectrum warfighting, warfighter requirements and relative costs, including with respect to ground station and user terminals; the assessed order of battle of adversaries; and the required capabilities of the broader space security and defense enterprise;

(3) The Secretary of the Air Force submits a detailed plan for the ground control system and all user terminals developed and acquired by the Air Force will be synchronized through development and deployment to meet all applicable requirements for Nuclear Command and Control and continuity of government, and other functions related to protected communications of the National Command Authority and the Combatant Commands; and

(4) The Chairmen of the Joint Chiefs of Staff completes an assessment concerning the impact of developing and fielding all the waveforms and terminals required to utilize the proposed alternative systems to the AEHF program of record or an evolution of the same.

(c) EXCEPTION.—The limitation in paragraph (a) shall not apply to efforts to examine and develop technology insertion opportunities for the satellite communications programs of record.

(d) RULE OF CONSTRUCTION.—Nothing in this section may be construed as delaying the request for proposals for the Enhanced Advanced Extremely High Frequency (E-AEHF) program.

Subtitle C—Defense Intelligence and Intelligence-Related Activities

SEC. 1631. SECURITY CLEARANCES FOR FACILITIES OF CERTAIN CONTRACTORS.

(a) IN GENERAL.—Chapter 141 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 2410s. Security clearances for facilities of certain contractors.

''If the senior management official of a contractor of the Department of Defense does not have a security clearance, the Secretary of Defense may grant a security clearance to a facility of such contractor only if the following criteria are met:

''(1) The contractor has appointed a senior officer, director, or employee of the contractor who has a security clearance at the level of the security clearance of the facility to act as the senior management official of the contractor with respect to such facility.

''(2) Any senior management official, senior officer, or director of the contractor who does not have such a security clearance will not have access to any classified information, including with respect to such facility.

''(3) The contractor has certified to the Secretary that the senior officer, director, or employee appointed under paragraph (1) has the authority to act on behalf of the contractor with respect to such facility independent of any senior management official, senior officer, or director described in paragraph (2).

''(4) The facility meets all of the requirements to be granted a security clearance other than any requirement relating to the senior management official of the contractor having an appropriate security clearance.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''2410s. Security clearances for facilities of certain contractors''.

SEC. 1632. EXTENSION OF AUTHORITY TO ENGAGE IN CERTAIN COMMERCIAL ACTIVITIES.

Section 431(a) of title 10, United States Code, is amended by striking ''December 31, 2017'' and inserting ''December 31, 2023''.

SEC. 1633. SUBMISSION OF AUDITS OF COMMERCIAL ACTIVITY FUNDS.

Section 432(b)(2) of title 10, United States Code, is amended—

(1) by striking ''promptly''; and

(2) by inserting before the period at the end the following: ''by not later than December 31 of each year''.

SEC. 1634. CLARIFICATION OF ANNUAL BRIEFING ON THE INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE REQUIREMENTS OF THE COMBATANT COMMANDS.

Section 1626 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3635) is amended—

(1) by inserting ''(including with respect to space-based intelligence, surveillance, and reconnaissance)'' after ''intelligence, surveillance, and reconnaissance requirements'' both places it appears; and

(2) in paragraph (2), by striking ''critical intelligence, surveillance and reconnaissance requirements'' and inserting ''critical intelligence, surveillance, and reconnaissance requirements (including with respect to space-based intelligence, surveillance, and reconnaissance)''.

SEC. 1635. REVIEW OF SUPPORT PROVIDED BY DEFENSE INTELLIGENCE ELEMENTS TO ACQUISITION ACTIVITIES OF THE DEPARTMENT.

(a) REVIEW.—The Secretary of Defense shall review the support provided by Defense intelligence elements to the acquisition activities conducted by the Secretary, with a specific focus on such support—

(1) consisting of planning, prioritizing, and resourcing relating to developmental weapon systems; and

(2) for existing weapon systems throughout the program lifecycle of such systems.

(b) BUDGET STRUCTURE.—The Secretary shall develop a specific budget structure for a sustainable funding profile to ensure the support provided by Defense intelligence elements described in subsection (a). The Secretary shall implement such structure beginning with the defense budget materials for fiscal year 2020.

(c) BRIEFING.—Not later than May 1, 2018, the Secretary of Defense shall provide to the appropriate congressional committees a briefing on the results of the review under subsection (a) and a plan to carry out subsection (b).

(d) 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 House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term ''defense budget materials'' has the meaning given that term in section 231(f) of title 10, United States Code.

(3) The term ''Defense intelligence element'' means any of the agencies, offices, and elements of the Department of Defense included within the definition of ''intelligence community'' under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 1636. LIMITATION ON AVAILABILITY OF FUNDS FOR CERTAIN OFFENSIVE COUNTERINTELLIGENCE ACTIVITIES.

(a) LIMITATION ON OFFENSIVE COUNTERINTELLIGENCE ACTIVITIES.—

(1) IN GENERAL.—Of the funds described in paragraph (2), not more than 75 percent may be obligated or expended until—

(A) the Secretary of Defense submits to the appropriate congressional committees the report under subsection (b);

(B) the Director of the Defense Intelligence Agency submits to such committees the report under subsection (c); and

(C) the Director and the Under Secretary of Defense for Intelligence jointly provide to such committees the briefing under subsection (d).

(2) FUNDS DESCRIBED.—The funds described in this paragraph are the following:

(A) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 under the General Defense Intelligence Program for any operations and maintenance account for offensive counterintelligence activities.

(B) Funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 under the Military Intelligence Program for any operations and maintenance account for offensive counterintelligence activities.

(b) REPORT ON OVERSIGHT PROCESSES.—Not later than March 1, 2018, the Secretary of Defense shall submit to the appropriate congressional committees a report certifying that each Defense intelligence element with offensive counterintelligence authorities has the appropriate oversight processes necessary to ensure compliance with the regulations of the Department of Defense.

(c) REPORT ON CERTAIN RESOURCES.—Not later than March 1, 2018, the Director of the Defense Intelligence Agency shall submit to the appropriate congressional committees a report that includes an accounting of the counterintelligence enterprise management resources transferred from the Counterintelligence Field Activity to the Defense Intelligence Agency that identifies such resources that are no longer dedicated to counterintelligence activities, as of the date of the report.

(d) BRIEFING ON FUNCTIONAL MANAGEMENT.—Not later than March 1, 2018, the Director and the Under Secretary of Defense for Intelligence shall jointly provide to the appropriate congressional committees a briefing on how the Director and the Under Secretary plan to improve the functional management of offensive counterintelligence activities.

(e) 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 House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term ''Defense intelligence element'' means any of the Department of Defense agencies, offices, and elements included within the definition of ''intelligence community'' under section 3(4) of the National Security Act of 1947 (50 U.S.C. 3003(4)).

SEC. 1637. PROHIBITION ON AVAILABILITY OF FUNDS FOR CERTAIN RELOCATION ACTIVITIES FOR NATO INTELLIGENCE FUSION CENTER.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for operation and maintenance may be obligated or expended for the procurement of fit-out supplies and equipment to support the relocation of the NATO Intelligence Fusion Center from Royal Air Force Molesworth, United Kingdom, to Royal Air Force Croughton, United Kingdom.

SEC. 1638. ESTABLISHMENT OF CHAIRMAN'S CONTROLLED ACTIVITY WITHIN JOINT STAFF FOR INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE.

(a) CHAIRMAN'S CONTROLLED ACTIVITY.—The Chairman of the Joint Chiefs of Staff shall—

(1) undertake the roles, missions, and responsibilities of, and an equal or greater number of personnel billets than the amount of such billets previously prescribed for the Joint Functional Component Command for Intelligence, Surveillance, and Reconnaissance of United States Strategic Command; and

(2) not later than 30 days after the date of the enactment of this Act, establish an organization within the Joint Staff—

(A) that is designated as a chairman's controlled activity;

(B) for which the Chairman of the Joint Chiefs of Staff shall serve as the joint functional manager; and

(C) which shall synchronize cross-combatant command intelligence, surveillance, and reconnaissance plans and develop strategies integrating all joint service-provided and allied intelligence, surveillance, and reconnaissance capabilities to satisfy combatant command intelligence needs for the Department of Defense.

(b) EXECUTIVE AGENT.—The Secretary of Defense shall designate the Secretary of the Air Force as the executive agent and sponsor for funding for the organization established under subsection (a)(2).

SEC. 1639. SENSE OF CONGRESS AND REPORT ON GEOSPATIAL COMMERCIAL ACTIVITIES FOR BASIC AND APPLIED RESEARCH AND DEVELOPMENT.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) rapid technology change and a significant increase in data collection by the intelligence community has outpaced the ability of the intelligence community to exploit vast quantities of intelligence data;

(2) the data collection capabilities of the intelligence community and the Department of Defense have outpaced to exploit vast quantities of data;

(3) furthermore, international competitors may be catching up, and in some cases leading, in key technology areas;

(4) many U.S. companies have talent and technological capability that the Federal Government could harness; and

(5) these companies would be able to more effectively develop automation, artificial intelligence, and associated algorithms if given access to data of the National Geospatial-Intelligence Agency, consistent with the protection of sources and methods.

(b) REPORT.—Not later than 30 days after the date of the enactment of this Act, the Director of the National Geospatial-Intelligence Agency shall submit to the appropriate congressional committees a report on the authorities necessary to conduct commercial activities relating to geospatial intelligence that the Director determines necessary to engage in basic research, applied research, data transfers, and development projects, with respect to automation, artificial intelligence, and associated algorithms, including how the Director would use such authorities, consistent with applicable laws and procedures relating to the protection of sources and methods.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committees on Armed Services of the House of Representatives and the Senate; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1640. DEPARTMENT OF DEFENSE COUNTER-INTELLIGENCE POLYGRAPH PROGRAM.

Section 1564a(b) of title 10, United States Code, is amended by adding at the end the following new paragraph:

''(5) Any person who is a United States national who also has the nationality of a foreign state.''.

SEC. 1641. SECURITY CLEARANCE FOR DUAL-NATIONALS.

(a) IN GENERAL.—Chapter 80 of title 10, United States Code, is amended by inserting after section 1564a the following new section:

''§ 1564b. Security clearance for dual nationals

''(a) IN GENERAL.—In the case of an individual who is a United States national who also has the nationality of a foreign state who is appointed to or hired for a position designated by the Office of Personnel Management as critical sensitive or special sensitive, the Secretary shall provide additional review before approving a security clearance for such individual.

''(b) WAIVER.—

''(1) WAIVER AUTHORITY.—In the case of a person who is a United States national who also has the nationality of a foreign state identified under paragraph (2), the Secretary may waive the requirement under subsection (a).

''(2) FOREIGN STATES.—The Director of National Intelligence shall identify foreign states that permit citizens or nationals of the United States to serve in positions of trust equivalent to positions identified by the Office of Personnel Management as critical sensitive or special sensitive.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1564a the following new item:

''1564b. Security clearance for dual nationals of high threat foreign states.''.

SEC. 1642. SUSPENSION OR REVOCATION OF SECURITY CLEARANCES BASED ON UNLAWFUL OR INAPPROPRIATE CONTACTS WITH REPRESENTATIVES OF A FOREIGN GOVERNMENT.

The Secretary of Defense may suspend or revoke any security clearance granted by the Department of Defense if the holder of that security clearance has engaged in unlawful or inappropriate contacts with representatives of the government of a foreign country.

Subtitle D—Cyberspace-Related Matters

SEC. 1651. NOTIFICATION REQUIREMENTS FOR SENSITIVE MILITARY CYBER OPERATIONS AND CYBER WEAPONS.

(a) NOTIFICATION.—Chapter 3 of title 10, United States Code, is amended by adding at the end the following new sections:

''§ 130j. Notification requirements for sensitive military cyber operations

''(a) IN GENERAL.—Except as provided in subsection (d), the Secretary of Defense shall

promptly submit to the congressional defense committees notice in writing of any sensitive military cyber operation conducted under this title no later than 48 hours following such operation.

''(b) PROCEDURES.—(1) The Secretary of Defense shall establish and submit to the congressional defense committees procedures for complying with the requirements of subsection (a) consistent with the national security of the United States and the protection of operational integrity. The Secretary shall promptly notify the congressional defense committees in writing of any changes to such procedures at least 14 days prior to the adoption of any such changes.

''(2) The congressional defense committees shall ensure that committee procedures designed to protect from unauthorized disclosure classified information relating to national security of the United States are sufficient to protect the information that is submitted to the committees pursuant to this section.

''(3) In the event of an unauthorized disclosure of a sensitive military cyber operation covered by this section, the Secretary shall ensure, to the maximum extent practicable, that the congressional defense committees are notified immediately of the sensitive military cyber operation concerned. The notification under this paragraph may be verbal or written, but in the event of a verbal notification a written notification shall be provided by not later than 48 hours after the provision of the verbal notification.

''(c) SENSITIVE MILITARY CYBER OPERATION DEFINED.—(1) In this section, the term 'sensitive military cyber operation' means an action described in paragraph (2) that—

''(A) is carried out by the armed forces or by a foreign partner in coordination with the armed forces; and

''(B) is intended to cause effects outside a geographic location where United States armed forces are involved in hostilities (as that term is used in section 1543 of title 50, United States Code).

''(2) The actions described in this paragraph are the following:

''(A) An offensive cyber operation.

''(B) A defensive cyber operation outside the Department of Defense Information Networks to defeat an ongoing or imminent threat.

''(d) EXCEPTIONS.—The notification requirement under subsection (a) does not apply—

''(1) to a training exercise conducted with the consent of all nations where the intended effects of the exercise will occur; or

''(2) to a covert action (as that term is defined in section 3093 of title 50, United States Code).

''(e) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide any new authority or to alter or otherwise affect the War Powers Resolution (50 U.S.C. 1541 et seq.), the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), or any requirement under the National Security Act of 1947 (50 U.S.C. 3001 et seq.).

''§ 130k. Notification requirements for cyber weapons

''(a) IN GENERAL.—Except as provided in subsection (c), the Secretary of Defense shall promptly submit to the congressional defense committees notice in writing of the following:

''(1) With respect to a cyber capability that is intended for use as a weapon, the results of any review of the capability for legality under international law pursuant to Department of Defense Directive 5000.01 no later than 48 hours after any military department concerned has completed such review.

''(2) The use as a weapon of any cyber capability that has been approved for such use under international law by a military department no later than 48 hours following such use.

''(b) PROCEDURES.—(1) The Secretary of Defense shall establish and submit to the congressional defense committees procedures for complying with the requirements of subsection (a) consistent with the national security of the United States and the protection of operational integrity. The Secretary shall promptly notify the congressional defense committees in writing of any changes to such procedures at least 14 days prior to the adoption of any such changes.

''(2) The congressional defense committees shall ensure that committee procedures designed to protect from unauthorized disclosure classified information relating to national security of the United States are sufficient to protect the information that is submitted to the committees pursuant to this section.

''(3) In the event of an unauthorized disclosure of a cyber capability covered by this section, the Secretary shall ensure, to the maximum extent practicable, that the congressional defense committees are notified immediately of the cyber capability concerned. The notification under this paragraph may be verbal or written, but in the event of a verbal notification a written notification shall be provided by not later than 48 hours after the provision of the verbal notification.

''(c) EXCEPTIONS.—The notification requirement under subsection (a) does not apply—

''(1) to a training exercise conducted with the consent of all nations where the intended effects of the exercise will occur; or

''(2) to a covert action (as that term is defined in section 3093 of title 50, United States Code).

''(d) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide any new authority or to alter or otherwise affect the War Powers Resolution (50 U.S.C. 1541 et seq.), the Authorization for Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note), or any requirement under the National Security Act of 1947 (50 U.S.C. 3001 et seq.).''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new items:

''130j. Notification requirements for sensitive military cyber operations.

''130k. Notification requirements for cyber weapons.''.

SEC. 1652. MODIFICATION TO QUARTERLY CYBER OPERATIONS BRIEFINGS.

(a) IN GENERAL.—Section 484 of title 10, United States Code, is amended—

(1) by striking ''The Secretary of Defense shall provide to the Committees on Armed Services of the House of Representatives and the Senate'' and inserting the following:

''(a) BRIEFINGS REQUIRED.—The Secretary of Defense shall provide to the congressional defense committees''; and

(2) by adding at the end the following:

''(b) ELEMENTS.—Each briefing under subsection (a) shall include, with respect to the military operations in cyberspace described in such subsection, the following:

''(1) An update, set forth separately for each geographic and functional command, that describes the operations carried out by the command and any hostile cyber activity directed at the command.

''(2) An overview of authorities and legal issues applicable to the operations, including any relevant legal limitations.

''(3) An outline of any interagency activities and initiatives relating to the operations.

''(4) Any other matters the Secretary determines to be appropriate.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act, and shall apply with respect to briefings required be provided under section 484 of title 10, United States Code, on or after that date.

SEC. 1653. CYBER SCHOLARSHIP PROGRAM.

(a) NAME OF PROGRAM.—Section 2200 of title 10, Unites States Code, is amended by adding at the end the following:

''(c) NAME OF PROGRAM.—The programs authorized under this chapter shall be known as the 'Cyber Scholarship Program'.''.

(b) MODIFICATION TO ALLOCATION OF FUNDING FOR CYBER SCHOLARSHIP PROGRAM.—Section 2200a(f) of title 10, Unites States Code, is amended—

(1) by inserting ''(1)'' before ''Not less''; and

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

''(2) Not less than five percent of the amount available for financial assistance under this section for a fiscal year shall be available for providing financial assistance for the pursuit of an associate degree at an institution described in paragraph (1).''.

(c) CYBER DEFINITION.—Section 2200e of title 10, Unites States Code, is amended to read as follows:

''§ 2200e. Definitions

''In this chapter:

''(1) The term 'cyber' includes the following:

''(A) Offensive cyber operations.

''(B) Defensive cyber operations.

''(C) Department of Defense information network operations and defense.

''(D) Any other information technology that the Secretary of Defense considers to be related to the cyber activities of the Department of Defense.

''(2) The term 'institution of higher education' has the meaning given the term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

''(3) The term 'Center of Academic Excellence in Cyber Education' means an institution of higher education that is designated by the Director of the National Security Agency as a Center of Academic Excellence in Cyber Education.''.

(d) CONFORMING AMENDMENTS.—

(1) Chapter 112 of title 10, United States Code, is further amended—

*(A) in the chapter heading, by striking ''**INFORMATION SECURITY**'' and inserting ''**CYBER**'';*

(B) in section 2200 (as amended by subsection (a))—

(i) in subsection (a), by striking ''Department of Defense information assurance requirements'' and inserting ''the cyber requirements of the Department of Defense''; and

(ii) in subsection (b)(1), by striking ''information assurance'' and inserting ''cyber disciplines'';

(C) in section 2200a (as amended by subsection (b))—

(i) in subsection (a)(1), by striking ''an information assurance discipline'' and inserting ''a cyber discipline'';

(ii) in subsection (f)(1), by striking ''information assurance'' and inserting ''cyber disciplines''; and

(iii) in subsection (g)(1), by striking ''an information technology position'' and inserting ''a cyber position'';

(D) in section 2200b, by striking ''information assurance disciplines'' and inserting ''cyber disciplines''; and

(E) in section 2200c, by striking ''Information Assurance'' each place it appears and inserting ''Cyber''.

(2) The table of sections at the beginning of chapter 112 of title 10, Unites States Code, is amended by striking the item relating to section 2200c and inserting the following:

''2200c. Centers of Academic Excellence in Cyber Education.''.

(3) Section 7045 of title 10, United States Code, is amended—

(A) by striking ''Information Security Scholarship program'' each place it appears and inserting ''Cyber Scholarship program''; and

(B) in subsection (a)(2)(B), by striking ''information assurance'' and inserting ''a cyber discipline''.

(4) Section 7904(4) of title 38, United States Code, is amended by striking ''Information Assurance'' and inserting ''Cyber''.

(e) REDESIGNATIONS.—

(1) SCHOLARSHIP PROGRAM.—The Information Security Scholarship program under chapter 112 of title 10, United States Code, is redesignated as the ''Cyber Scholarship program''. Any reference in a law (other than this section), map, regulation, document, paper, or other record of the United States to the Information Security Scholarship program shall be deemed to be a reference to the Cyber Scholarship Program.

(2) CENTERS OF ACADEMIC EXCELLENCE.—Any institution of higher education designated by the Director of the National Security Agency as a Center of Academic Excellence in Information Assurance Education is redesignated as a Center of Academic Excellence in Cyber Education. Any reference in a law (other than this section), map, regulation, document, paper, or other record of the United States to a Center of Academic Excellence in Information Assurance Education shall be deemed to be a reference to a Center of Academic Excellence in Cyber Education.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to the Secretary of Defense to provide financial assistance under section 2200a of title 10, United States Code (as amended by this section), and grants under section 2200b of such title (as so amended), $10,000,000 for fiscal year 2018.

SEC. 1654. PLAN TO INCREASE CYBER AND INFORMATION OPERATIONS, DETERRENCE, AND DEFENSE.

(a) FINDINGS.—Congress finds following:

(1) Cyber threats originating from the Asia-Pacific region targeting the United States and the allies of the United States have grown through the use of cyber intrusions, exfiltration, and espionage by China and North Korea.

(2) In February 2016, Admiral Harry Harris Jr., Commander of the United States Pacific Command, in his testimony noted ''increased cyber capacity and nefarious activity, especially by China, North Korea, and Russia underscore the growing requirement to evolve command, control, and operational authorities''.

(3) Admiral Harris stated ''that in order to fully leverage the cyber domain, PACOM requires an enduring theater cyber capability able to provide cyber planning, integration, synchronization, and direction of cyber forces.''.

(b) PLAN.—The Secretary of Defense shall develop a plan to—

(1) increase inclusion of regional cyber planning within larger United States joint planning exercises in the Indo-Asia-Pacific region;

(2) enhance joint, regional, and combined information operations and strategic communication strategies to counter Chinese and North Korean information warfare, malign influence, and propaganda activities; and

(3) identify potential areas of cybersecurity collaboration and partnership capabilities with Asian allies and partners of the United States.

(c) 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 plan required under subsection (b).

SEC. 1655. REPORT ON TERMINATION OF DUAL-HAT ARRANGEMENT FOR COMMANDER OF THE UNITED STATES CYBER COMMAND.

(a) REPORT.—Not later than December 1, 2017, the Secretary of Defense shall submit to the appropriate congressional committees a report on the progress of the Department of Defense in meeting the requirements of section 1642 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2601).

(b) ELEMENTS.—The report under subsection (a) shall include, with respect to any decision to terminate the dual-hat arrangement as described in section 1642 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2601), the following:

(1) Metrics and milestones for meeting the conditions described in subsection (b)(2)(C) of such section 1642.

(2) Identification of any challenges to meeting such conditions.

(3) Identification of entities or persons requiring additional resources as a result of any decision to terminate the dual-hat arrangement.

(4) Identification of any updates to statutory authorities needed as a result of any decision to terminate the dual-hat arrangement.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees;

(2) the Select Committee on Intelligence of the Senate; and

(3) the Permanent Select Committee on Intelligence of the House of Representatives.

Subtitle E—Nuclear Forces

SEC. 1661. NOTIFICATIONS REGARDING DUAL-CAPABLE F–35A AIRCRAFT.

Section 179(f) 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):

''(6) If a House of Congress adopts a bill authorizing or appropriating funds for the Department of Defense that, as determined by the Council, provides funds in an amount that will result in a delay in the nuclear certification or delivery of F–35A dual-capable aircraft, the Council shall notify the congressional defense committees of the determination.''.

SEC. 1662. OVERSIGHT OF DELAYED ACQUISITION PROGRAMS BY COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

(a) STATUS UPDATES.—Section 171a of title 10, United States Code, is amended—

(1) by redesignating subsection (k) as subsection (l); and

(2) by inserting after subsection (j) the following new subsection (k):

''(k) STATUS OF ACQUISITION PROGRAMS.—(1) On a quarterly basis, each program manager of a covered acquisition program shall transmit to the co-chairs of the Council, acting through the senior steering group of the Council, a report that identifies—

''(A) the covered acquisition program;

''(B) the requirements of the program;

''(C) the development timeline of the program; and

''(D) the status of the program, including whether the program is delayed and, if so, whether such delay will result in a program schedule delay.

''(2) Not later than seven days after the end of each quarter, the co-chairs of the Council shall submit to the congressional defense committees a report that identifies, with respect to the reports transmitted to the Council under paragraph (1) for that quarter—

''(A) each covered acquisition program that is delayed more than 180 days; and

''(B) any covered acquisition program that should have been included in such reports but was excluded, and the reasons for such exclusion.

''(3) In this subsection, the term 'covered acquisition program' means each acquisition program of the Department of Defense that materially contributes to—

''(A) the nuclear command, control, and communications systems of the United States; or

''(B) the continuity of government systems of the United States.''.

(b) INSTRUCTIONS.—The Secretary of Defense shall issue a Department of Defense Instruction, or revise such an Instruction, to ensure that program managers carry out subsection (k)(1) of section 171a of title 10, United States Code, as added by subsection (a).

SEC. 1663. ESTABLISHMENT OF NUCLEAR COMMAND AND CONTROL INTELLIGENCE FUSION CENTER.

(a) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense and the Director of National Intelligence shall jointly establish an intelligence fusion center to enhance the protection of nuclear command, control, and communications programs, systems, and processes and continuity of government programs, systems, and processes.

(b) CHARTER.—In establishing the fusion center under subsection (a), the Secretary and the Director shall develop a charter for the fusion center that includes the following:

(1) To carry out the duties of the fusion center, a description of—

(A) the roles and responsibilities of officials and elements of the Federal Government, including a detailed description of the organizational relationships of such officials and the elements of the Federal Government that are key stakeholders;

(B) the organization reporting chain of the fusion center;

(C) the staffing of the fusion center;

(D) the processes of the fusion center; and

(E) how the fusion center integrates with other elements of the Federal Government;

(2) The management and administration processes required to carry out the fusion center, including with respect to facilities and security authorities.

(3) Procedures to ensure that the appropriate number of staff of the fusion center have the security clearance necessary to access information on the programs, systems, and processes that relate, either wholly or substantially, to nuclear command, control, and communications or continuity of government, including with respect to both the programs, systems, and processes that are designated as special access programs (as described in section 4.3 of Executive Order 13526 (50 U.S.C. 3161 note) or any successor Executive order) and the programs, systems, and processes that contain sensitive compartmented information.

(c) COORDINATION.—In establishing the fusion center under subsection (a), the Secretary and the Director shall coordinate with the elements of the Federal Government that the Secretary and Director determine appropriate.

(d) REPORTS.—

(1) INITIAL REPORT.—Not later than 120 days after the date of the enactment of this Act, the Secretary and the Director shall jointly submit to the appropriate congressional committees a report containing—

(A) the charter for the fusion center developed under subsection (b); and

(B) a plan on the budget and staffing of the fusion center.

(2) ANNUAL REPORTS.—At the same time as the President submits to Congress the annual budget request under section 1105 of title 31, United States Code, for fiscal year 2019 and each fiscal year thereafter, the Secretary and the Director shall submit to the appropriate congressional committees a report on the fusion center, including, with respect to the period covered by the report—

(A) any updates to the plan on the budget and staffing of the fusion center;

(B) any updates to the charter developed under subsection (b); and

(C) a summary of the activities and accomplishments of the fusion center.

(3) SUNSET.—No report is required under this subsection after December 31, 2021.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

SEC. 1664. SECURITY OF NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM FROM COMMERCIAL DEPENDENCIES.

(a) FINDINGS.—Congress finds the following:

(1) At a hearing before the Committee on Armed Services of the House of Representatives

on September 30, 2015, Deputy Secretary of Defense Robert Work, responding to a question about the use of Huawei telecommunications equipment, stated, ''In the Office of the Secretary of Defense, absolutely not. And I know of no other—I don't believe we operate in the Pentagon, any [Huawei] systems in the Pentagon.''.

(2) At such hearing, the Commander of the United States Cyber Command, Admiral Mike Rogers, responding to a question about why such Huawei telecommunications equipment is not used, stated, ''as we look at supply chain and we look at potential vulnerabilities within the system, that it is a risk we felt was unacceptable.''.

(3) At a hearing before the Committee on Armed Services of the House of Representatives on June 22, 2016, Acting Assistant Secretary of Defense for Homeland Defense and Global Security Thomas Atkin, stated, ''There are currently no Huawei or ZTE products on the DoD Unified Capabilities Approved Products List (APL).''.

(b) CERTIFICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall certify to the congressional defense committees whether the Secretary uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system, to carry out—

(1) the nuclear deterrence mission of the Department of Defense, including with respect to nuclear command, control, and communications, integrated tactical warning and attack assessment, and continuity of government; or

(2) the homeland defense mission of the Department, including with respect to ballistic missile defense.

(c) PROHIBITION AND MITIGATION.—

(1) PROHIBITION.—Except as provided by paragraph (2), beginning on the date that is one year after the date of the enactment of this Act, the Secretary of Defense may not procure or obtain, or extend or renew a contract to procure or obtain, any equipment, system, or service to carry out the missions described in paragraphs (1) and (2) of subsection (b) that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

(2) WAIVER.—The Secretary may waive the prohibition in paragraph (1) on a case-by-case basis for a single one-year period if the Secretary—

(A) determines such waiver to be in the national security interests of the United States; and

(B) certifies to the congressional committees that—

(i) there are sufficient mitigations in place to guarantee the ability of the Secretary to carry out the missions described in paragraphs (1) and (2) of subsection (b); and

(ii) the Secretary is removing the use of covered telecommunications equipment or services in carrying out such missions.

(3) DELEGATION.—The Secretary may not delegate the authority to make a waiver under paragraph (2) to any official other than the Deputy Secretary of Defense or the co-chairs of the Council on Oversight of the National Leadership Command, Control, and Communications System established by section 171a of title 10, United States Code.

(d) DEFINITIONS.—In this section:

(1) The term ''congressional defense committees'' has the meaning given that term in section 101(a)(16) of title 10, United States Code.

(2) The term ''covered foreign country'' means any of the following:

(A) The People's Republic of China.

(B) The Russian Federation.

(3) The term ''covered telecommunications equipment or services'' means any of the following:

(A) Telecommunications equipment produced by Huawei Technologies Company or ZTE Corporation (or any subsidiary or affiliate of such entities).

(B) Telecommunications services provided by such entities or using such equipment.

(C) Telecommunications equipment or services produced or provided by an entity that the Secretary of Defense reasonably believes to be an entity owned or controlled by, or otherwise connected to, the government of a covered foreign country.

SECTION 1665. OVERSIGHT OF AERIAL-LAYER PROGRAMS BY COUNCIL ON OVERSIGHT OF THE NATIONAL LEADERSHIP COMMAND, CONTROL, AND COMMUNICATIONS SYSTEM.

Any analysis of alternatives for the Senior Leader Airborne Operations Center, the executive airlift program of the Air Force, and the E–6B modernization program may not receive final approval by the Joint Requirements Oversight Council, and the Director of Cost Assessment and Program Evaluation may not conduct any sufficiency review of such an analysis of alternatives, unless—

(1) the Council on Oversight of the National Leadership Command, Control, and Communications System established by section 171a of title 10, United States Code, determines that the alternatives for such programs are capable of meeting the requirements for senior leadership communications in support of the nuclear command, control, and communications mission of the Department of Defense and the continuity of government mission of the Department;

(2) the Council submits to the congressional defense committees such determination; and

(3) a period of 30 days elapses following the date of such submission.

SEC. 1666. SECURITY CLASSIFICATION GUIDE FOR PROGRAMS RELATING TO NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS AND NUCLEAR DETERRENCE.

(a) REQUIREMENT FOR SECURITY CLASSIFICATION GUIDE.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall require the issuance of a security classification guide for each covered program to ensure the protection of sensitive information from public disclosure.

(b) REQUIREMENTS.—Each security classification guide issued pursuant to subsection (a) shall be—

(1) approved by—

(A) the Council on Oversight of the National Leadership Command, Control, and Communications System with respect to covered programs under paragraph (1) or (2) of subsection (c); or

(B) the Nuclear Weapons Council with respect to covered programs under paragraph (3) of such subsection; and

(2) issued not later than March 19, 2019, with respect to a covered program in existence as of such date.

(c) COVERED PROGRAM DEFINED.—In this section, the term ''covered program'' means programs of the Department of Defense in existence on or after the date of the enactment of this Act relating to any of the following:

(1) Continuity of government.

(2) Nuclear command, control, and communications.

(3) Nuclear deterrence.

SEC. 1667. EVALUATION AND ENHANCED SECURITY OF SUPPLY CHAIN FOR NUCLEAR COMMAND, CONTROL, AND COMMUNICATIONS AND CONTINUITY OF GOVERNMENT PROGRAMS.

(a) EVALUATIONS OF SUPPLY CHAIN VULNERABILITIES.—

(1) IN GENERAL.—Not later than December 31, 2019, and in accordance with the plan under paragraph (2)(A), the Secretary of Defense shall conduct evaluations of the supply chain vulnerabilities of each covered program.

(2) PLAN.—

(A) DEVELOPMENT.—The Secretary shall develop a plan to carry out the evaluations under paragraph (1).

(B) SUBMISSION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the plan under subparagraph (A).

(3) WAIVER.—The Secretary may waive, on a case-by-case basis with respect to a weapons system, a program, or a system of systems, of a covered program, either the requirement to conduct an evaluation under paragraph (1) or the deadline specified in such paragraph if the Secretary certifies to the congressional defense committees before such date that all known supply chain vulnerabilities of such weapons system, program, or system of systems have minimal consequences for the capability of such weapons system, program, or system of systems to meet operational requirements or otherwise satisfy mission requirements.

(4) RISK MITIGATION STRATEGIES.—In carrying out an evaluation under paragraph (1) with respect to a covered program specified in subparagraph (B) or (C) of subsection (c)(2), the Secretary shall develop strategies for mitigating the risks of supply chain vulnerabilities identified in the course of such evaluation.

(b) PRIORITIZATION OF CERTAIN SUPPLY CHAIN RISK MANAGEMENT EFFORTS.—

(1) INSTRUCTIONS.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall issue a Department of Defense Instruction, or update such an Instruction, establishing the prioritization of supply chain risk management programs, including supply chain risk management threat assessment reporting, to ensure that acquisition and sustainment programs relating to covered programs receive the highest priority of such supply chain risk management programs and reporting.

(2) REQUIREMENTS.—

(A) ESTABLISHMENT.—The Secretary shall establish requirements to carry out supply chain risk management threat assessment collections and analyses under acquisition and sustainment programs relating to covered programs.

(B) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the appropriate congressional committees the requirements established under subparagraph (A).

(c) 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 House of Representatives and the Select Committee on Intelligence of the Senate.

(2) The term ''covered programs'' means programs relating to any of the following:

(A) Nuclear weapons.

(B) Nuclear command, control, and communications.

(C) Continuity of government.

(D) Ballistic missile defense.

SEC. 1668. LIMITATION ON PURSUIT OF CERTAIN COMMAND AND CONTROL CONCEPT.

(a) LIMITATION ON COMMAND AND CONTROL CONCEPT.—The Secretary of the Air Force may not award a contract for engineering and manufacturing development for the ground-based strategic deterrent program that would result in a command and control concept for such program that consists of less than 15 fixed launch control centers per missile wing unless the Commander of the United States Strategic Command—

(1) determines that—

(A) the plans of the Secretary for a command and control concept consisting of less than 15 fixed launch control centers per missile wing are appropriate, meet requirements, and do not contain excessive risk;

(B) the risks to schedules and costs from such concept are minimized and manageable;

(C) the strategy and plan of the Secretary for addressing cyber threats for such concept are robust; and

(D) with respect to such concept, the Secretary has established an appropriate process

for considering and managing trade-offs among requirements relating to survivability, long-term operations and sustainment costs, procurement costs, and military personnel needs; and

(2) submits, in writing, to the Secretary and the congressional defense committees such determination.

(b) INABILITY TO MAKE DETERMINATION.—If the Secretary proposes to award a contract specified in subsection (a) and the Commander is unable to make the determination under such subsection, the Commander shall submit, in writing, to the Secretary and the congressional defense committees the reasons for not making such determination.

(c) NO EFFECT ON COMPETITION.—Nothing in subsection (a) or (b) shall be construed to affect or prohibit the ability of the Secretary to use fair and open competition procedures in soliciting, evaluating, and awarding contracts for the ground-based strategic deterrent program.

SEC. 1669. PROCUREMENT AUTHORITY FOR CERTAIN PARTS OF INTERCONTINENTAL BALLISTIC MISSILE FUZES.

(a) AVAILABILITY OF FUNDS.—Notwithstanding section 1502(a) of title 31, United States Code, of the amount authorized to be appropriated for fiscal year 2018 by section 101 and available for Missile Procurement, Air Force, as specified in the funding table in division D, $6,334,000 shall be available for the procurement of covered parts pursuant to contracts entered into under section 1645(a) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3651).

(b) COVERED PARTS DEFINED.—In this section, the term ''covered parts'' means commercially available off-the-shelf items as defined in section 104 of title 41, United States Code.

SEC. 1670. SENSE OF CONGRESS ON IMPORTANCE OF INDEPENDENT NUCLEAR DETERRENT OF UNITED KINGDOM.

It is the sense of Congress that—

(1) nuclear deterrence is foundational to the defense and security of the United States and the security of the United States is enhanced by a nuclear-armed ally with common values and security priorities;

(2) the United States sees the nuclear deterrent of the United Kingdom as central to transatlantic security and welcomes the commitment of the United Kingdom to the North Atlantic Treaty Organization (NATO) to continue to spend two percent of gross domestic product on defense;

(3) in the face of increasing threats, the presence of credible nuclear deterrent forces of the United Kingdom is essential to international stability and for NATO;

(4) the commitment of the United Kingdom to sustaining an independent nuclear deterrent, deployed continuously at sea, provides a vital second decision-making point within the deterrent capability of NATO, creating essential uncertainty in the mind of any potential adversary;

(5) the United States Navy must continue to execute the Columbia-class submarine program on time and within budget to ensure that the sea-based leg of the nuclear triad of the United States is sustained and the program delivers a Common Missile Compartment, the Trident II (D5) Strategic Weapon System, and associated equipment and production capabilities, to support the successful development and deployment of the Dreadnought submarines of the United Kingdom;

(6) the support that the United Kingdom provides to deployments of strategic ships and aircraft of the United States at specialized facilities enables a vital part of the deterrence posture of the United States as well as mutual deterrence of adversaries and assurance to the allies and partners of the United States; and

(7) the collaboration of the United Kingdom with the United States on the military use of atomic energy ensures a peer in the technology and science of nuclear weapons and provides independent expert peer review of the nuclear programs of the United States, ensuring resilience, and cost effectiveness to the nuclear defense programs of both nations.

SEC. 1671. PROHIBITION ON AVAILABILITY OF FUNDS FOR MOBILE VARIANT OF GROUND-BASED STRATEGIC DETERRENT MISSILE.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for any of fiscal years 2017 through 2019 may be obligated or expended to retain the option for, or develop, a mobile variant of the ground-based strategic deterrent missile.

(b) CONFORMING REPEAL.—Section 1664 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2615) is repealed.

SEC. 1672. REPORT ON IMPACTS OF NUCLEAR PROLIFERATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) nuclear proliferation continues to be a serious threat to the security of the United States;

(2) it is critical for the United States to understand the impacts of nuclear proliferation and ensure the necessary policies and resources are in place to prevent the proliferation of nuclear materials and weapons;

(3) effectively addressing the danger of states and non-state actors acquiring nuclear weapons or nuclear-weapons-usable material should be a clear priority for United States national security; and

(4) Secretary of Defense James Mattis testified before Congress on June 12, 2017, that ''nuclear nonproliferation has not received enough attention over quite a few years''.

(b) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report containing—

(1) a description of the impacts of nuclear proliferation on the security of the United States;

(2) a description of how the Department of Defense is contributing to the current strategy to respond to the threat of nuclear proliferation, and what resources are being applied to this effort, including whether there are any funding gaps; and

(3) if and how nuclear proliferation is being addressed in the Nuclear Posture Review and other pertinent strategy reviews.

Subtitle F—Missile Defense Programs

SEC. 1681. ADMINISTRATION OF MISSILE DEFENSE AND DEFEAT PROGRAMS.

(a) MAJOR FORCE PROGRAM.—

(1) IN GENERAL.—Chapter 9 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 239a. Missile defense and defeat programs: major force program and budget assessment

''(a) ESTABLISHMENT OF MAJOR FORCE PROGRAM.—The Secretary of Defense shall establish a unified major force program for missile defense and defeat programs pursuant to section 222(b) of this title to prioritize missile defense and defeat programs in accordance with the requirements of the Department of Defense and national security.

''(b) BUDGET ASSESSMENT.—(1) The Secretary shall include with the defense budget materials for each of fiscal years 2019 through 2023 a report on the budget for missile defense and defeat programs of the Department of Defense.

''(2) Each report on the budget for missile defense and defeat programs of the Department under paragraph (1) shall include the following:

''(A) An overview of the budget, including—

''(i) a comparison between that budget, the previous budget, the most recent and prior future-years defense program submitted to Congress under section 221 of this title (such comparison shall exclude the responsibility for research and development of the continuing improvement of such missile defense and defeat program), and the amounts appropriated for such missile defense and defeat programs during the previous fiscal year; and

''(ii) the specific identification, as a budgetary line item, for the funding under such programs.

''(B) An assessment of the budget, including significant changes, priorities, challenges, and risks.

''(C) Any additional matters the Secretary determines appropriate.

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

''(c) DEFINITIONS.—In this section:

''(1) The term 'budget', with respect to a fiscal year, means the budget for that fiscal year that is submitted to Congress by the President under section 1105(a) of title 31.

''(2) The term 'defense budget materials', with respect to a fiscal year, means the materials submitted to Congress by the Secretary of Defense in support of the budget for that fiscal year.

''(3) The term 'missile defense and defeat programs' means active and passive ballistic missile defense programs, cruise missile defense programs for the homeland, and missile defeat programs.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 239 the following new item:

''239a. Missile defense and defeat programs: major force program and budget assessment.''.

(b) TRANSITION OF BALLISTIC MISSILE DEFENSE PROGRAMS TO MILITARY DEPARTMENTS.—

(1) REQUIREMENT.—Not later than the date on which the budget of the President for fiscal year 2020 is submitted under section 1105 of title 31, United States Code, the Secretary of Defense shall transfer the acquisition authority and the total obligational authority for each missile defense program described in paragraph (2) from the Missile Defense Agency to a military department.

(2) MISSILE DEFENSE PROGRAM DESCRIBED.—A missile defense program described in this paragraph is a missile defense program of the Missile Defense Agency that, as of the date specified in paragraph (1), has received Milestone C approval (as defined in section 2366 of title 10, United States Code).

(3) REPORT.—

(A) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on the plans of the Department of Defense for the transition of missile defense programs from the Missile Defense Agency to the military departments pursuant to paragraph (1).

(B) SCOPE.—The report under subparagraph (A) shall cover the period covered by the future-years defense program that is submitted under section 221 of title 10, United States Code, in the year in which such report is submitted.

(C) MATTERS INCLUDED.—The report under subparagraph (A) shall include the following:

(i) An identification of—

(I) the missile defense programs planned to be transitioned from the Missile Defense Agency to the military departments; and

(II) the missile defense programs, if any, not planned for transition to the military departments.

(ii) The schedule for transition of each missile defense program planned to be transitioned to a military department, and an explanation of such schedule.

(iii) A description of—

(I) the status of the plans of the Missile Defense Agency and the military departments for the transition of missile defense programs from that agency to the military departments; and

(II) the status of any agreement between the Missile Defense Agency and one or more of the

military departments on the transition of any such program from that agency to the military departments, including any agreement on the operational test criteria that must be achieved before such transition.

(iv) An identification of the element of the Department of Defense (whether the Missile Defense Agency, a military department, or both) that will be responsible for funding each missile defense program to be transitioned to a military department, and at what date.

(v) A description of the type of funds that will be used (whether funds for research, development, test, and evaluation, procurement, military construction, or operation and maintenance) for each missile defense program to be transitioned to a military department.

(vi) An explanation of the number of systems planned for procurement for each missile defense program to be transitioned to a military department, and the schedule for procurement of each such system.

(vii) A description of how the Missile Defense Agency will continue the responsibility for the research and development of improvements to missile defense programs.

(c) ROLE OF MISSILE DEFENSE AGENCY.—

(1) IN GENERAL.—Chapter 8 of title 10, United States Code, is amended by adding at the end the following new section:

"§ 205. Missile Defense Agency

''(a) TERM OF DIRECTOR.—The Director of the Missile Defense Agency shall be appointed for a six-year term.

''(b) REPORTING.—The Missile Defense Agency shall be under the authority, direction, and control of the Under Secretary of Defense for Research and Engineering.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of such chapter is amended by adding at the end the following new item:

''205. Missile Defense Agency.''.

(3) APPLICATION.—

(A) TERMS.—Subsection (a) of section 205 of title 10, United States Code, as added by paragraph (1), shall apply the day following the date on which the present incumbent in the office of the Director of the Missile Defense Agency, as of the date of the enactment of this Act, ceases to serve as such.

(B) REPORTING.—Subsection (b) of such section 205 shall apply beginning on February 1, 2018. In carrying out such subsection, the Missile Defense Agency shall be under the authority, direction, and control of the Under Secretary of Defense for Research and Engineering in the same manner as the Missile Defense Agency was under the authority, direction, and control of the Under Secretary of Defense for Acquisition, Technology, and Logistics pursuant to Department of Defense Directive 5134.09. Any reference in such Instruction to the Under Secretary of Defense for Acquisition, Technology, and Logistics shall be deemed to be a reference to the Under Secretary of Defense for Research and Engineering, including with respect to the Under Secretary serving as the chairman of the Missile Defense Executive Board.

SEC. 1682. PRESERVATION OF THE BALLISTIC MISSILE DEFENSE CAPACITY OF THE ARMY.

(a) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 or any fiscal year thereafter for the Army may be obligated or expended to demilitarize any GEM–T interceptor or remove any such interceptor from the operational inventory of the Army until the date on which the Secretary of the Army submits to the congressional defense committees the evaluation conducted under subsection (b).

(b) EVALUATION.—The Secretary and the Chief of Staff of the Army shall jointly conduct an evaluation of the ability of the Army to meet warfighter requirements and operational needs if GEM–T interceptors are removed from the operational inventory of the Army. In conducting such evaluation, the Secretary and the Chief of Staff shall evaluate whether the Army can maintain an inventory of interceptors necessary to retain the capability provided by GEM–T interceptors and to meet such operational needs by either—

(1) recertifying GEM–T interceptors (either with or without modification); or

(2) developing, testing, and fielding a new low-cost interceptor that can be placed on the operational inventory of the Army prior to the retirement of GEM-T interceptors.

(c) EXCEPTION.—The limitation in subsection (a) shall not apply to activities that the Secretary determines are critical to the safety of GEM–T interceptors.

(d) GEM–T INTERCEPTOR DEFINED.—In this section, the term ''GEM–T interceptor'' means the Patriot guidance enhanced missile TBM.

SEC. 1683. MODERNIZATION OF ARMY LOWER TIER AIR AND MISSILE DEFENSE SENSOR.

(a) APPROVAL OF ACQUISITION STRATEGY.—

(1) IN GENERAL.—Not later than April 15, 2018, the Secretary of the Army shall issue an acquisition strategy for a 360-degree lower tier air and missile defense sensor that achieves initial operating capability by not later than January 1, 2022.

(2) REQUIREMENTS.—The acquisition strategy under paragraph (1) shall—

(A) ensure the use of competitive procedures;

(B) clearly describe the open-architecture design to be used;

(C) provide a comprehensive fielding plan that provides 360-degree lower tier air and missile defense sensor capability to all units of the Army by not later than January 1, 2026;

(D) define the operation and sustainment cost savings of the acquisition strategy and other acquisition options of the Army;

(E) identify any programmatic cost avoidance that could be achieved through co-production, co-development, or foreign military sales;

(F) ensure the fielding of an interim gap-filler capability to the highest priority forces (consisting of not less than three battalions) for imminent threats; and

(G) identify the estimated cost to field both the 360-degree lower tier air and missile defense sensor capability and the interim capability pursuant to subparagraph (E).

(3) LIMITATION.—If the Secretary of the Army does not issue the acquisition strategy under subsection (a) by April 15, 2018, none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the lower tier air and missile defense sensor of the Army that are unobligated as of such date may be obligated or expended.

(b) CONDITIONAL TRANSFER.—

(1) MDA.—If the Secretary of the Army does not issue the acquisition strategy under subsection (a) by April 15, 2018, the Secretary of Defense shall transfer from the Secretary of the Army to the Director of the Missile Defense Agency—

(A) the responsibility to issue the acquisition strategy described in subsection (a) by not later than December 15, 2018; and

(B) beginning on the date of such approval, the responsibility to implement such acquisition strategy to procure a 360-degree lower tier air and missile defense sensor.

(2) ARMY.—If the Secretary of Defense carries out the transfer under paragraph (1), after the 360-degree lower tier air and missile defense sensor achieves Milestone B approval (or equivalent), but before such sensor achieves Milestone C approval (or equivalent), the Secretary of Defense shall transfer from the Director of the Missile Defense Agency to the Secretary of the Army the responsibility to procure such sensor.

(c) DEFINITIONS.—The terms ''Milestone B approval'' and ''Milestone C approval'' have the meanings given those terms in section 2366 of title 10, United States Code.

SEC. 1684. ENHANCEMENT OF OPERATIONAL TEST AND EVALUATION OF BALLISTIC MISSILE DEFENSE SYSTEM.

Not later than 90 days after the date of the enactment of this Act, the Director of the Missile Defense Agency, the Director of Operational Test and Evaluation, the Secretary of the Army, and the Secretary of the Navy shall jointly ensure that—

(1) the test plans of the Integrated Master Test Plan of the ballistic missile defense system include planned tests activity of the lower tier ballistic missile defenses of the Army;

(2) such plans prioritize the integration of such defenses with elements of the ballistic missile defense system; and

(3) such plans are clearly described in such Integrated Master Test Plan.

SEC. 1685. DEFENSE OF HAWAII FROM NORTH KOREAN BALLISTIC MISSILE ATTACK.

(a) FINDINGS; SENSE OF CONGRESS.—

(1) FINDINGS.—Congress finds the following:

(A) The North Korean ballistic missile threat to the United States, including Hawaii, is growing rapidly.

(B) Since Kim Jong-un took power in 2012, North Korea has conducted 78 ballistic missile tests, of which 61 are considered to have been successful.

(C) The existing ballistic missile defense protection for Hawaii, including the ground-based midcourse defense system in Alaska, and the sea-based x-band radar, provide limited ballistic missile defense capabilities today.

(D) Through use of existing ballistic missile defense assets, including AN/TPY–2 radars and the Aegis Ashore Site located on the Pacific Missile Range Facility, the ballistic missile defense of Hawaii could benefit from a near-term improvement by adding a layer of defense.

(E) The proposed program of record for a medium range discriminating radar to be fully mission capable after 2023 would leave the defense of Hawaii dependent only on the ground-based midcourse defense system in Alaska, and the sea-based x-band radar until that time, while the threat to the United States, including Hawaii, from North Korean ballistic missiles continues to grow.

(F) The National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) required that the Missile Defense Agency plan to provide additional ballistic missile defense sensor coverage for the defense of Hawaii and ''field such radar or equivalent sensor by not later than December 31, 2021''.

(G) When asked at a hearing of the Committee on Armed Services of the House of Representatives on April 26, 2017, about the threat to Hawaii from North Korean ballistic missiles, the Commander of the United States Pacific Command, Admiral Harry Harris, testified that ''Kim Jong-un is clearly in a position to threaten Hawaii today. . .I believe that our ballistic missile (defense) architecture is sufficient to protect Hawaii today. But it can be overwhelmed'' and ''I think that we would be better served, my personal opinion, is that we would be better served with a defensive Hawaii radar and interceptors in Hawaii. I know that is being discussed''.

(2) SENSE OF CONGRESS.—It is the sense of Congress that Congress supports assessing the feasibility of improving the missile defense of Hawaii from the evolving ballistic missile threat, including from North Korea, through a permanent missile defense sensor capability and the possible introduction of interim missile defense coverage.

(b) SEQUENCED APPROACH.—The Secretary of Defense shall protect the test and training operations of the Pacific Missile Range Facility, and assess the siting and functionality of a discrimination radar for homeland defense throughout the Hawaiian Islands before assessing the feasibility of improving the missile defense of Hawaii by using existing missile defense assets that could materially improve the defense of Hawaii.

(c) TEST.—The Director of the Missile Defense Agency shall—

(1) not later than 270 days after the date of the enactment of this Act, conduct a test to evaluate and demonstrate, if technologically feasible, the capability to defeat a simple intercontinental ballistic missile threat using the standard missile 3 block IIA missile interceptor; and

(2) as part of the integrated master test plan for the ballistic missile defense system, develop a plan to demonstrate a capability to defeat a complex intercontinental ballistic missile threat, including a complex threat posed by the intercontinental ballistic missiles of North Korea.

(d) REPORT.—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—

(1) that indicates whether demonstrating an intercontinental ballistic missile defense capability against North Korean ballistic missiles by the standard missile 3 block IIA missile interceptor poses any risks to strategic stability; and

(2) if the Secretary determines under paragraph (1) that such demonstration poses such risks to strategic stability, a description of any plan developed and implemented by the Secretary to address and mitigate such risks, as determined appropriate by the Secretary.

SEC. 1686. AEGIS ASHORE ANTI-AIR WARFARE CAPABILITY.

(a) AUTHORIZATION.—Using funds authorized to be appropriated by sections 101 and 201 of this Act or otherwise made available for fiscal year 2018 for procurement and research, development, test, and evaluation, as specified in the funding tables in division D, the Secretary of Defense shall continue the development, procurement, and deployment of anti-air warfare capabilities at each Aegis Ashore site in Romania and Poland. The Secretary shall ensure the deployment of such capabilities—

(1) at such sites in Romania by not later than one year after the date of the enactment of this Act; and

(2) at such sites in Poland by not later than one year after the declaration of operational status for such sites.

(b) REPROGRAMMING AND TRANSFERS.—Any reprogramming or transfer made to carry out subsection (a) shall be carried out in accordance with established procedures for reprogramming or transfers.

SEC. 1687. IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM, ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND COPRODUCTION, AND ARROW 3 TESTING.

(a) IRON DOME SHORT-RANGE ROCKET DEFENSE SYSTEM.—

(1) AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for procurement, Defense-wide, and available for the Missile Defense Agency, not more than $92,000,000 may be provided to the Government of Israel to procure Tamir interceptors for the Iron Dome short-range rocket defense system through coproduction of such interceptors in the United States by industry of the United States.

(2) CONDITIONS.—

(A) AGREEMENT.—Funds described in paragraph (1) for the Iron Dome short-range rocket defense program shall be available subject to the terms and conditions in the Agreement Between the Department of Defense of the United States of America and the Ministry of Defense of the State of Israel Concerning Iron Dome Defense System Procurement, signed on March 5, 2014, subject to an amended bilateral international agreement for coproduction for Tamir interceptors. In negotiations by the Missile Defense Agency and the Missile Defense Organization of the Government of Israel regarding such production, the goal of the United States is to maximize opportunities for coproduction of the Tamir interceptors described in paragraph (1) in the United States by industry of the United States.

(B) CERTIFICATION.—Not later than 30 days prior to the initial obligation of funds described in paragraph (1), the Director of the Missile Defense Agency and the Under Secretary of Defense for Acquisition, Technology, and Logistics shall jointly submit to the appropriate congressional committees—

(i) a certification that the amended bilateral international agreement specified in subparagraph (A) is being implemented as provided in such agreement; and

(ii) an assessment detailing any risks relating to the implementation of such agreement.

(b) ISRAELI COOPERATIVE MISSILE DEFENSE PROGRAM CODEVELOPMENT AND COPRODUCTION.—

(1) IN GENERAL.—Subject to paragraph (2), of the funds authorized to be appropriated for fiscal year 2018 for procurement, Defense-wide, and available for the Missile Defense Agency—

(A) not more than $221,500,000 may be provided to the Government of Israel to procure the David's Sling Weapon System, including for coproduction of parts and components in the United States by United States industry; and

(B) not more than $287,300,000 may be provided to the Government of Israel for the Arrow 3 Upper Tier Interceptor Program, including for coproduction of parts and components in the United States by United States industry.

(2) CERTIFICATION.—

(A) CRITERIA.—Except as provided by paragraph (3), the Under Secretary of Defense for Acquisition, Technology, and Logistics shall submit to the appropriate congressional committees a certification that—

(i) the Government of Israel has demonstrated the successful completion of the knowledge points, technical milestones, and production readiness reviews required by the research, development, and technology agreements for the David's Sling Weapon System and the Arrow 3 Upper Tier Development Program, respectively;

(ii) funds specified in subparagraphs (A) and (B) of paragraph (1) will be provided on the basis of a one-for-one cash match made by Israel for such respective systems or in another matching amount that otherwise meets best efforts (as mutually agreed to by the United States and Israel);

(iii) the United States has entered into a bilateral international agreement with Israel that establishes, with respect to the use of such funds—

(I) in accordance with clause (iv), the terms of coproduction of parts and components of such respective systems on the basis of the greatest practicable coproduction of parts, components, and all-up rounds (if appropriate) by United States industry and minimizes nonrecurring engineering and facilitization expenses to the costs needed for coproduction;

(II) complete transparency on the requirement of Israel for the number of interceptors and batteries of such respective systems that will be procured, including with respect to the procurement plans, acquisition strategy, and funding profiles of Israel;

(III) technical milestones for coproduction of parts and components and procurement of such respective systems; and

(IV) joint approval processes for third-party sales of such respective systems and the components of such respective systems;

(iv) the level of coproduction described in clause (iii)(I) for the Arrow 3 Upper Tier Interceptor Program and the David's Sling Weapon System is not less than 50 percent; and

(v) there is a separate, clear plan for each of the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program for improving the affordability of the respective system, and each such plan is approved by a United States-Israeli joint working group on cost-reduction for such respective system.

(B) NUMBER.—In carrying out subparagraph (A), the Under Secretary may submit—

(i) one certification covering both the David's Sling Weapon System and the Arrow 3 Upper Tier Interceptor Program; or

(ii) separate certifications for each respective system.

(C) TIMING.—The Under Secretary shall submit to the congressional defense committees the certification under subparagraph (A) by not later than 60 days before the funds specified in paragraph (1) for the respective system covered by the certification are provided to the Government of Israel.

(3) WAIVER.—The Under Secretary may waive the certification required by paragraph (2) if the Under Secretary certifies to the appropriate congressional committees that the Under Secretary has received sufficient data from the Government of Israel to demonstrate—

(A) the funds specified in subparagraphs (A) and (B) of paragraph (1) are provided to Israel solely for funding the procurement of long-lead components and critical hardware in accordance with a production plan, including a funding profile detailing Israeli contributions for production, including long-lead production, of either David's Sling Weapon System or the Arrow 3 Upper Tier Interceptor Program;

(B) such long-lead components have successfully completed knowledge points, technical milestones, and production readiness reviews; and

(C) the long-lead procurement will be conducted in a manner that maximizes coproduction in the United States without incurring nonrecurring engineering activity or cost other than such activity or cost required for suppliers of the United States to start or restart production in the United States.

(4) BRIEFING.—Not later than 30 days after the date on which both plans described in paragraph (2)(A)(v) are completed, the Under Secretary shall provide to the appropriate congressional committees a joint briefing on such plans.

(c) LIMITATION ON AVAILABILITY OF FUNDING FOR CERTAIN ARROW 3 TESTING.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Missile Defense Agency, not more than $105,000,000 may be obligated or expended for—

(1) testing of the Arrow 3 Upper Tier Development Program that is carried out at ranges located in the United States; and

(2) expenses relating to such testing that the Director determines to be required and appropriate.

(d) CROSS REFERENCE.—The amounts and purposes referred to in this section correspond to amounts specified for such purposes in the funding tables in division D.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Affairs of the House of Representatives and the Committee on Foreign Relations of the Senate.

SEC. 1688. REVIEW OF PROPOSED GROUND-BASED MIDCOURSE DEFENSE SYSTEM CONTRACT.

(a) LIMITATION ON CHANGES TO CONTRACTING STRATEGY.—The Director of the Missile Defense Agency may not change the contracting strategy for the systems integration, operations, and test of the ground-based midcourse defense system until the date on which—

(1) the report under subsection (b)(3) is submitted to the congressional defense committees; and

(2) a period of 30 days has elapsed following the date of such submission.

(b) REVIEW.—

(1) IN GENERAL.—The Director of Cost Assessment and Program Evaluation shall conduct a review of the contract for the systems integration, operations, and test of the ground-based midcourse defense system. Such review shall include the following:

(A) Contract performance of current industry-led prime contract approach, including with respect to—

(i) system readiness performance and reliability growth;

(ii) development, integration, and fielding of new homeland defense capabilities; and

(iii) cost performance against baseline contract.

(B) With respect to alternate contracting approaches—

(i) an enumeration and detailing of any specific benefits for each such alternate approach;

(ii) an identification of specific costs to switching to each such alternate approach; and

(iii) detailing of the specific risks of each such alternate approach to homeland defense, including regarding schedule, costs, and the sustainment, maintenance, development, and fielding, of integrated capabilities.

(C) With respect to contracting approaches that transition to Federal Government-led systems engineering integration and test—

(i) an enumeration of the processes, procedures, and command media that have been established by the Missile Defense Agency and proven to be effective for the execution of programs that are of the scale of the ground-based midcourse defense system; and

(ii) the manner in which a new contract will control for growth in the personnel and support contracts of the Federal Government to support cost growth and minimize the risk of schedule delay.

(D) A baseline for historical and current staffing of the ground-based midcourse defense system program, specifically with respect to personnel of the Federal Government, personnel of federally funded research and development centers, personnel of departments and agencies of the Federal Government, and support contractors.

(E) Projections of the staffing categories specified in subparagraph (D) under a new contracting strategy and how such staffing categories will be limited to prevent significant cost growth and to minimize the risk of schedule delays.

(F) The views and recommendations of the Director for any changes the current ground-based midcourse defense system contract or a new contract, including the proposed contracting strategy of the Missile Defense Agency.

(G) Any other such matters the Director determines appropriate.

(2) TRANSMISSION.—The Director of Cost Assessment and Program Evaluation shall transmit to the Under Secretary of Defense for Research and Engineering and the Missile Defense Executive Board the review under paragraph (1).

(3) REPORT.—Not later than 30 days after the date on which the Under Secretary and the Missile Defense Executive Board receive the review under paragraph (1), the Under Secretary and Board shall jointly submit to the congressional defense committees a report containing—

(A) the review, without change; and

(B) any views and recommendations of the Under Secretary and the Board on such review.

SEC. 1689. SENSE OF CONGRESS AND PLAN FOR DEVELOPMENT OF SPACE-BASED SENSOR LAYER FOR BALLISTIC MISSILE DEFENSE.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the defense of the homeland, the deployed members of the Armed Forces, and the allies of the United States against the threat of attack by ballistic and hypersonic missiles is the highest priority of the Missile Defense Agency;

(2) the Missile Defense Agency, and the Defense Agencies and combat support agencies, must prioritize the design, development, and deployment of the space-based missile defense sensor layer;

(3) a space-based missile defense sensor layer is essential for the future of the missile defense of the homeland, the deployed members of the Armed Forces, and the allies of the United States; and

(4) such a space-based layer can, and should, benefit a multitude of other important defense and intelligence requirements, including targeting and space situational awareness.

(b) DEVELOPMENT.—After the date on which the Director of the Missile Defense Agency submits the plan under subsection (c), the Director, in coordination with the Secretary of the Air Force and the heads of the Defense Agencies and combat support agencies that the Director determines appropriate, shall develop a space-based ballistic missile defense sensor layer that—

(1) provides missile defense engagement quality precision tracking data of the United States beginning in the boost phase and continuing throughout subsequent flight regimes; and

(2) serves other defense and intelligence requirements for intelligence, surveillance, and reconnaissance, including targeting and space situational awareness; and

(3) achieves an operational prototype payload at the earliest practicable date.

(c) SPACE-BASED MISSILE DEFENSE SENSOR LAYER PLAN.—Not later than one year after the date of the enactment of this Act, the Director shall submit to the appropriate congressional committees a plan that includes—

(1) how the Director will carry out subsection (b), including with respect to the estimated costs—

(A) for the operational prototype payload specified in paragraph (3) of such subsection; and

(B) to develop, acquire, and deploy, and the lifecycle costs to operate and sustain, a space-based sensor layer and support systems to provide global missile defense coverage;

(2) an assessment of the maturity of critical technologies necessary to make operational such a space-based sensor layer, and recommendations for any research and development activities to rapidly mature such technologies;

(3) an assessment of what capabilities such a space-based sensor layer can contribute that other sensor layers do not contribute;

(4) how the Director will leverage the use of national technical means, commercially available space and terrestrial capabilities, hosted payloads, small satellites, and other capabilities to carry out subsection (b); and

(5) any other matters the Director determines appropriate.

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) The term ''combat support agency'' has the meaning given that term in section 193(f) of title 10, United States Code.

(3) The term ''Defense Agency'' has the meaning given that term in section 101(a)(11) of title 10, United States Code.

SEC. 1690. SENSE OF CONGRESS AND PLAN FOR DEVELOPMENT OF SPACE-BASED BALLISTIC MISSILE INTERCEPT LAYER.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) a space-based missile defense layer will exploit the natural advantages of space systems and integrate them into the ballistic missile defense system; and

(2) these advantages include—

(A) a 24/7 global presence to defend against asymmetric threats;

(B) access to geographically denied areas;

(C) an ability to close a global fire control loop for such system;

(D) complementing existing terrestrial capabilities; and

(E) increasing the overall survivability and resilience of the entire national missile defense system.

(b) DEVELOPMENT.—The Director of the Missile Defense Agency shall develop a space-based ballistic missile intercept layer to the ballistic missile defense system that is—

(1) regionally focused;

(2) capable of providing boost-phase defense; and

(3) achieves an operational capability at the earliest practicable date.

(c) SPACE-BASED BALLISTIC MISSILE INTERCEPT LAYER PLAN.—Not later than one year after the date of the enactment of this Act, the Director shall submit to the appropriate congressional committees a plan to carry out subsection (b) during the five-year period following the date of the plan. Such plan shall include the following:

(1) A concept definition phase consisting of multiple awarded contracts to identify feasible solutions consistent with architectural principles, performance goals, and price points established by the Director, such as contracts relating to—

(A) refined requirements;

(B) conceptual designs;

(C) technology readiness assessments;

(D) critical technical and operational issues;

(E) cost, schedule, performance estimates; and

(F) risk reduction plans.

(2) A technology risk reduction phase consisting of up to three competitively awarded contracts focused on maturing, integrating, and characterizing key technologies, algorithms, components, and sub-systems, such as contracts relating to—

(A) refined concepts and designs;

(B) engineering trade studies;

(C) medium-to-high fidelity digital representations of the space-based ballistic missile intercept weapon system; and

(D) a proposed integration and test sequence that could potentially lead to a live-fire boost phase intercept during fiscal year 2022.

(3) During the technology risk reduction phase, contractors will define proposed demonstrations to a preliminary design review level prior to a technology development phase down-select.

(4) A technology development phase consisting of two competitively awarded contracts to mature the preferred space-based ballistic missile intercept weapon system concepts and to potentially conduct a live-fire boost phase intercept fly-off during fiscal year 2022 with brassboard hardware and prototype software on a path to the operational goal.

(5) A concurrent space-based ballistic missile intercept weapon system fire control test bed activity that incrementally incorporates modeling and simulation elements, real-world data, hardware, algorithms, and systems to evaluate with increasing confidence the performance of evolving designs and concepts of such weapon system from target detection to intercept.

(6) Any other matters the Director determines appropriate.

(d) ESTABLISHMENT OF SPACE TEST BED.—In carrying out subsection (b), the Director of the Missile Defense Agency shall establish a space test bed to—

(1) conduct research and development regarding options for a space-based defensive layer, including with respect to space-based interceptors and directed energy platforms; and

(2) identify the most cost-efficient and promising technological solutions to implementing such layer.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the congressional defense committees; and

(2) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

SEC. 1691. LIMITATION ON AVAILABILITY OF FUNDS FOR GROUND-BASED MIDCOURSE DEFENSE ELEMENT OF THE BALLISTIC MISSILE DEFENSE SYSTEM.

Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the ground-based midcourse defense element of the ballistic missile defense system, $50,000,000 may not be obligated or expended until the date on which the Secretary of

Defense provides to the congressional defense committees—

(1) a written certification that the risk of mission failure of ground-based midcourse interceptor enhanced kill vehicles due to foreign object debris has been minimized; or

(2) if the certification under paragraph (1) cannot be made, a briefing on the corrective measures that will be carried out to minimize such risk, including—

(A) a timeline for the implementation of the measures; and

(B) the estimated cost of implementing the measures.

SEC. 1692. CONVENTIONAL PROMPT GLOBAL STRIKE WEAPONS SYSTEM.

(a) EARLY OPERATIONAL CAPABILITY.—The Secretary of Defense, in coordination with the Chairman of the Joint Chiefs of Staff, shall plan to reach early operational capability for the conventional prompt strike weapon system by not later than September 30, 2022.

(b) LIMITATION ON AVAILABILITY OF FUNDS.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for research, development, test, and evaluation, Defense-wide, for the conventional prompt global strike weapons system, not more than 50 percent may be obligated or expended until the date on which the Chairman of the Joint Chiefs of Staff, in consultation with the Chief of Staff of the Army, the Commander of the United States European Command, the Commander of the United States Pacific Command, and the Commander of the United States Strategic Command, submits to the congressional defense committees, a report on—

(1) the required level of resources that is consistent with the level of priority assigned to the associated capability gap;

(2) the estimated period for the delivery of a medium-range early operational capability, the required level of resources necessary to field a medium-range conventional prompt global strike weapon within the United States (including the territories and possessions of the United States), and a detailed plan consistent with the urgency of the associated capability gap across multiple platforms;

(3) the joint performance requirements that—

(A) ensure interoperability, where appropriate, between and among joint military capabilities; and

(B) are necessary, as designated by the Chairman of the Joint Chiefs of Staff, to fulfill capability gaps of more than one military department, Defense Agency, or other element of the Department; and

(4) in coordination with the Secretary of Defense, any plan (including policy options) considered appropriate to address any potential risks of ambiguity from the launch or employment of such a capability.

SEC. 1693. DETERMINATION OF LOCATION OF CONTINENTAL UNITED STATES INTERCEPTOR SITE.

(a) DETERMINATION.—Not later than 30 days after the date on which the Ballistic Missile Defense Review is issued, the Secretary of Defense shall determine the location of a potential additional continental United States interceptor site. In making such determination, the Secretary shall consider the full spectrum of contributing factors, including with respect to each of the following:

(1) Strategic and operational effectiveness, including with respect to the location that is the most advantageous site to the continental United States, including by having the capability to provide shoot-assess-shoot coverage to the entire continental United States.

(2) Existing infrastructure at the location.

(3) Economic impacts.

(4) Public support.

(5) Cost to construct and operate.

(b) REPORT.—Not later than 30 days after making the determination described in subsection (a), the Secretary shall submit to the congressional defense committees a report detailing all of the contributing factors considered by the Secretary in making such determination, including any other factors that the Secretary considered, including any relevant recommendations of the Ballistic Missile Defense Review.

Subtitle G—Other Matters

SEC. 1695. PROTECTION OF CERTAIN FACILITIES AND ASSETS FROM UNMANNED AIRCRAFT.

Subparagraph (C) of section 130i(e)(1) of title 10, United States Code, is amended to read as follows:

''(C)(i) relates to—

''(I) the nuclear deterrence mission of the Department of Defense, including with respect to nuclear command and control, integrated tactical warning and attack assessment, and continuity of government;

''(II) the missile defense mission of the Department; or

''(III) the national security space mission of the Department; or

''(ii) is part of a Major Range and Test Facility Base (as defined in section 196(i) of this title).''.

SEC. 1696. USE OF COMMERCIAL ITEMS IN DISTRIBUTED COMMON GROUND SYSTEMS.

(a) IN GENERAL.—Except as provided in subsection (b), the procurement process for each covered Distributed Common Ground System shall be carried out in accordance with section 2377 of title 10, United States Code.

(b) EXCEPTIONS.—Section 2377 of title 10, United States Code, shall not apply to the procurement of an item or service for a covered Distributed Common Ground System if the item or service—

(1) is used to integrate the capabilities of the system with another information system, in a case in which such integration is required; or

(2) is not available in an existing commercial product.

(c) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term ''appropriate congressional committees'' means—

(A) the congressional defense committees; and

(B) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

(2) COVERED DCGS SYSTEM.—The term ''covered Distributed Common Ground System'' includes the following:

(A) The Distributed Common Ground System of the Army.

(B) The Distributed Common Ground System of the Navy.

(C) The Distributed Common Ground System of the Marine Corps.

(D) The Distributed Common Ground System of the Air Force.

(E) The Distributed Common Ground System of the Special Operations Forces.

SEC. 1697. INDEPENDENT ASSESSMENT OF COSTS RELATING TO AMMONIUM PERCHLORATE.

(a) ASSESSMENT.—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 to conduct an assessment of the costs to the Department of Defense relating to contractors and subcontractors of the Department using a new supplier of ammonium perchlorate for weapon systems.

(b) ELEMENTS.—The assessment under subsection (a) shall include the following:

(1) For each weapon system that must be requalified by reason of the new supplier of ammonium perchlorate as described in subsection (a), an estimate of the requalification costs.

(2) The types and number of tests that are needed for any such requalification, including whether any currently planned tests, as of the date of the assessment, may be leveraged, or testing across programs may be used, to decrease requalification costs while retaining and ensuring qualification standards.

(3) Estimates of any other costs relating to ammonium perchlorate that the Secretary determines appropriate.

(c) SUBMISSION.—Not later than 120 days after the date of the enactment of this Act, the Secretary shall submit to the congressional defense committees the assessment under subsection (a), without change, together with any comments or views of the Secretary regarding the assessment.

SEC. 1698. LIMITATION AND BUSINESS CASE ANALYSIS REGARDING AMMONIUM PERCHLORATE.

(a) IN GENERAL.—The Secretary of Defense, acting through the Director of Cost Assessment and Program Evaluation, shall conduct a business case analysis regarding the options of the Federal Government to ensure a robust domestic industrial base to supply ammonium perchlorate for use in solid rocket motors. Such analysis should include assessments of the near and long-term costs, program impacts, opportunities for competition, opportunities for redundant or complementary capabilities, and national security implications of—

(1) continuing to rely on one domestic provider;

(2) supporting development of a second domestic source;

(3) procuring ammonium perchlorate as Government-furnished material and providing it to all necessary programs; and

(4) such other options as the Secretary determines appropriate.

(b) ELEMENTS.—The analysis under subsection (a) shall, at minimum, include—

(1) an estimate of all associated costs, including development, procurement, and qualification costs, as applicable;

(2) an assessment of options, under various scenarios, for the quantity of ammonium perchlorate that would be required by the Department of Defense; and

(3) the assessment of the Secretary of how the requirements for ammonium perchlorate of other Federal agencies impact the requirements of the Department of Defense.

(c) REPORT.—The Secretary shall submit the business case analysis required by subsection (a) to the Comptroller General of the United States and the Committees on Armed Services of the Senate and House of Representatives by March 1, 2018, along with any views of the Secretary.

(d) REVIEW.—The Comptroller General of the United States shall conduct a review of the report submitted by the Secretary under subsection (c) and, not later than 30 days after receiving such report, provide a briefing on such review to the Committees on Armed Services of the Senate and House of Representatives.

(e) LIMITATION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended for the development or construction of a new source for ammonium perchlorate until 45 days after the date on which the report under subsection (c) is submitted to the Comptroller General and the Committees on Armed Services of the Senate and House of Representatives.

(f) WAIVER.—The Secretary of Defense may waive the limitation under subsection (e) if the Secretary—

(1) determines such waiver to be in the national security interest of the United States; and

(2) submits written notification of such determination to the congressional defense committees and waits 15 days.

SEC. 1699. INDUSTRIAL BASE FOR LARGE SOLID ROCKET MOTORS AND RELATED TECHNOLOGIES.

(a) PLAN.—The Secretary of Defense, in consultation with the Administrator of the National Aeronautics and Space Administration, shall develop a plan to ensure a robust domestic industrial base for large solid rocket motors, including

with respect to the critical technologies, subsystems, components, and materials within and relating to such rocket motors.

(b) SUSTAINMENT OF DOMESTIC SUPPLIERS.—The Secretary shall develop the plan under subsection (a) in a manner that, if carried out, sustains not less than two domestic suppliers for each of the following:

(1) Large solid rocket motors.

(2) Small liquid-fueled rocket engines.

(3) Aeroshells for reentry vehicles (or reentry bodies).

(4) Strategic radiation-hardened microelectronics.

(5) Any other critical technologies, subsystems, components, and materials within and relating to large solid rocket motors that the Secretary determines appropriate.

(c) REPORT.—

(1) SUBMISSION.—Not later than February 1, 2018, the Secretary shall submit to the Committee on Armed Services and the Permanent Select Committee on Intelligence of the House of Representatives and the Committee on Armed Services of the Senate a report that includes the plan under subsection (a).

(2) MATTERS INCLUDED.—With respect to the sustainment of domestic suppliers as described in subsection (b), the report under paragraph (1) shall include the views of the Secretary on the following:

(A) Such sustainment of not less than two domestic suppliers for each item specified in paragraphs (1) through (5) of such subsection.

(B) The risks within the industrial base for each such item.

(C) The estimated costs for such sustainment.

(D) The opportunities to ensure or promote competition within the industrial base for each such item.

SEC. 1699A. PILOT PROGRAM ON ENHANCING INFORMATION SHARING FOR SECURITY OF SUPPLY CHAIN.

(a) ESTABLISHMENT.—Not later than June 1, 2019, the Secretary of Defense shall establish a pilot program to enhance information sharing with cleared defense contractors to ensure all source information is appropriately, singularly, and exclusively shared for the purpose of ensuring the security of the supply chain of covered programs.

(b) SELECTION.—The Secretary shall select 10 acquisition or sustainment programs of the Department of Defense to participate in the pilot program under subsection (a), of which—

(1) not fewer than one program shall be related to nuclear weapons;

(2) not fewer than one program shall be related to nuclear command, control, and communications;

(3) not fewer than one program shall be related to continuity of government;

(4) not fewer than one program shall be related to ballistic missile defense;

(5) not fewer than one program shall be related to other command and control systems; and

(6) not fewer than one program shall be related to logistics.

(c) REPORT.—Not later than March 1, 2018, the Secretary shall submit to the congressional defense committees a report that includes—

(1) details on how the Secretary will establish the pilot program under subsection (a) to ensure all source information is appropriately, singularly, and exclusively shared for the purpose of ensuring the security of the supply chain of covered programs; and

(2) the identification of any legislative action or administrative action required to provide the Secretary with specific additional authorities required to fully implement the pilot program.

(d) CLEARED DEFENSE CONTRACTORS DEFINED.—In this section, the term ''cleared defense contractors'' means contractors of the Department of Defense who have a security clearance, including contractor facilities that have a security clearance.

SEC. 1699B. COMMISSION TO ASSESS THE THREAT TO THE UNITED STATES FROM ELECTROMAGNETIC PULSE ATTACKS AND EVENTS.

(a) ESTABLISHMENT.—There is hereby established a commission to be known as the ''Commission to Assess the Threat to the United States from Electromagnetic Pulse Attacks and Events'' (hereafter in this section referred to as the ''Commission''). The purpose of the Commission is to assess and make recommendations with respect to the threat to the United States from electromagnetic pulse attacks and events.

(b) COMPOSITION.—

(1) MEMBERSHIP.—The Commission shall be composed of 12 members appointed as follows:

(A) Three members appointed by the chair of the Committee on Armed Services of the House of Representatives.

(B) Three members appointed by the ranking minority member of the Committee on Armed Services of the House of Representatives.

(C) Three members appointed by the chair of the Committee on Armed Services of the Senate.

(D) Three members appointed by the ranking minority member of the Committee on Armed Services of the Senate.

(2) CHAIR AND VICE CHAIR.—

(A) CHAIR.—The chair of the Committee on Armed Services of the House of Representative and the chair of the Committee on Armed Services of the Senate shall jointly designate one member of the Commission to serve as chair of the Commission.

(B) VICE CHAIR.—The ranking minority member of the Committee on Armed Services of the House of Representative and the ranking minority member of the Committee on Armed Services of the Senate shall jointly designate one member of the Commission to serve as vice chair of the Commission.

(3) SECURITY CLEARANCE REQUIRED.—Each individual appointed as a member of the Commission shall possess (or have recently possessed before the date of such appointment) the appropriate security clearance necessary to carry out the duties of the Commission.

(4) QUALIFICATION.—Members of the Commission shall be appointed from among private United States citizens with knowledge and expertise in the scientific, technical, and defense aspects of electromagnetic pulse threats and vulnerabilities.

(5) PERIOD OF APPOINTMENT; VACANCIES.—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall be filled in the same manner as the original appointment.

(c) DUTIES.—

(1) REVIEW AND ASSESSMENT.—The Commission shall review and assess—

(A) the nature, magnitude, and likelihood of potential electromagnetic pulse (hereafter in section referred to as ''EMP'') attacks and events, both manmade and natural, that could be directed at or affect the United States within the next 20 years;

(B) the vulnerability of United States military and civilian systems to EMP attacks and events, including with respect to emergency preparedness and immediate response;

(C) the capability of the United States to repair and recover from damage inflicted on United States military and civilian systems by EMP attacks and events; and

(D) the feasibility and cost of hardening critical military and civilian systems against EMP attack and events.

(2) RECOMMENDATIONS.—The Commission shall recommend any actions it believes should be taken by the United States to better prepare, prevent, mitigate, or recover military and civilian systems with respect to EMP attacks and events.

(d) COOPERATION FROM GOVERNMENT.—

(1) COOPERATION.—In carrying out its duties, the Commission shall receive the full and timely cooperation of the Secretary of Defense and the pertinent heads of any other Federal agency in providing the Commission with analysis, briefings, and other information necessary for the fulfillment of its responsibilities.

(2) LIAISON.—The Secretary shall designate at least one officer or employee of the Department of Defense to serve as a liaison officer between the Department and the Commission.

(e) REPORT.—

(1) FINAL REPORT.—

(A) IN GENERAL.—Not later than December 1, 2018, the Commission shall submit to the President, the Secretary of Defense, the Committee on Armed Services of the House of Representatives, and the Committee on Armed Services of the Senate a report on the findings, conclusions, and recommendations of the Commission.

(B) FORM OF REPORT.—The report submitted to Congress under subparagraph (A) shall be submitted in unclassified form, but may include a classified annex.

(2) VIEWS OF THE SECRETARY.—Not later than 90 days after the submittal of the report under paragraph (1), 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 that contains the views of the Secretary with respect to the findings, conclusions, and recommendations of the Commission and any actions the Secretary intends to take as a result.

(3) INTERIM BRIEFING.—Not later than June 1, 2018, the Commission shall provide to the Committee on Armed Services of the House of Representatives and the Committee on Armed Services of the Senate a briefing on the status of the activities of the Commission, including a discussion of any interim recommendations.

(f) FUNDING.—Of the amounts authorized to be appropriated by this Act for the Department of Defense, $3,000,000 is available to fund the activities of the Commission, as specified in the funding tables in division D.

(g) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Commission.

(h) TERMINATION.—The Commission shall terminate three months after the date on which the Secretary of Defense submits the report under subsection (e)(2).

(i) REPEAL.—Title XIV of Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106-398) is repealed.

SEC. 1699C. PILOT PROGRAM ON ELECTROMAGNETIC SPECTRUM MAPPING.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall establish a pilot program to assess the viability of space-based mapping of the electromagnetic spectrum used by the Department of Defense.

(b) DURATION.—The authority of the Secretary to carry out the pilot program under subsection (a) shall terminate on the date that is one year after the date of the enactment of this Act.

(c) INTERIM BRIEFING.—Not later than 60 days after the date of enactment of this Act, the Secretary of Defense shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate (and to any other congressional defense committee upon request) demonstrating how the Secretary plans to implement the pilot program under subsection (a).

(d) FINAL BRIEFING.—Not later than 90 days after the pilot program under subsection (a) is completed, the Secretary shall provide a briefing to the Committees on Armed Services of the House of Representatives and the Senate (and to any other congressional defense committee upon request) on the utility, cost, and other considerations regarding the mapping of the electromagnetic spectrum used by the Department of Defense.

TITLE XVII—MATTERS RELATING TO SMALL BUSINESS PROCUREMENT

Subtitle A—Improving Transparency and Clarity for Small Businesses

SEC. 1701. IMPROVING REPORTING ON SMALL BUSINESS GOALS.

(a) IN GENERAL.—Section 15(h)(2)(E) of the Small Business Act (15 U.S.C. 644(h)(2)(E)) is amended—

(1) in clause (i)—

(A) in subclause (III), by striking ''and'' at the end; and

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

''(V) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns for purposes of the initial contract; and

''(VI) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;'';

(2) in clause (ii)—

(A) in subclause (IV), by striking ''and'' at the end; and

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

''(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by service-disabled veterans for purposes of the initial contract; and

''(VII) that were awarded using a procurement method that restricted competition to qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;'';

(3) in clause (iii)—

(A) in subclause (V), by striking ''and'' at the end; and

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

''(VII) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be qualified HUBZone small business concerns for purposes of the initial contract; and

''(VIII) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, small business concerns owned and controlled by socially and economically disadvantaged individuals, small business concerns owned and controlled by women, or a subset of any such concerns;'';

(4) in clause (iv)—

(A) in subclause (V), by striking ''and'' at the end; and

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

''(VII) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by socially and economically disadvantaged individuals for purposes of the initial contract; and

''(VIII) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by women, or a subset of any such concerns;'';

(5) in clause (v)—

(A) in subclause (IV), by striking ''and'' at the end;

(B) in subclause (V), by inserting ''and'' at the end; and

(C) by adding at the end the following new subclause:

''(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by an Indian tribe other than an Alaska Native Corporation for purposes of the initial contract;'';

(6) in clause (vi)—

(A) in subclause (IV), by striking ''and'' at the end;

(B) in subclause (V), by inserting ''and'' at the end; and

(C) by adding at the end the following new subclause:

''(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by a Native Hawaiian Organization for purposes of the initial contract;'';

(7) in clause (vii)—

(A) in subclause (IV), by striking ''and'' at the end; and

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

''(VI) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned by an Alaska Native Corporation for purposes of the initial contract; and''; and

(8) in clause (viii)—

(A) in subclause (VII), by striking ''and'' at the end;

(B) in subclause (VIII), by striking ''and'' at the end; and

(C) by adding at the end the following new subclauses:

''(IX) that were purchased by another entity after the initial contract was awarded and as a result of the purchase, would no longer be deemed to be small business concerns owned and controlled by women for purposes of the initial contract; and

''(X) that were awarded using a procurement method that restricted competition to small business concerns owned and controlled by service-disabled veterans, qualified HUBZone small business concerns, small business concerns owned and controlled by socially and economically disadvantaged individuals, or a subset of any such concerns; and''.

(b) EFFECTIVE DATE.—The Administrator of the Small Business Administration shall be required to report on the information required by clauses (i)(V), (ii)(VI), (iii)(VII), (iv)(VII), (v)(VI), (vi)(VI), (vii)(VI), and (viii)(IX) of section 15(h)(2)(E) of the Small Business Act (15 U.S.C. 644(h)(2)(E)) beginning on the date that such information is available in the Federal Procurement Data System, the System for Award Management, or any new or successor system.

SEC. 1702. UNIFORMITY IN PROCUREMENT TERMINOLOGY.

(a) IN GENERAL.—Section 15(j)(1) of the Small Business Act (15 U.S.C. 644(j)(1)) is amended by striking ''greater than $2,500 but not greater than $100,000'' and inserting ''greater than the micro-purchase threshold, but not greater than the simplified acquisition threshold''.

(b) TECHNICAL AMENDMENT.—Section 3(m) of the Small Business Act (15 U.S.C. 632(m)) is amended to read as follows:

''(m) DEFINITIONS RELATING TO CONTRACTING.—In this Act:

''(1) PRIME CONTRACT.—The term 'prime contract' has the meaning given such term in section 8701(4) of title 41, United States Code.

''(2) PRIME CONTRACTOR.—The term 'prime contractor' has the meaning given such term in section 8701(5) of title 41, United States Code.

''(3) SIMPLIFIED ACQUISITION THRESHOLD.—The term 'simplified acquisition threshold' has the meaning given such term in section 134 of title 41, United States Code.

''(4) MICRO-PURCHASE THRESHOLD.—The term 'micro-purchase threshold' has the meaning given such term in section 1902 of title 41, United States Code.

''(5) TOTAL PURCHASES AND CONTRACTS FOR PROPERTY AND SERVICES.—The term 'total purchases and contracts for property and services' shall mean total number and total dollar amount of contracts and orders for property and services.''.

SEC. 1703. RESPONSIBILITIES OF COMMERCIAL MARKET REPRESENTATIVES.

Section 4(h) of the Small Business Act (15 U.S.C. 633(h)) is amended to read as follows:

''(h) COMMERCIAL MARKET REPRESENTATIVES.—

''(1) DUTIES.—The principal duties of a commercial market representative employed by the Administrator and reporting to the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36 (or the designee of such official) shall be to advance the policies established in section 8(d)(1) relating to subcontracting. Such duties shall include—

''(A) helping prime contractors to find small business concerns that are capable of performing subcontracts;

''(B) for contractors awarded contracts containing the clause described in section 8(d)(3), providing—

''(i) counseling on the contractor's responsibility to maximize subcontracting opportunities for small business concerns;

''(ii) instruction on methods and tools to identify potential subcontractors that are small business concerns; and

''(iii) assistance to increase awards to subcontractors that are small business concerns through visits, training, and reviews of past performance;

''(C) providing counseling on how a small business concern may promote its capacity to contractors awarded contracts containing the clause described in section 8(d)(3); and

''(D) conducting periodic reviews of contractors awarded contracts containing the clause described in section 8(d)(3) to assess compliance with subcontracting plans required under section 8(d)(6).

''(2) CERTIFICATION REQUIREMENTS.—

''(A) IN GENERAL.—Consistent with the requirements of subparagraph (B), a commercial market representative referred to in section 15(q)(3) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification.

''(B) DELAY OF CERTIFICATION REQUIREMENT.—The certification described in subparagraph (A) is not required—

''(i) for any person serving as a commercial market representative on the date of the enactment of this subsection, until the date that is one calendar year after the date such person was appointed as a commercial market representative; or

''(ii) for any person serving as a commercial market representative on or before November 25, 2015, until November 25, 2020.

''(3) JOB POSTING REQUIREMENTS.—The duties and certification requirements described in this subsection shall be included in any initial job posting for the position of a commercial market representative.''.

SEC. 1704. RESPONSIBILITIES OF BUSINESS OPPORTUNITY SPECIALISTS.

Section 4(g) of the Small Business Act (15 U.S.C. 633(g)) is amended to read as follows:

''(g) BUSINESS OPPORTUNITY SPECIALISTS.—

''(1) DUTIES.—The exclusive duties of a Business Opportunity Specialist employed by the Administrator and reporting to the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36 (or the

designee of such official) shall be to implement sections 7, 8, and 45 and to complete other duties related to contracting programs under this Act. Such duties shall include—

''(A) with respect to small business concerns eligible to receive contracts and subcontracts pursuant to section 8(a)—

''(i) providing guidance, counseling, and referrals for assistance with technical, management, financial, or other matters that will improve the competitive viability of such concerns;

''(ii) identifying causes of success or failure of such concerns;

''(iii) providing comprehensive assessments of such concerns, including identifying the strengths and weaknesses of such concerns;

''(iv) monitoring and documenting compliance with the requirements of sections 7 and 8 and any regulations implementing those sections;

''(v) explaining the requirements of sections 7, 8, 15, 31, 36, and 45; and

''(vi) advising on compliance with contracting regulations (including the Federal Acquisition Regulation) after award of such a contract or subcontract;

''(B) reviewing and monitoring compliance with mentor-protege agreements under section 45;

''(C) representing the interests of the Administrator and small business concerns in the award, modification, and administration of contracts and subcontracts awarded pursuant to section 8(a); and

''(D) reporting fraud or abuse under section 7, 8, 15, 31, 36, or 45 or any regulations implementing such sections.

''(2) CERTIFICATION REQUIREMENTS.—

''(A) IN GENERAL.—Consistent with the requirements of subparagraph (B), a Business Opportunity Specialist described under section 7(j)(10)(D) shall have a Level I Federal Acquisition Certification in Contracting (or any successor certification) or the equivalent Department of Defense certification.

''(B) DELAY OF CERTIFICATION REQUIREMENT.—The certification described in subparagraph (A) is not required—

''(i) for any person serving as a Business Opportunity Specialist on the date of the enactment of this subsection, until the date that is one calendar year after the date such person was appointed as a Business Opportunity Specialist; or

''(ii) for any person serving as a Business Opportunity Specialist on or before January 3, 2013, until January 3, 2020.

''(3) JOB POSTING REQUIREMENTS.—The duties and certification requirements described in this subsection shall be included in any initial job posting for the position of a Business Opportunity Specialist.''.

Subtitle B—Women's Business Programs

SEC. 1711. OFFICE OF WOMEN'S BUSINESS OWNERSHIP.

Section 29(g) of the Small Business Act (15 U.S.C. 656(g)) is amended—

(1) in paragraph (2), by striking subparagraphs (B) and (C) and inserting the following:

''(B) RESPONSIBILITIES.—The responsibilities of the Assistant Administrator shall be to administer the programs and services of the Office of Women's Business Ownership.

''(C) DUTIES.—The Assistant Administrator shall perform the following functions with respect to the Office of Women's Business Ownership:

''(i) Recommend the annual administrative and program budgets of the Office and eligible entities receiving a grant under the Women's Business Center Program.

''(ii) Review the annual budgets submitted by each eligible entity receiving a grant under the Women's Business Center Program.

''(iii) Select applicants to receive grants to operate a women's business center after reviewing information required by this section, including the budget of each applicant.

''(iv) Collaborate with other Federal departments and agencies, State and local governments, not-for-profit organizations, and for-profit enterprises to maximize utilization of taxpayer dollars and reduce (or eliminate) any duplication among the programs overseen by the Office of Women's Business Ownership and those of other entities that provide similar services to women entrepreneurs.

''(v) Maintain a clearinghouse to provide for the dissemination and exchange of information between women's business centers.

''(vi) Serve as the vice chairperson of the Interagency Committee on Women's Business Enterprise and as the liaison for the National Women's Business Council.''; and

(2) by adding at the end the following:

''(3) MISSION.—The mission of the Office of Women's Business Ownership shall be to assist women entrepreneurs to start, grow, and compete in global markets by providing quality support with access to capital, access to markets, job creation, growth, and counseling by—

''(A) fostering participation of women entrepreneurs in the economy by overseeing a network of women's business centers throughout States and territories;

''(B) creating public-private partnerships to support women entrepreneurs and conducting outreach and education to startup and existing small business concerns owned and controlled by women; and

''(C) working with other programs overseen by the Administrator to ensure women are well-represented and being served and identifying gaps where participation by women could be increased.

''(4) ACCREDITATION PROGRAM.—

''(A) ESTABLISHMENT.—Not later than 270 days after the date of enactment of this paragraph, the Administrator shall establish standards for an accreditation program for accrediting eligible entities receiving a grant under this section.

''(B) TRANSITION PROVISION.—Before the date on which standards are established under subparagraph (A), the Administrator may not terminate a grant under this section absent evidence of fraud or other criminal misconduct by the recipient.

''(C) CONTRACTING AUTHORITY.—The Administrator may provide financial assistance, by contract or otherwise, to a relevant national women's business center representative association to provide assistance in establishing the standards required under subparagraph (A) or for carrying out an accreditation program pursuant to such standards.''.

SEC. 1712. WOMEN'S BUSINESS CENTER PROGRAM.

(a) DEFINITIONS.—Section 29(a) of the Small Business Act (15 U.S.C. 656(a)) is amended—

(1) by striking paragraph (4);

(2) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively;

(3) by inserting after paragraph (1) the following:

''(2) the term 'eligible entity' means—

''(A) an organization described in section 501(c) of the Internal Revenue Code of 1986 and exempt from taxation under section 501(a) of such Code;

''(B) a State, regional, or local economic development organization, so long as the organization certifies that grant funds received under this section will not be commingled with other funds;

''(C) an institution of higher education, unless such institution is currently receiving a grant under section 21;

''(D) a development, credit, or finance corporation chartered by a State, so long as the corporation certifies that grant funds received under this section will not be commingled with other funds; or

''(E) any combination of entities listed in subparagraphs (A) through (D);''; and

(4) by adding at the end the following:

''(5) the term 'women's business center' means the location at which counseling and training on the management, operations (including manufacturing, services, and retail), access to capital, international trade, Government procurement opportunities, and any other matter is needed to start, maintain, or expand a small business concern owned and controlled by women.''.

(b) AUTHORITY.—Section 29(b) of the Small Business Act (15 U.S.C. 656(b)) is amended—

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively, and adjusting the margins accordingly;

(2) by striking ''The Administration'' and all that follows through ''5-year projects'' and inserting the following:

''(1) IN GENERAL.—There is established a Women's Business Center Program under which the Administrator may provide a grant to any eligible entity to operate one or more women's business centers'';

(3) by striking ''The projects shall'' and inserting the following:

''(2) USE OF FUNDS.—The women's business centers shall be designed to provide counseling and training that meets the needs of women, especially socially or economically disadvantaged women, and shall''; and

(4) by adding at the end the following:

''(3) AMOUNT OF GRANTS.—

''(A) IN GENERAL.—The amount of a grant provided under this subsection to an eligible entity per project year shall be not more than $185,000 (as such amount is annually adjusted by the Administrator to reflect the change in inflation).

''(B) ADDITIONAL GRANTS.—

''(i) IN GENERAL.—Notwithstanding subparagraph (A), with respect to an eligible entity that has received $185,000 under this subsection in a project year, the Administrator may award an additional grant under this subsection of up to $65,000 during such project year if the Administrator determines that the eligible entity—

''(I) agrees to obtain, after its application has been approved and notice of award has been issued, cash contributions from non-Federal sources of 1 non-Federal dollar for each Federal dollar;

''(II) is in good standing with the Women's Business Center Program; and

''(III) has met performance goals for the previous project year, if applicable.

''(ii) LIMITATIONS.—The Administrator may only award additional grants under clause (i)—

''(I) during the 3rd and 4th quarters of the fiscal year; and

''(II) from unobligated amounts made available to the Administrator to carry out this section.

''(4) NOTICE AND COMMENT REQUIRED.—The Administrator may only make a change to the standards by which an eligible entity obtains or maintains grants under this section, the standards for accreditation, or any other requirement for the operation of a women's business center if the Administrator first provides notice and the opportunity for public comment, as set forth in section 553(b) of title 5, United States Code, without regard to any exceptions provided for under such section.''.

(c) CONDITIONS OF PARTICIPATION.—Section 29(c) of the Small Business Act (15 U.S.C. 656(c)) is amended—

(1) in paragraph (1)—

(A) by striking ''the recipient organization'' and inserting ''an eligible entity''; and

(B) by striking ''financial assistance'' and inserting ''a grant'';

(2) in paragraph (3)—

(A) by striking ''financial assistance authorized pursuant to this section may be made by grant, contract, or cooperative agreement and'' and inserting ''grants authorized pursuant to this section''; and

(B) in the second sentence, by striking ''a recipient organization'' and inserting ''an eligible entity'';

(3) in paragraph (4)—

(A) by striking ''recipient of assistance'' and inserting ''eligible entity'';

(B) by striking ''during any project, it shall not be eligible thereafter'' and inserting ''during any project for 2 consecutive years, the eligible entity shall not be eligible at any time after that 2-year period'';

(C) by striking ''such organization'' and inserting ''the eligible entity''; and

(D) by striking ''the recipient'' and inserting ''the eligible entity''; and

(4) by adding at end the following:

''(5) SEPARATION OF PROJECT AND FUNDS.—An eligible entity shall—

''(A) carry out a project under this section separately from other projects, if any, of the eligible entity; and

''(B) separately maintain and account for any grants under this section.

''(6) EXAMINATION OF ELIGIBLE ENTITIES.—

''(A) REQUIRED SITE VISIT.—Each applicant, prior to receiving a grant under this section, shall have a site visit by an employee of the Administration, in order to ensure that the applicant has sufficient resources to provide the services for which the grant is being provided.

''(B) ANNUAL REVIEW.—An employee of the Administration shall—

''(i) conduct an annual review of the compliance of each eligible entity receiving a grant under this section with the grant agreement, including a financial examination; and

''(ii) provide such review to the eligible entity as required under subsection (l).

''(7) REMEDIATION OF PROBLEMS.—

''(A) PLAN OF ACTION.—If a review of an eligible entity under paragraph (6)(B) identifies any problems, the eligible entity shall, within 45 calendar days after receiving such review, provide the Assistant Administrator with a plan of action, including specific milestones, for correcting such problems.

''(B) PLAN OF ACTION REVIEW BY THE ASSISTANT ADMINISTRATOR.—The Assistant Administrator shall review each plan of action submitted under subparagraph (A) within 30 calendar days after receiving such plan and—

''(i) if the Assistant Administrator determines that such plan will bring the eligible entity into compliance with all the terms of the grant agreement, approve such plan; or

''(ii) if the Assistant Administrator determines that such plan is inadequate to remedy the problems identified in the annual review to which the plan of action relates, the Assistant Administrator shall set forth such reasons in writing and provide such determination to the eligible entity within 15 calendar days after such determination.

''(C) AMENDMENT TO PLAN OF ACTION.—An eligible entity receiving a determination under subparagraph (B)(ii) shall have 30 calendar days after the receipt of the determination to amend the plan of action to satisfy the problems identified by the Assistant Administrator and resubmit such plan to the Assistant Administrator.

''(D) AMENDED PLAN REVIEW BY THE ASSISTANT ADMINISTRATOR.—Within 15 calendar days after the receipt of an amended plan of action under subparagraph (C), the Assistant Administrator shall either approve or reject such plan and provide such approval or rejection in writing to the eligible entity.

''(E) APPEAL OF ASSISTANT ADMINISTRATOR DETERMINATION.—

''(i) IN GENERAL.—If the Assistant Administrator rejects an amended plan under subparagraph (D), the eligible entity shall have the opportunity to appeal such decision to the Administrator, who may delegate such appeal to an appropriate officer of the Administration.

''(ii) OPPORTUNITY FOR EXPLANATION.—Any appeal described under clause (i) shall provide an opportunity for the eligible entity to provide, in writing, an explanation of why the eligible entity's plan remedies the problems identified in the annual review.

''(iii) NOTICE OF DETERMINATION.—The determination of the appeal shall be provided to the eligible entity, in writing, within 15 calendar days after the eligible entity's filing of the appeal.

''(iv) EFFECT OF FAILURE TO ACT.—If the Administrator fails to act on an appeal made under this subparagraph within the 15 calendar day period specified under clause (iii), the eligible entity's amended plan of action submitted under subparagraph (C) shall be deemed to be approved.

''(8) TERMINATION OF GRANT.—

''(A) IN GENERAL.—The Administrator shall require that, if an eligible entity fails to comply with a plan of action approved by the Assistant Administrator under paragraph (7)(B)(i) or an amended plan of action approved by the Assistant Administrator under paragraph (7)(D) or approved on appeal under paragraph (7)(E), the Assistant Administrator terminate the grant provided to the eligible entity under this section.

''(B) APPEAL OF TERMINATION.—An eligible entity that has a grant terminated under subparagraph (A) shall have the opportunity to challenge the termination on the record and after an opportunity for a hearing.

''(C) FINAL AGENCY ACTION.—The determination made pursuant to subparagraph (B) shall be considered final agency action for the purposes of chapter 7 of title 5, United States Code.''.

(d) SUBMISSION OF 5-YEAR PLAN.—Section 29(e) of the Small Business Act (15 U.S.C. 656(e)) is amended—

(1) by striking ''applicant organization'' and inserting ''eligible entity'';

(2) by striking ''a recipient organization'' and inserting ''an eligible entity'';

(3) by striking ''financial assistance'' and inserting ''grants''; and

(4) by striking ''site''.

(e) APPLICATIONS AND CRITERIA FOR INITIAL GRANT.—Subsection (f) of section 29 of the Small Business Act (15 U.S.C. 656) is amended to read as follows:

''(f) APPLICATIONS AND CRITERIA FOR INITIAL GRANT.—

''(1) APPLICATION.—Each eligible entity desiring a grant under subsection (b) shall submit to the Administrator an application that contains—

''(A) a certification that the eligible entity—

''(i) has designated an executive director or program manager, who may be compensated using grant funds under subsection (b) or other sources, to manage the women's business center for which a grant under subsection (b) is sought; and

''(ii) meets the accounting and reporting requirements established by the Director of the Office of Management and Budget;

''(B) information demonstrating that the eligible entity has the ability and resources to meet the needs of the market to be served by the women's business center, including the ability to obtain the non-Federal contribution required under subsection (c);

''(C) information relating to the assistance to be provided by the women's business center in the area in which the women's business center is located;

''(D) information demonstrating the experience and effectiveness of the eligible entity in—

''(i) conducting the services described under subsection (a)(5);

''(ii) providing training and services to a representative number of women who are socially or economically disadvantaged; and

''(iii) working with resource partners of the Administration and other entities, such as universities; and

''(E) a 5-year plan that describes the ability of the eligible entity to provide the services described under subsection (a)(3), including to a representative number of women who are socially or economically disadvantaged.

''(2) REVIEW AND APPROVAL OF APPLICATIONS FOR INITIAL GRANTS.—

''(A) REVIEW AND SELECTION OF ELIGIBLE ENTITIES.—

''(i) IN GENERAL.—The Administrator shall review applications to determine whether the applicant can meet obligations to perform the activities required by a grant under this section, including—

''(I) the experience of the applicant in conducting activities required by this section;

''(II) the amount of time needed for the applicant to commence operations should it be awarded a grant;

''(III) the capacity of the applicant to meet the accreditation standards established by the Administrator in a timely manner;

''(IV) the ability of the applicant to sustain operations for more than 5 years (including its ability to obtain sufficient non-Federal funds for that period);

''(V) the location of the women's business center and its proximity to other grant recipients under this section; and

''(VI) the population density of the area to be served by the women's business center.

''(ii) SELECTION CRITERIA.—

''(I) GUIDANCE.—The Administrator shall issue guidance (after providing an opportunity for notice and comment) to specify the criteria for review and selection of applicants under this subsection.

''(II) MODIFICATIONS PROHIBITED AFTER ANNOUNCEMENT.—With respect to a public announcement of any opportunity to be awarded a grant under this section made by the Administrator pursuant to subsection (l)(1), the Administrator may not modify guidance issued pursuant to subclause (I) with respect to such opportunity unless required to do so by an Act of Congress or an order of a Federal court.

''(III) RULE OF CONSTRUCTION.—Nothing in this clause may be construed as prohibiting the Administrator from modifying the guidance issued pursuant to subclause (I) (after providing an opportunity for notice and comment) as such guidance applies to an opportunity to be awarded a grant under this section that the Administrator has not yet publicly announced pursuant to subsection (l)(1).

''(B) RECORD RETENTION.—

''(i) IN GENERAL.—The Administrator shall maintain a copy of each application submitted under this subsection for not less than 5 years.

''(ii) PAPERWORK REDUCTION.—The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out clause (i).''.

(f) NOTIFICATION REQUIREMENTS UNDER THE WOMEN'S BUSINESS CENTER PROGRAM.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended by inserting after subsection (k) the following:

''(l) NOTIFICATION REQUIREMENTS UNDER THE WOMEN'S BUSINESS CENTER PROGRAM.—The Administrator shall provide—

''(1) a public announcement of any opportunity to be awarded grants under this section, and such announcement shall include the standards by which such award will be made, including the guidance issued pursuant to subsection (f)(2)(A)(ii);

''(2) the opportunity for any applicant for a grant under this section that failed to obtain such a grant a debriefing with the Assistant Administrator to review the reasons for the applicant's failure; and

''(3) with respect to any site visit or evaluation of an eligible entity receiving a grant under this section that is carried out by an officer or employee of the Administration (other than the Inspector General), a copy of the site visit report or evaluation, as applicable, within 30 calendar days after the completion of such visit or evaluation.''.

(g) CONTINUED FUNDING FOR CENTERS.—Section 29(m) of the Small Business Act (15 U.S.C. 656(m)) is amended—

(1) by striking paragraph (3) and inserting the following:

''(3) APPLICATION AND APPROVAL FOR CONTINUATION GRANTS.—

''(A) SOLICITATION OF APPLICATIONS.—The Administrator shall solicit applications and award continuation grants under this subsection for the first fiscal year beginning after the date of enactment of this paragraph, and every third fiscal year thereafter.

''(B) CONTENTS OF APPLICATION.—Each eligible entity desiring a grant under this subsection shall submit to the Administrator an application that contains—

''(i) a certification that the applicant—

''(I) is an eligible entity;

''(II) has designated an executive director or program manager to manage the women's business center operated by the applicant; and

''(III) as a condition of receiving a grant under this subsection, agrees—

''(aa) to receive a site visit as part of the final selection process, at the discretion of the Administrator; and

''(bb) to remedy any problem identified pursuant to the site visit under item (aa);

''(ii) information demonstrating that the applicant has the ability and resources to meet the needs of the market to be served by the women's business center for which a grant under this subsection is sought, including the ability to obtain the non-Federal contribution required under paragraph (4)(C);

''(iii) information relating to assistance to be provided by the women's business center in the geographic area served by the women's business center for which a grant under this subsection is sought;

''(iv) information demonstrating that the applicant has worked with resource partners of the Administration and other entities;

''(v) a 3-year plan that describes the services provided by the women's business center for which a grant under this subsection is sought—

''(I) to serve women who are business owners or potential business owners by conducting training and counseling activities; and

''(II) to provide training and services to a representative number of women who are socially or economically disadvantaged; and

''(vi) any additional information that the Administrator may reasonably require.

''(C) REVIEW AND APPROVAL OF APPLICATIONS FOR GRANTS.—

''(i) IN GENERAL.—The Administrator—

''(I) shall review each application submitted under subparagraph (B), based on the information described in such subparagraph and the criteria set forth under clause (ii) of this subparagraph; and

''(II) as part of the final selection process, may conduct a site visit to each women's business center for which a grant under this subsection is sought to evaluate the women's business center using the selection criteria described in clause (ii)(II).

''(ii) SELECTION CRITERIA.—

''(I) IN GENERAL.—The Administrator shall evaluate applicants for grants under this subsection in accordance with selection criteria that are—

''(aa) established before the date on which applicants are required to submit the applications;

''(bb) stated in terms of relative importance; and

''(cc) publicly available and stated in each solicitation for applications for grants under this subsection made by the Administrator.

''(II) REQUIRED CRITERIA.—The selection criteria for a grant under this subsection shall include—

''(aa) the total number of entrepreneurs served by the applicant;

''(bb) the total number of new startup companies assisted by the applicant;

''(cc) the percentage of clients of the applicant that are socially or economically disadvantaged;

''(dd) the percentage of individuals in the community served by the applicant who are socially or economically disadvantaged;

''(ee) the successful accreditation of the applicant under the accreditation program developed under subsection (g)(5); and

''(ff) any additional criteria that the Administrator may reasonably require.

''(iii) CONDITIONS FOR CONTINUED FUNDING.—In determining whether to make a grant under this subsection, the Administrator—

''(I) shall consider the results of the most recent evaluation of the women's business center for which a grant under this subsection is sought, and, to a lesser extent, previous evaluations; and

''(II) may withhold a grant under this subsection, if the Administrator determines that the applicant has failed to provide the information required to be provided under this paragraph, or the information provided by the applicant is inadequate.

''(D) NOTIFICATION.—Not later than 60 calendar days after the date of each deadline to submit applications under this paragraph, the Administrator shall approve or deny each submitted application and notify the applicant for each such application of the approval or denial.

''(E) RECORD RETENTION.—

''(i) IN GENERAL.—The Administrator shall maintain a copy of each application submitted under this paragraph for not less than 5 years.

''(ii) PAPERWORK REDUCTION.—The Administrator shall take steps to reduce, to the maximum extent practicable, the paperwork burden associated with carrying out clause (i).''; and

(2) by striking paragraph (5) and inserting the following:

''(5) AWARD TO PREVIOUS RECIPIENTS.—There shall be no limitation on the number of times the Administrator may award a grant to an applicant under this subsection.''.

(h) TECHNICAL AND CONFORMING AMENDMENTS.—Section 29 of the Small Business Act (15 U.S.C. 656) is amended—

(1) in subsection (h)(2), by striking ''to award a contract (as a sustainability grant) under subsection (l) or'';

(2) in subsection (j)(1), by striking ''The Administration'' and inserting ''Not later than November 1 of each year, the Administrator'';

(3) in subsection (k)—

(A) by striking paragraphs (1) and (4);

(B) by inserting before paragraph (2) the following:

''(1) IN GENERAL.—There are authorized to be appropriated to the Administration to carry out this section, to remain available until expended, $21,750,000 for each of fiscal years 2018 through 2021.''; and

(C) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) EXCEPTIONS.—Of the amount made available under this subsection for a fiscal year, the following amounts shall be available for selection panel costs, costs associated with maintaining an accreditation program, and post-award conference costs:

''(i) For the first fiscal year beginning after the date of the enactment of this subparagraph, 2.65 percent.

''(ii) For the second fiscal year beginning after the date of the enactment of this subparagraph and each fiscal year thereafter through fiscal year 2021, 2.5 percent.''; and

(4) in subsection (m)—

(A) in paragraph (2), by striking ''subsection (b) or (l)'' and inserting ''this subsection or subsection (b)''; and

(B) in paragraph (4)(D), by striking ''or subsection (l)''.

(i) EFFECT ON EXISTING GRANTS.—

(1) TERMS AND CONDITIONS.—A nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, shall continue to receive the grant under the terms and conditions in effect for the grant on the day before the date of enactment of this Act, except that the nonprofit organization may not apply for a continuation of the grant under section 29(m)(5) of the Small Business Act (15 U.S.C. 656(m)(5)), as in effect on the day before the date of enactment of this Act.

(2) LENGTH OF CONTINUATION GRANT.—The Administrator of the Small Business Administration may award a grant under section 29(m) of the Small Business Act to a nonprofit organization receiving a grant under section 29(m) of the Small Business Act (15 U.S.C. 656(m)), as in effect on the day before the date of enactment of this Act, for the period—

(A) beginning on the day after the last day of the grant agreement under such section 29(m); and

(B) ending at the end of the third fiscal year beginning after the date of enactment of this Act.

SEC. 1713. MATCHING REQUIREMENTS UNDER WOMEN'S BUSINESS CENTER PROGRAM.

Section 29(c) of the Small Business Act (15 U.S.C. 656(c)), as amended by this Act, is further amended by adding at the end the following new paragraph:

''(9) WAIVER OF NON-FEDERAL SHARE.—

''(A) IN GENERAL.—Upon request by an eligible entity, and in accordance with this paragraph, the Administrator may waive, in whole or in part, the requirement to obtain non-Federal funds under this subsection for counseling and training activities of the eligible entity carried out using a grant under this section for a fiscal year. The Administrator may not waive the requirement for an eligible entity to obtain non-Federal funds under this paragraph for more than a total of 2 consecutive fiscal years.

''(B) CONSIDERATIONS.—In determining whether to waive the requirement to obtain non-Federal funds under this paragraph, the Administrator shall consider—

''(i) the economic conditions affecting the eligible entity;

''(ii) the impact a waiver under this paragraph would have on the credibility of the Women's Business Center Program under this section;

''(iii) the demonstrated ability of the eligible entity to raise non-Federal funds; and

''(iv) the performance of the eligible entity.

''(C) LIMITATION.—The Administrator may not waive the requirement to obtain non-Federal funds under this paragraph if granting the waiver would undermine the credibility of the Women's Business Center Program.

''(10) SOLICITATION.—Notwithstanding any other provision of law, an eligible entity may—

''(A) solicit cash and in-kind contributions from private individuals and entities to be used to carry out the activities of the eligible entity under a project conducted under this section; and

''(B) use amounts made available by the Administrator under this section for the cost of such solicitation and management of the contributions received.

''(11) EXCESS NON-FEDERAL DOLLARS.—The amount of non-Federal dollars obtained by an eligible entity that is above the amount that is required to be obtained by the eligible entity under this subsection shall not be subject to the requirements of part 200 of title 2, Code of Federal Regulations, or any successor thereto, if such amount of non-Federal dollars—

''(A) is not used as matching funds for purposes of implementing the Women's Business Center Program; and

''(B) was not obtained using funds from the Women's Business Center Program.''.

Subtitle C—SCORE Program

SEC. 1721. SCORE REAUTHORIZATION.

Section 20 of the Small Business Act (15 U.S.C. 631 note) is amended—

(1) by redesignating subsection (j) as subsection (f); and

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

''(g) SCORE PROGRAM.—There are authorized to be appropriated to the Administrator to carry

out the SCORE program authorized by section 8(b)(1) such sums as may be necessary for the Administrator to make grants or enter into cooperative agreements in a total amount that does not exceed $10,500,000 in each of fiscal years 2018 and 2019.''.

SEC. 1722. SCORE PROGRAM.

Section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(1) in subsection (b)(1)(B), by striking ''a Service Corps of Retired Executives (SCORE)'' and inserting ''the SCORE program described in subsection (c)''; and

(2) by striking subsection (c) and inserting the following new subsection:

''(c) SCORE PROGRAM.—

''(1) DEFINITION.—In this subsection:

''(A) SCORE ASSOCIATION.—The term 'SCORE Association' means the Service Corps of Retired Executives Association or any successor or other organization that receives a grant from the Administrator to operate the SCORE program under paragraph (2)(A).

''(B) SCORE PROGRAM.—The term 'SCORE program' means the SCORE program authorized by subsection (b)(1)(B).

''(2) MANAGEMENT AND VOLUNTEERS.—

''(A) IN GENERAL.—The Administrator shall provide a grant to the SCORE Association to manage the SCORE program.

''(B) VOLUNTEERS.—A volunteer participating in the SCORE program shall—

''(i) based on the business experience and knowledge of the volunteer—

''(I) provide at no cost to individuals who own, or aspire to own, small business concerns personal counseling, mentoring, and coaching relating to the process of starting, expanding, managing, buying, and selling a business; and

''(II) facilitate low-cost educational workshops for individuals who own, or aspire to own, small business concerns; and

''(ii) as appropriate, use tools, resources, and expertise of other organizations to carry out the SCORE program.

''(3) PLANS AND GOALS.—The Administrator, in consultation with the SCORE Association, shall ensure that the SCORE program and each chapter of the SCORE program develop and implement plans and goals to more effectively and efficiently provide services to individuals in rural areas, economically disadvantaged communities, and other traditionally underserved communities, including plans for electronic initiatives, web-based initiatives, chapter expansion, partnerships, and the development of new skills by volunteers participating in the SCORE program.

''(4) ANNUAL REPORT.—The SCORE Association shall submit to the Administrator an annual report that contains—

''(A) the number of individuals counseled or trained under the SCORE program;

''(B) the number of hours of counseling provided under the SCORE program; and

''(C) to the extent possible—

''(i) the number of small business concerns formed with assistance from the SCORE program;

''(ii) the number of small business concerns expanded with assistance from the SCORE program; and

''(iii) the number of jobs created with assistance from the SCORE program.

''(5) PRIVACY REQUIREMENTS.—

''(A) IN GENERAL.—Neither the Administrator nor the SCORE Association may disclose the name, address, or telephone number of any individual or small business concern receiving assistance from the SCORE Association without the consent of such individual or small business concern, unless—

''(i) the Administrator is ordered to make such a disclosure by a court in any civil or criminal enforcement action initiated by a Federal or State agency; or

''(ii) the Administrator determines such a disclosure to be necessary for the purpose of conducting a financial audit of the SCORE program, in which case disclosure shall be limited to the information necessary for the audit.

''(B) ADMINISTRATOR USE OF INFORMATION.—This paragraph shall not—

''(i) restrict the access of the Administrator to program activity data; or

''(ii) prevent the Administrator from using client information to conduct client surveys.

''(C) STANDARDS.—

''(i) IN GENERAL.—The Administrator shall, after the opportunity for notice and comment, establish standards for—

''(I) disclosures with respect to financial audits under subparagraph (A)(ii); and

''(II) conducting client surveys, including standards for oversight of the surveys and for dissemination and use of client information.

''(ii) MAXIMUM PRIVACY PROTECTION.—The standards issued under this subparagraph shall, to the extent practicable, provide for the maximum amount of privacy protection.''.

SEC. 1723. ONLINE COMPONENT.

(a) IN GENERAL.—Section 8(c) of the Small Business Act (15 U.S.C. 637(c)), as amended by this Act, is further amended by adding at the end the following:

''(6) ONLINE COMPONENT.—In carrying out this subsection, the SCORE Association shall make use of online counseling, including by developing and implementing webinars and an electronic mentoring platform to expand access to services provided under this subsection and to further support entrepreneurs.''.

(b) ONLINE COMPONENT REPORT.—

(1) IN GENERAL.—Not later than September 30, 2018, the SCORE Association shall issue a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on the effectiveness of the electronic mentoring and webinars required as part of the SCORE program, including—

(A) how the SCORE Association determines electronic mentoring and webinar needs, develops training for electronic mentoring, establishes webinar curricula, and evaluates webinar and electronic mentoring results;

(B) describing the internal controls that are used and a summary of the topics covered by the webinars; and

(C) performance metrics, including the number of small business concerns counseled by, the number of small business concerns created by, the number of jobs created and retained by, and the funding amounts directed towards such online counseling and webinars.

(2) DEFINITIONS.—For purposes of this subsection, the terms ''SCORE Association'' and ''SCORE program'' have the meaning given those terms, respectively, under section 8(c)(1) of the Small Business Act (15 U.S.C. 637(c)(1)).

SEC. 1724. STUDY AND REPORT ON THE FUTURE ROLE OF THE SCORE PROGRAM.

(a) STUDY.—The SCORE Association shall carry out a study on the future role of the SCORE program and develop a strategic plan for how the SCORE program will evolve to meet the needs of small business concerns over the course of the 5 years following the date of enactment of this Act, with markers and specific objectives for the first, third, and final year of the 5-year period.

(b) REPORT.—Not later than the end of the 6-month period beginning on the date of the enactment of this Act, the SCORE Association shall submit a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate containing—

(1) all findings and determination made in carrying out the study required under subsection (a);

(2) the strategic plan developed under subsection (a);

(3) an explanation of how the SCORE Association plans to achieve the strategic plan, assuming both stagnant and increased funding levels.

(c) DEFINITIONS.—For purposes of this section, the terms ''SCORE Association'' and ''SCORE program'' have the meaning given those terms, respectively, under section 8(c)(1) of the Small Business Act (15 U.S.C. 637(c)(1)).

SEC. 1725. TECHNICAL AND CONFORMING AMENDMENTS.

(a) SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 7 (15 U.S.C. 636)—

(A) in subsection (b)(12)(A), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(B) in subsection (m)(3)(A)(i)(VIII), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program'';

(2) in section 22 (15 U.S.C. 649)—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(ii) in paragraph (3), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''; and

(B) in subsection (c)(12), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''.

(b) OTHER LAWS.—

(1) CHILDREN'S HEALTH INSURANCE PROGRAM REAUTHORIZATION ACT OF 2009.—Section 621 of the Children's Health Insurance Program Reauthorization Act of 2009 (15 U.S.C. 657p) is amended—

(A) in subsection (a), by striking paragraph (4) and inserting the following:

''(4) the term 'SCORE program' means the SCORE program authorized by section 8(b)(1)(B) of the Small Business Act (15 U.S.C. 637(b)(1)(B));''; and

(B) in subsection (b)(4)(A)(iv), by striking ''Service Corps of Retired Executives'' and inserting ''SCORE program''.

(2) ENERGY POLICY AND CONSERVATION ACT.—Section 337(d)(2)(A) of the Energy Policy and Conservation Act (42 U.S.C. 6307(d)(2)(A)) is amended by striking ''Service Corps of Retired Executives (SCORE)'' and inserting ''SCORE program''.

Subtitle D—Small Business Development Centers Improvements

SEC. 1731. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by redesignating section 47 as section 48; and

(2) by inserting after section 46 the following new section:

''SEC. 47. USE OF AUTHORIZED ENTREPRENEURIAL DEVELOPMENT PROGRAMS.

''(a) EXPANDED SUPPORT FOR ENTREPRENEURS.—

''(1) IN GENERAL.—Notwithstanding any other provision of law, the Administrator shall only use the programs authorized in sections 7(j), 7(m), 8(a), 8(b)(1), 21, 22, 29, and 32 of this Act, and sections 358 and 389 of the Small Business Investment Act of 1958 to deliver entrepreneurial development services, entrepreneurial education, support for the development and maintenance of clusters, or business training.

''(2) EXCEPTION.—This section shall not apply to services provided to assist small business concerns owned by an Indian tribe (as such term is defined in section 8(a)(13)).

''(b) ANNUAL REPORT.—Beginning on the first December 1 after the date of the enactment of this subsection, and annually thereafter, the Administrator shall report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on all entrepreneurial development activities undertaken in the current fiscal year. This report shall include—

''(1) a description and operating details for each activity;

''(2) operating circulars, manuals, and standard operating procedures for each activity;

''(3) a description of the process used to award grants under each activity;

''(4) a list of all awardees, contractors, and vendors (including organization name and location) and the amount of awards for the current fiscal year for each activity;

''(5) the amount of funding obligated for the current fiscal year for each activity; and

''(6) the names and titles for those individuals responsible for each activity.''.

SEC. 1732. MARKETING OF SERVICES.

Section 21 of the Small Business Act (15 U.S.C. 648) is amended by adding at the end the following new subsection:

''(o) NO PROHIBITION OF MARKETING OF SERVICES.—The Administrator may not prohibit applicants receiving grants under this section from marketing and advertising their services to individuals and small business concerns.''.

SEC. 1733. DATA COLLECTION.

(a) IN GENERAL.—Section 21(a)(3)(A) of the Small Business Act (15 U.S.C. 648(a)(3)(A)) is amended—

(1) by striking ''as provided in this section and'' and inserting ''as provided in this section,''; and

(2) by inserting before the period at the end the following: '', and (iv) governing data collection activities related to applicants receiving grants under this section''.

(b) ANNUAL REPORT ON DATA COLLECTION.—Section 21 of the Small Business Act (15 U.S.C. 648), as amended by this Act, is further amended by adding at the end the following new subsection:

''(p) ANNUAL REPORT ON DATA COLLECTION.—The Administrator shall report annually to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate on any data collection activities related to the Small Business Development Center Program.''.

(c) WORKING GROUP TO IMPROVE DATA COLLECTION.—

(1) ESTABLISHMENT AND STUDY.—The Administrator of the Small Business Administration shall establish a group to be known as the ''Data Collection Working Group'' consisting of members from entrepreneurial development grant recipient associations and organizations and Administration officials, to carry out a study to determine the best way to capture data collection and create or revise existing systems dedicated to data collection.

(2) REPORT.—Not later than the end of the 180-day period beginning on the date of the enactment of this Act, the Data Collection Working Group shall submit a report to the Committee on Small Business of the House of Representatives and the Committee on Small Business and Entrepreneurship of the Senate containing the findings and determinations made in carrying out the study required under paragraph (1), including—

(A) recommendations for revising existing data collection practices; and

(B) a proposed plan for the Administrator of the Small Business Administration to implement such recommendations.

SEC. 1734. FEES FROM PRIVATE PARTNERSHIPS AND COSPONSORSHIPS.

Section 21(a)(3) of the Small Business Act (15 U.S.C. 648(a)(3)(C)), as amended by this Act, is further amended by adding at the end the following new subparagraph:

''(D) FEES FROM PRIVATE PARTNERSHIPS AND COSPONSORSHIPS.—Participation in private partnerships and cosponsorships with the Administration shall not limit small business development centers from collecting fees or other income related to the operation of such private partnerships and cosponsorships.''.

SEC. 1735. EQUITY FOR SMALL BUSINESS DEVELOPMENT CENTERS.

Subclause (I) of section 21(a)(4)(C)(v) of the Small Business Act (15 U.S.C. 648(a)(4)(C)(v)(I)) is amended to read as follows:

''(I) IN GENERAL.—Of the amounts made available in any fiscal year to carry out this section, not more than $600,000 may be used by the Administration to pay expenses described under subparagraphs (B) through (D) of section 20(a)(1).''.

SEC. 1736. CONFIDENTIALITY REQUIREMENTS.

Section 21(a)(7)(A) of the Small Business Act (15 U.S.C. 648(a)(7)(A)) is amended by inserting after ''under this section'' the following: ''to any State, local, or Federal agency, or to any third party''.

SEC. 1737. LIMITATION ON AWARD OF GRANTS TO SMALL BUSINESS DEVELOPMENT CENTERS.

(a) IN GENERAL.—Section 21 of the Small Business Act (15 U.S.C. 648), as amended by this Act, is further amended—

(1) in subsection (a)(1), by striking ''any women's business center operating pursuant to section 29,'';

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

''(q) LIMITATION ON AWARD OF GRANTS.—Except for not-for-profit institutions of higher education, and notwithstanding any other provision of law, the Administrator may not award grants (including contracts and cooperative agreements) under this section to any entity other than those that received grants (including contracts and cooperative agreements) under this section prior to the date of the enactment of this subsection, and that seek to renew such grants (including contracts and cooperative agreements) after such date.''.

(b) RULE OF CONSTRUCTION.—The amendments made by this section may not be construed as prohibiting a women's business center from receiving a subgrant from an entity receiving a grant under section 21 of the Small Business Act (15 U.S.C. 648).

Subtitle E—Miscellaneous

SEC. 1741. MODIFICATION OF PAST PERFORMANCE PILOT PROGRAM TO INCLUDE CONSIDERATION OF PAST PERFORMANCE WITH ALLIES OF THE UNITED STATES.

(a) IN GENERAL.—Section 8(d)(17) of the Small Business Act (15 U.S.C. 637(d)(17)) is amended—

(1) in subparagraph (G)—

(A) in clause (i), by inserting ''and, set forth separately, the number of small business exporters,'' after ''small business concerns''; and

(B) in clause (ii), by inserting '', set forth separately by applications from small business concerns and from small business exporters,'' after ''applications''; and

(2) by amending subparagraph (H) to read as follows:

''(H) DEFINITIONS.—In this paragraph—

''(i) the term 'appropriate official' means—

''(I) a commercial market representative;

''(II) another individual designated by the senior official appointed by the Administrator with responsibilities under sections 8, 15, 31, and 36; or

''(III) the Office of Small and Disadvantaged Business Utilization of a Federal agency, if the head of the Federal agency and the Administrator agree;

''(ii) the term 'defense item' has the meaning given that term in section 38(j)(4)(A) of the Arms Export Control Act (22 U.S.C. 2778(j)(4)(A));

''(iii) the term 'major non-NATO ally' means a country designated as a major non-NATO ally under section 517 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321k);

''(iv) the term 'past performance' includes performance of a contract for a sale of defense items (under section 38 of the Arms Export Control Act (22 U.S.C. 2778)) to the government of a member nation of North Atlantic Treaty Organization, the government of a major non-NATO ally, or the government of a country with which the United States has a defense cooperation agreement (as certified by the Secretary of State); and

''(v) the term 'small business exporter' means a small business concern that exports defense items under section 38 of the Arms Export Control Act (22 U.S.C. 2778) to the government of a member nation of the North Atlantic Treaty Organization, the government of a major non-NATO ally, or the government of a country with which the United States has a defense cooperation agreement (as certified by the Secretary of State).''.

(b) TECHNICAL AMENDMENT.—Section 8(d)(17)(A) of the Small Business Act (15 U.S.C. 637(d)(17)(A)) is amended by striking ''paragraph 13(A)'' and inserting ''paragraph (13)(A)''.

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

SEC. 2001. SHORT TITLE.

This division may be cited as the ''Military Construction Authorization Act for Fiscal Year 2018''.

SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND AMOUNTS REQUIRED TO BE SPECIFIED BY LAW.

(a) EXPIRATION OF AUTHORIZATIONS AFTER THREE YEARS.—Except as provided in subsection (b), all authorizations contained in titles XXI through XXVII and title XXIX for military construction projects, land acquisition, family housing projects and facilities, and contributions to the North Atlantic Treaty Organization Security Investment Program (and authorizations of appropriations therefor) shall expire on the later of—

(1) October 1, 2020; or

(2) the date of the enactment of an Act authorizing funds for military construction for fiscal year 2021.

(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, 2020; or

(2) the date of the enactment of an Act authorizing funds for fiscal year 2021 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 XXI through XXVII and title XXIX shall take effect on the later of—

(1) October 1, 2017; or

(2) the date of the enactment of this Act.

TITLE XXI—ARMY MILITARY CONSTRUCTION

SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Army: Inside the United States

State	Installation	Amount
Alabama	Fort Rucker	$38,000,000
Arizona	Davis-Monthan Air Force Base	$22,000,000
	Fort Huachuca	$30,000,000
California	Fort Irwin	$3,000,000
Colorado	Fort Carson	$29,300,000
Florida	Eglin Air Force Base	$18,000,000
Georgia	Fort Benning	$38,800,000
	Fort Gordon	$51,500,000
Indiana	Crane Army Ammunition Plant	$24,000,000
New York	U.S. Military Academy	$22,000,000
South Carolina	Fort Jackson	$60,000,000
	Shaw Air Force Base	$25,000,000
Texas	Camp Bullis	$13,600,000
	Fort Hood	$70,000,000
Virginia	Joint Base Langley-Eustis	$34,000,000
	Joint Base Myer-Henderson	$20,000,000
Washington	Joint Base Lewis-McChord	$66,000,000
	Yakima	$19,500,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out the military construction project for the installations or locations outside the United States, and in the amount, set forth in the following table:

Army: Outside the United States

Country	Installation	Amount
Germany	Stuttgart	$40,000,000
	Weisbaden	$43,000,000
Korea	Kunsan Air Base	$53,000,000

SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Army: Family Housing

State/Country	Installation	Units	Amount
Georgia	Fort Gordon	Family Housing New Construction	$6,100,000
Germany	South Camp Vilseck	Family Housing New Construction	$22,445,000
Kwajalein	Kwajalein Atoll	Family Housing Replacement Construction	$31,000,000
Massachusetts	Natick	Family Housing Replacement Construction	$21,000,000

(b) PLANNING AND DESIGN.—Using amounts appropriated pursuant to the authorization of appropriations in section 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $33,559,000.

SEC. 2103. 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 2104(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Army may improve existing military family housing units in an amount not to exceed $34,156,000.

SEC. 2104. AUTHORIZATION OF APPROPRIATIONS, ARMY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, 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 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2105. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2014 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 986) for Joint Base Lewis-McChord, Washington, for construction of an airfield operations complex, the Secretary of the Army may construct standby generator capacity of 1,000 kilowatts.

SEC. 2106. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in the table in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3670) for Fort Shafter, Hawaii, for construction of a command and control facility, the Secretary of

the Army may construct 15 megawatts of redundant power generation for a total project amount of $370,000,000.

SEC. 2107. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2014 PROJECT.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 985), the authorization set forth in the table in subsection (b), as provided in section 2101 of that Act (127 Stat. 986), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2014 Project Authorization

State or Country	Installation or Location	Project	Amount
Japan	Kyogamisaki	Company Operations Complex	$33,000,000

SEC. 2108. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2101 of that Act (128 Stat. 3670), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Army: Extension of 2015 Project Authorizations

State/Country	Installation or Location	Project	Amount
California	Military Ocean Terminal Concord	Access Control Point	$9,900,000
Hawaii	Fort Shafter	Command and Control Facility (SCIF)	$370,000,000
Japan	Kadena Air Base	Missile Magazine	$10,600,000
Texas	Fort Hood	Simulation Center	$46,000,000

SEC. 2109. ADDITIONAL AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2000, 2005, 2006, AND 2007 PROJECTS.

(a) PROJECT AUTHORIZATION.—In connection with the authorizations contained in the tables in section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2000 (division B of Public Law 106-65; 113 Stat. 825), section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2005 (division B of Public Law 108-375; 118 Stat. 2101), section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2006 (division B of Public Law 109-163; 119 Stat. 3485), and section 2101(a) of the Military Construction Authorization Act for Fiscal Year 2007 (division B of Public Law 109-364; 120 Stat. 2445) for Fort Irwin, California, for Land Acquisition – National Training Center, Phases 1 through 4, the Secretary of the Army may carry out military construction projects to complete the land acquisitions within the initial scope of the projects.

(b) CONGRESSIONAL NOTIFICATION.—The Secretary of the Army shall provide information in accordance with section 2851(c) of title 10, United States Code, regarding the projects described in subsection (a).

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:

Navy: Inside the United States

State	Installation or Location	Amount
Arizona	Yuma	$36,358,000
California	Barstow	$36,539,000
	Camp Pendleton	$61,139,000
	Lemoore	$60,828,000
	Twentynine Palms	$55,099,000
	Miramar	$47,600,000
	Coronado	$36,000,000
District of Columbia	NSA Washington	$14,810,000
Florida	Mayport	$84,818,000
Georgia	Albany	$43,300,000
Guam	Joint Region Marianas	$284,679,000
Hawaii	Joint Base Pearl Harbor-Hickam	$73,200,000
	Wahiawa	$65,864,000
Maine	Kittery	$61,692,000
North Carolina	Camp Lejeune	$103,767,000
	Cherry Point Marine Corps Air Station	$15,671,000
Virginia	Dam Neck	$29,262,000
	Joint Expeditionary Base Little Creek-Story	$2,596,000
	Portsmouth	$72,990,000
	Yorktown	$36,358,000
Washington	Indian Island	$44,440,000

(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 installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

Country	Installation or Location	Amount
Greece	Souda Bay	$22,045,000
Japan	Iwakuni	$21,860,000

SEC. 2202. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—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 construct or acquire family housing units (including land acquisition and supporting facilities) at the installations or locations, in the number of units, and in the amounts set forth in the following table:

Navy: Family Housing

Country	Installation	Units	Amount
Bahrain Island	SW Asia	Construct On-Base GFOQ	$2,138,000
Mariana Islands	Guam	Replace Andersen Housing PH II	$40,875,000

(b) PLANNING AND DESIGN.—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 $4,418,000.

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 $36,251,000.

SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, 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 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2205. EXTENSION OF AUTHORIZATIONS FOR CERTAIN FISCAL YEAR 2014 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (127 Stat. 989) and extended by section 2207 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2694), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2014 Project Authorizations

State	Installation or Location	Project	Amount
Illinois	Great Lakes	Unaccompanied Housing	$35,851,000
Nevada	Fallon	Wastewater Treatment Plant	$11,334,000
Virginia	Quantico	Fuller Road Improvements	$9,013,000

SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2201 of that Act (128 Stat. 3675), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Navy: Extension of 2015 Project Authorizations

State/Country	Installation or Location	Project	Amount
District of Columbia	NSA Washington	Electronics Science and Technology Lab	$31,735,000
Maryland	Indian Head	Advanced Energetics Research Lab Complex Ph 2	$15,346,000

TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Air Force: Inside the United States

State	Installation or Location	Amount
Alaska	Eielson Air Force Base	$168,900,000
California	Travis Air Force Base	$122,500,000
Colorado	Buckley Air Force Base	$38,000,000
	Fort Carson	$13,000,000
	U.S. Air Force Academy	$30,000,000
Florida	Eglin Air Force Base	$90,700,000
	MacDill Air Force Base	$8,100,000
	Tyndall Air Force Base	$17,000,000
Georgia	Robins Air Force Base	$9,800,000
Kansas	McConnell Air Force Base	$17,500,000
Maryland	Joint Base Andrews	$271,500,000
Nevada	Nellis Air Force Base	$61,000,000
New Mexico	Cannon Air Force Base	$42,000,000
	Holloman Air Force Base	$4,250,000
	Kirtland Air Force Base	$9,300,000
New Jersey	McGuire-Dix-Lakehurst	$146,500,000
North Dakota	Minot Air Force Base	$27,000,000
Oklahoma	Altus Air Force Base	$4,900,000
Texas	Joint Base San Antonio	$156,630,000
Utah	Hill Air Force Base	$28,000,000
Wyoming	F.E. Warren Air Force Base	$62,000,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amount, set forth in the following table:

Air Force: Outside the United States

Country	Installation or Location	Amount
Australia	Darwin	$76,000,000
United Kingdom	RAF Fairford	$45,650,000
	RAF Lakenheath	$136,992,000

SEC. 2302. FAMILY HOUSING.

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air 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 $4,445,000.

SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING UNITS.

Subject to section 2825 of title 10, United States Code, and using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may improve existing military family housing units in an amount not to exceed $80,617,000.

SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR FORCE.

(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for military construction, land acquisition, and military family housing functions of the Department of the Air Force, as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2301 may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECTS.

(a) HANSCOM AIR FORCE BASE.—In the case of the authorization contained in the table in section 2301(a) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2696) for Hanscom Air Force Base, Massachusetts, for construction of a gate complex at the installation, the Secretary of the Air Force may construct a visitor control center of 187 square meters, a traffic check house of 294 square meters, and an emergency power generator system and transfer switch consistent with the Air Force's construction guidelines.

(b) MARIANA ISLANDS.—In the case of the authorization contained in the table in section 2301(b) of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2697) for acquiring 142 hectares of land at an unspecified location in the Mariana Islands, the Secretary of the Air Force may acquire 142 hectares of land on Tinian in the Northern Mariana Islands for a cost of $21,900,000.

(c) CHABELLEY AIRFIELD.—In the case of the authorization contained in the table in section 2902 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2743) for Chabelley Airfield, Djibouti, for construction of a parking apron and taxiway at that location, the Secretary of the Air Force may construct 20,490 square meters of taxiway and apron, 8,230 square meters of paved shoulders, 10,650 square meters of hangar pads, and 3,900 square meters of cargo apron.

(d) SCOTT AIR FORCE BASE.—The table in section 4601 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2877) is amended in the item relating to Scott Air Force Base, Illinois, by striking ''Consolidated Corrosion Facility add/alter.'' in the project title column and inserting ''Consolidated Communication Facility add/alter.''.

SEC. 2306. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2301 of that Act (128 Stat. 3679), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Air Force: Extension of 2015 Project Authorization

State	Installation	Project	Amount
Alaska	Clear Air Force Station	Emergency Power Plant Fuel Storage	$11,500,000
Oklahoma	Tinker Air Force Base	KC-46 Two-Bay Maintenance Hangar	$63,000,000

TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Inside the United States

State	Installation or Location	Amount
California	Camp Pendleton	$43,642,000
	Coronado	$258,735,000
Colorado	Schriever Air Force Base	$10,200,000
Florida	Eglin Air Force Base	$9,100,000
	Hurlburt Field	$46,400,000
Georgia	Fort Gordon	$10,350,000
Guam	Andersen Air Force Base	$23,900,000
Hawaii	Kunia	$5,000,000
Missouri	Fort Leonard Wood	$381,300,000
	St. Louis	$812,000,000
New Mexico	Cannon Air Force Base	$8,228,000
North Carolina	Camp Lejeune	$90,039,000
	Fort Bragg	$57,778,000
	Seymour Johnson Air Force Base	$20,000,000
South Carolina	Shaw Air Force Base	$22,900,000
Utah	Hill Air Force Base	$20,000,000
Virginia	Joint Expeditionary Base Little Creek-Story	$23,000,000
	Norfolk	$18,500,000
	Pentagon	$50,100,000
	Portsmouth	$22,500,000
Worldwide Unspecified	Unspecified Worldwide Locations	$64,364,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Defense Agencies: Outside the United States

Country	Installation or Location	Amount
Germany	Spangdahlem Air Base	$79,141,000
	Stuttgart	$46,609,000
Greece	Souda Bay	$18,100,000
Italy	Vicenza	$62,406,000
Japan	Iwakuni	$30,800,000
	Kadena Air Base	$27,573,000
	Okinawa	$11,900,000
	Sasebo	$45,600,000
	Torii Commo Station	$25,323,000
Puerto Rico	Punta Borinquen	$61,071,000
United Kingdom	Menwith Hill Station	$11,000,000

SEC. 2402. AUTHORIZED ENERGY RESILIENCY AND CONSERVATION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy resiliency and conservation projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy resiliency and conservation projects under chapter 173 of title 10, United States Code, for the installations or locations inside the United States, and the amounts set forth in the table:

Energy Resiliency and Conservation Projects: Inside the United States

State	Installation or Location	Amount
Colorado	Schriever Air Force Base	$15,260,000
Guam	Andersen Air Force Base	$5,880,000
	NAVBASE Guam	$6,920,000
Hawaii	MCBH Kaneohe Bay	$6,185,000
Illinois	MTC Marseilles	$3,000,000
Maryland	NSA South Potomac-Indian Head	$10,790,000
Missouri	Fort Leonard Wood	$5,300,000
Montana	Malmstrom AFB	$6,086,000
North Carolina	Fort Bragg	$3,000,000
	Lejeune/New River	$9,750,000
Utah	Tooele Army Depot	$6,400,000
	Dugway Proving Ground	$8,700,000
	Hill Air Force Base	$8,467,000
Wyoming	F.E. Warren	$4,500,000
Various Locations	Various Locations	$12,232,000

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for energy resiliency and conservation projects outside the United States as specified in the funding table in section 4601, the Secretary of Defense may carry out energy resiliency and conservation projects under chapter 173 of title 10, United States Code, for the installations or locations outside the United States, and in the amounts, set forth in the following table:

Energy Resiliency and Conservation Projects: Outside the United States

Country	Installation or Location	Amount
Honduras	Soto Cano Air Base	$12,600,000
Italy	NSA Naples	$2,700,000
Japan	CFA Yokosuka	$8,530,000
Korea	Osan Air Base	$13,700,000

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, 2017, for military construction, land acquisition, and military family housing functions of the Department of Defense (other than the military departments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION PROJECTS.—Notwithstanding the cost variations authorized by section 2853 of title 10, United States Code, and any other cost variation authorized by law, the total cost of all projects carried out under section 2401 of this Act may not exceed the total amount authorized to be appropriated under subsection (a), as specified in the funding table in section 4601.

SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECT.

In the case of the authorization in the table in section 2401(b) of the Military Construction Authorization Act for Fiscal Year 2017 (Public Law 114-328; 130 Stat. 2700) for Kaiserslautern, Germany, for construction of the Sembach Elementary/Middle School Replacement, the Secretary of Defense may construct an elementary school.

SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (127 Stat. 995) and extended by section 2406 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2702), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2014 Project Authorizations

State/Country	Installation or Location	Project	Amount
United Kingdom	Royal Air Force Lakenheath	Lakenheath Middle/High School Replacement	$69,638,000
Virginia	Marine Corps Base Quantico	Quantico Middle/High School Replacement	$40,586,000
	Pentagon	PFPA Support Operations Center	$14,800,000

SEC. 2406. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2401 of that Act (128 Stat. 3681), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Defense Agencies: Extension of 2015 Project Authorizations

State/Country	Installation or Location	Project	Amount
Australia	Geraldton	Combined Communications Gateway Geraldton	$9,600,000
Belgium	Brussels	Brussels Elementary/High School Replacement	$41,626,000
Japan	Okinawa	Kubasaki High School Replacement/Renovation	$99,420,000
	Commander Fleet Activities Sasebo	E.J. King High School Replacement/Renovation	$37,681,000
Mississippi	Stennis	SOF Land Acquisition Western Maneuver Area	$17,224,000
New Mexico	Cannon Air Force Base	SOF Squadron Operations Facility (STS)	$23,333,000
Virginia	Defense Distribution Depot Richmond	Replace Access Control Point	$5,700,000
	Joint Base Langley-Eustis	Hospital Addition/Central Utility Plant Replacement	$41,200,000
	Pentagon	Redundant Chilled Water Loop	$15,100,000

TITLE XXV—INTERNATIONAL PROGRAMS

Subtitle A—North Atlantic Treaty Organization Security Investment Program

SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of Defense may make contributions for the North Atlantic Treaty Organization Security Investment Program as provided in section 2806 of title 10, United States Code, in an amount not to exceed the sum of the amount authorized to be appropriated for this purpose in section 2502 and the amount collected from the North Atlantic Treaty Organization as a result of construction previously financed by the United States.

SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for contributions by the Secretary of Defense under section 2806 of title 10, United States Code, for the share of the United States of the cost of projects for the North Atlantic Treaty Organization Security Investment Program authorized by section 2501 as specified in the funding table in section 4601.

Subtitle B—Host Country In-Kind Contributions

SEC. 2511. REPUBLIC OF KOREA FUNDED CONSTRUCTION PROJECTS.

Pursuant to agreement with the Republic of Korea for required in-kind contributions, the Secretary of Defense may accept military construction projects for the installations or locations, and in the amounts, set forth in the following table:

Republic of Korea Funded Construction Projects

Country	Component	Installation or Location	Project	Amount
Korea	Army	Camp Humphreys	Unaccompanied Enlisted Personnel Housing, Phase 1	$76,000,000
	Army	Camp Humphreys	Type I Aircraft Parking Apron	$10,000,000
	Air Force	Kunsan Air Base	Construct Airfield Damage Repair Warehouse	$6,500,000
	Air Force	Osan Air Base	Main Gate Entry Control Facilities	$13,000,000

SEC. 2512. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2017 PROJECTS.

(a) CAMP HUMPHREYS.—In the case of the authorization contained in the table in section 2511 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2704) for Camp Humphreys, Republic of Korea, for construction of the 8th Army Correctional Facility, the Secretary of Defense may construct a level 1 correctional facility of 26,000 square feet and a utility and tool storage building of 400 square feet.

(b) K-16 AIR BASE.—In the case of the authorization contained in the table in section 2511 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114-328; 130 Stat. 2704) for the K-16 Air Base, Republic of Korea, for renovation of the Special Operations Forces (SOF) Operations Facility, B-606, the Secretary of Defense may renovate an operations administration area of 5,500 square meters.

TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES

Subtitle A—Project Authorizations and Authorizations of Appropriations

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

State	Location	Amount
Delaware	New Castle	$36,000,000
Idaho	Orchard Training Area	$22,000,000
	MTC Gowen	$9,000,000
Maine	Presque Isle	$17,500,000
Maryland	Sykesville	$19,000,000
Minnesota	Arden Hills	$39,000,000

***Army National Guard**—Continued*

State	Location	Amount
Missouri	Springfield	$32,000,000
New Mexico	Las Cruces	$8,600,000
Virginia	Fort Pickett	$4,550,000
	Fort Belvoir	$15,000,000
Washington	Tumwater	$31,000,000

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

State	Location	Amount
California	Fallbrook	$36,000,000
Washington	Lewis-McChord	$30,000,000
Wisconsin	Fort McCoy	$13,000,000
Puerto Rico	Fort Buchanan	$26,000,000
	Aguadilla	$12,400,000

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

Navy Reserve and Marine Corps Reserve

State	Location	Amount
California	Lemoore	$17,330,000
Georgia	Fort Gordon	$17,797,000
New Jersey	Joint Base McGuire-Dix-Lakehurst	$11,573,000
Texas	Fort Worth	$12,637,000

SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

Air National Guard

State	Location	Amount
California	March Air Force Base	$15,000,000
Colorado	Peterson Air Force Base	$8,000,000
Connecticut	Bradley IAP	$7,000,000
Indiana	Fort Wayne International Airport	$1,900,000
	Hulman Regional Airport	$8,000,000
Kentucky	Louisville IAP	$9,000,000
Mississippi	Jackson International Airport	$8,000,000
Missouri	Rosecrans Memorial Airport	$10,000,000
New York	Hancock Field	$6,800,000
Ohio	Toledo Express Airport	$15,000,000
	Rickenbacker International Airport	$8,000,000
Oklahoma	Tulsa International Airport	$8,000,000
Oregon	Klamath Falls IAP	$18,500,000
South Dakota	Joe Foss Field	$12,000,000
Tennessee	McGhee-Tyson Airport	$25,000,000
Wisconsin	Dane County Regional/Airport Truax Field	$8,000,000

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:

Air Force Reserve

State	Location	Amount
Florida	Patrick Air Force Base	$25,000,000
Georgia	Robins Air Force Base	$32,000,000
Guam	Joint Region Marianas	$5,200,000
Hawaii	Joint Base Pearl Harbor-Hickam	$5,500,000
Massachusetts	Westover ARB	$10,000,000
Minnesota	Minneapolis-St Paul IAP	$9,000,000
North Carolina	Seymour Johnson Air Force Base	$6,400,000
Texas	NAS JRB Fort Worth	$3,100,000
Utah	Hill Air Force Base	$3,100,000

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for the costs of acquisition, architectural and engineering services, and construction of facilities for the Guard and Reserve Forces, and for contributions therefor, under chapter 1803 of title 10, United States Code (including the cost of acquisition of land for those facilities), as specified in the funding table in section 4601.

Subtitle B—Other Matters

SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT CERTAIN FISCAL YEAR 2015 PROJECT.

In the case of the authorization contained in the table in section 2602 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113–291; 128 Stat. 3688) for Starkville, Mississippi, for construction of an Army Reserve Center at that location, the Secretary of the Army may acquire approximately fifteen acres (653,400 square feet) of land.

SEC. 2612. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2014 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Act for Fiscal Year 2014 (division B of Public Law 113-66; 127 Stat. 985), the authorizations set forth in the table in subsection (b), as provided in sections 2602, 2604, and 2605 of that Act (127 Stat. 1001, 1002), shall remain in effect until October 1, 2018 or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

National Guard and Reserve: Extension of 2014 Project Authorizations

State	Installation or Location	Project	Amount
Florida	Homestead ARB	Entry Control Complex	$9,800,000
Maryland	Fort Meade	175th Network Warfare Squadron Facility	$4,000,000
New York	Bullville	Army Reserve Center	$14,500,000

SEC. 2613. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in sections 2602 and 2604 of that Act (128 Stat. 3688, 3689), shall remain in effect until October 1, 2018 or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

National Guard and Reserve: Extension of 2015 Project Authorizations

State	Location	Project	Amount
Mississippi	Starkville	Army Reserve Center	$9,300,000
New Hampshire	Pease	KC-46A ADAL Airfield Pavements and Hydrant Systems	$7,100,000

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, 2017, for base realignment and closure activities, including real property acquisition and military construction projects, as authorized by the Defense Base Closure and Realignment Act of 1990 (part A of title XXIX of Public Law 101-510; 10 U.S.C. 2687 note) and funded through the Department of Defense Base Closure Account established by section 2906 of such Act (as amended by section 2711 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112-239; 126 Stat. 2140)), as specified in the funding table in section 4601.

SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL BASE REALIGNMENT AND CLOSURE (BRAC) ROUND.

Nothing in this Act shall be construed to authorize an additional Base Realignment and Closure (BRAC) round.

TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS

Subtitle A—Military Construction Program and Military Family Housing

SEC. 2801. ELIMINATION OF WRITTEN NOTICE REQUIREMENT FOR MILITARY CONSTRUCTION ACTIVITIES AND RELIANCE ON ELECTRONIC SUBMISSION OF NOTIFICATIONS AND REPORTS.

(a) MILITARY CONSTRUCTION AUTHORITIES.—Subchapter I of chapter 169 of title 10, United States Code, is amended as follows:

(1) Section 2803(b) is amended—

(A) by striking ''in writing'';

(B) by striking ''seven-day period'' and inserting ''five-day period''; and

(C) by striking ''or, if earlier, the end of the seven-day period beginning on the date on which a copy of the notification is provided''.

(2) Section 2804(b) is amended—

(A) by striking ''in writing'';

(B) by striking ''14-day period'' and inserting ''seven-day period; and''

(C) by striking ''or, if earlier, the end of the seven-day period beginning on the date on which a copy of the notification is provided''.

(3) Section 2805 is amended—

(A) in subsection (b)(2)—

(i) by striking ''in writing'';

(ii) by striking ''21-day period'' and inserting ''14-day period''; and

(iii) by striking ''or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided''; and

(B) in subsection (d)(3)—

(i) by striking ''in writing'';

(ii) by striking ''21-day period'' and inserting ''14-day period''; and

(iii) by striking ''or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided''.

(4) Section 2806(c) is amended—

(A) in paragraph (1), by inserting ''of Defense'' after ''The Secretary''; and

(B) by striking ''(A)'' and all that follows through the end of the paragraph and inserting the following: '', only after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the increase, including the reasons for the increase and the source of the funds to be used for the increase.''.

(5) Section 2807 is amended—

(A) in subsection (b)—

(i) by striking ''21-day period'' and inserting ''14-day period''; and

(ii) by striking ''or, if earlier, the end of the 14-day period beginning on the date on which a copy of the report is provided''; and

(B) in subsection (c), by striking ''(1)'' and all that follows through the end of the subsection and inserting the following: ''only after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the need for the increase, including the source of funds to be used for the increase.''.

(6) Section 2808(b) is amended by inserting after ''notify'' the following: '', in an electronic medium pursuant to section 480 of this title,''.

(7) Section 2809 is amended by striking subsection (f) and inserting the following new subsection:

''(f) NOTICE AND WAIT REQUIREMENTS.—The Secretary concerned may enter into a contract under this section only after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress a justification of the need for the facility covered by the proposed contract, including an economic analysis (based upon accepted life cycle costing procedures) which demonstrates that the proposed contract is cost effective when compared with alternative means of furnishing the same facility.''.

(8) Section 2811(d) is amended by inserting after ''submit'' the following: '', in an electronic medium pursuant to section 480 of this title,''.

(9) Section 2812(c) is amended by striking paragraph (1) and inserting the following new paragraph:

''(1) The Secretary concerned may enter into a lease under this section only after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress a justification of the need for the facility covered by the proposed lease, including an economic analysis (based upon accepted life-cycle costing procedures) that demonstrates the cost effectiveness of the proposed lease compared with a military construction project for the same facility.''.

(10) Section 2813(c) is amended—

(A) by striking ''transmits to the appropriate committees of Congress a written notification'' and inserting ''notifies the appropriate committees of Congress'';

(B) by striking ''21-day period'' and inserting ''14-day period''; and

(C) by striking ''or, if earlier, the end of the 14-day period beginning on the date on which a copy of the report is provided''.

(11) Section 2814 is amended—

(A) in subsection (a); and

(B) by striking subsection (g) and inserting the following new subsection:

''(g) NOTICE AND WAIT REQUIREMENTS.—The Secretary of the Navy may carry out a transaction authorized by this section only after the end of the 20-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the transaction, including a detailed description of the transaction and a justification for the transaction specifying the manner in which the transaction will meet the purposes of this section.''.

(b) MILITARY FAMILY HOUSING ACTIVITIES.—Subchapter II of chapter 169 of title 10, United States Code, is amended as follows:

(1) Section 2825(b) is amended—

(A) by redesignating paragraphs (2), (3), and (4) as paragraphs (3), (4), and (5), respectively;

(B) in paragraph (5), as redesignated—

(i) by striking ''the first sentence of''; and

(ii) by striking ''in that sentence'' and inserting ''in that paragraph''; and

(C) in paragraph (1)—

(i) in the second sentence, by striking ''The Secretary concerned may waive the limitations contained in the preceding sentence'' and inserting the following:

''(2) The Secretary concerned may waive the limitations contained in paragraph (1)'';

(ii) in the third sentence, by striking ''the Secretary transmits'' and all that follows through the end of the sentence and inserting the following: ''the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the proposed waiver, together with an economic analysis demonstrating that the improvement will be cost effective.''.

(2) Section 2827 is amended—

(A) in subsection (a), by inserting ''RELOCATION AUTHORITY.—'' after ''(a)''; and

(B) by striking subsection (b) and inserting the following new subsection:

''(b) NOTICE AND WAIT REQUIREMENTS.—A contract to carry out a relocation of military family housing units under subsection (a) may be awarded only after the end of the 14-day period beginning on the date on which the Secretary concerned submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the proposed new locations of the housing units to be relocated and the estimated cost of and source of funds for the relocation.''.

(3) Section 2828(f) is amended by striking ''may not be made'' and all that follows through the end of the subsection and inserting ''may be made under this section only after the end of the 14-day period beginning on the date on which the Secretary concerned submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress notice of the facts concerning the proposed lease.''.

(4) Section 2831(f) is amended by striking ''until—'' and all that follows through the end of the subsection and inserting the following: ''until after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress a justification of the need for the maintenance or repair project, including an estimate of the cost of the project.''.

(5) Section 2835 is amended by striking subsection (g) and inserting the following new subsection:

''(g) NOTICE AND WAIT REQUIREMENTS.—A contract may be entered into for the lease of housing facilities under this section only after the end of the 14-day period beginning on the date on which the Secretary of Defense, or the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress an economic analysis (based upon accepted life cycle costing procedures) which demonstrates that the proposed contract is cost-effective when compared with alternative means of furnishing the same housing facilities.''.

(6) Section 2835a(c) is amended by striking ''until—'' and all that follows through the end of the subsection and inserting the following: ''until after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress a notice of the intent to undertake the conversion.''.

(c) ADMINISTRATIVE PROVISIONS.—Subchapter III of chapter 169 of title 10, United States Code, is amended as follows:

(1) Section 2853(c) is amended—

(A) by striking ''in writing'' both places it appears;

(B) in paragraph (1)(B)—

(i) by striking ''period of 21 days'' and inserting ''14-day period''; and

(ii) by striking ''or, if over sooner, a period of 14 days has elapsed after the date on which a copy of the notification is provided''; and

(C) in paragraph (2), by inserting after ''notifies'' the following: '', using an electronic medium pursuant to section 480 of this title,''.

(2) Section 2854(b) is amended—

(A) by striking ''in writing'';

(B) by striking ''21-day period'' and inserting ''14-day period''; and

(C) by striking ''or, if earlier, the end of the seven-day period beginning on the date on which a copy of the notification is provided''.

(3) Section 2854a is amended by striking subsection (c) and inserting the following new subsection:

''(c) NOTICE AND WAIT REQUIREMENTS.—(1) The Secretary concerned may enter into an agreement to convey a family housing facility under this section only after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress a notice containing a justification for the conveyance under the agreement.

''(2) A notice under paragraph (1) shall include—

''(A) an estimate of the consideration to be provided the United States under the agreement;

''(B) an estimate of the cost of repairing the family housing facility to be conveyed; and

''(C) an estimate of the cost of replacing the family housing facility to be conveyed.''.

(4) Section 2861(c) is amended—

(A) by striking ''in writing'';

(B) by striking ''21-day period'' and inserting ''14-day period''; and

(C) by striking ''or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided''.

(5) Section 2866(c)(2) is amended—

(A) by striking ''21-day period'' and inserting ''14-day period''; and

(B) by striking ''or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided''.

(6) Section 2869(d)(3) is amended—

(A) in the first sentence, by striking ''after a period of 21 days'' and all that follows through the end of the sentence and inserting the following: ''after the end of the 14-day period beginning on the date of the submission of the notice in an electronic medium pursuant to section 480 of this title.''; and

(B) in the second sentence, by striking ''only after'' and all that follows through the end of the sentence and inserting the following: ''only after the end of the 45-day period beginning on the date of the submission of the notice in an electronic medium pursuant to section 480 of this title.''

(d) ALTERNATIVE AUTHORITY FOR ACQUISITION AND IMPROVEMENT OF MILITARY HOUSING.—Subchapter IV of chapter 169 of title 10, United States Code, is amended as follows:

(1) Section 2881a(d)(2) is amended by inserting after ''Congress'' the following: ''in an electronic medium pursuant to section 480 of this title''.

(2) Section 2883(f) is amended—

(A) by striking ''30-day period'' and inserting ''14-day period'';

(B) by striking ''written''; and

(C) by striking ''or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notice and justification is provided''.

(3) Section 2884(a) is amended by striking paragraph (4) and inserting the following new paragraph:

''(4) The report shall be submitted in an electronic medium pursuant to section 480 of this title not later than 21 days before the date on which the Secretary issues the contract solicitation or offers the conveyance or lease.''.

(4) Section 2885 is amended—

(A) in subsection (a)(4)(B)—

(i) by inserting after ''notify'' the following: '', in an electronic medium pursuant to section 480 of this title,''; and

(ii) by striking '', and shall provide'' and inserting ''and include''; and

(B) in subsection (d), by inserting after ''submit'' the following: '', in an electronic medium pursuant to section 480 of this title,''.

(e) ENERGY SECURITY ACTIVITIES.—Chapter 173 of title 10, United States Code, is amended as follows:

(1) Section 2914(b)(1) is amended—

(A) by striking ''in writing'';

(B) by striking ''21-day period'' and inserting ''14-day period''; and

(C) by striking ''or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided''.

(2) Section 2916(c) is amended—

(A) by striking ''in writing'';

(B) by striking ''21-day period'' and inserting ''14-day period''; and

(C) by striking ''or, if earlier, the end of the 14-day period beginning on the date on which a copy of the notification is provided''.

(f) MILITARY CONSTRUCTION CARRIED OUT USING BURDEN SHARING CONTRIBUTIONS.—Section 2350j(e)(2) of title 10, United States Code, is amended—

(1) by striking ''21-day period'' and inserting ''14-day period''; and

(2) by striking ''or, if earlier, the end of the 14-day period beginning on the date on which a copy of the report is provided''.

(g) ACQUISITION OF FACILITIES FOR RESERVE COMPONENTS BY EXCHANGE.—Section 18240(f)(2) of title 10, United States Code, is amended—

(1) by striking ''30-day period'' and inserting ''21-day period''; and

(2) by striking ''or, if earlier, the end of the 21-day period beginning on the date on which a copy of the report is provided''.

SEC. 2802. MODIFICATION OF THRESHOLDS APPLICABLE TO UNSPECIFIED MINOR CONSTRUCTION PROJECTS.

(a) INCREASE IN THRESHOLD; UNIFORM THRESHOLD FOR ALL PROJECTS.—Section 2805(a)(2) of title 10, United States Code, is amended—

(1) in the first sentence, by striking ''$3,000,000'' and inserting ''$6,000,000''; and

(2) by striking the second sentence.

(b) NOTICE REQUIREMENTS.—Section 2805(b)(1) of such title is amended by striking ''$1,000,000'' and inserting ''$750,000''.

(c) USE OF OPERATION AND MAINTENANCE FUNDS.—Section 2805(c) of such title is amended by striking ''$1,000,000'' and inserting ''$2,000,000''.

SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHORITY TO USE OPERATION AND MAINTENANCE FUNDS FOR CONSTRUCTION PROJECTS OUTSIDE THE UNITED STATES.

(a) EXTENSION OF AUTHORITY.—Subsection (h) of section 2808 of the Military Construction Authorization Act for Fiscal Year 2004 (division B of Public Law 108–136; 117 Stat. 1723), as most recently amended by section 2804 of the Military Construction Authorization Act for Fiscal Year 2017 (division B of Public Law 114–328; 130 Stat. 2713), is amended—

(1) in paragraph (1), by striking ''December 31, 2017'' and inserting ''December 31, 2018''; and

(2) in paragraph (2), by striking ''fiscal year 2018'' and inserting ''fiscal year 2019''.

(b) LIMITATION ON USE OF AUTHORITY.—Subsection (c)(1) of such section is amended—

(1) by striking ''October 1, 2016'' and inserting ''October 1, 2017'';

(2) by striking ''December 31, 2017'' and inserting ''December 31, 2018''; and

(3) by striking ''fiscal year 2018'' and inserting ''fiscal year 2019''.

SEC. 2804. USE OF OPERATION AND MAINTENANCE FUNDS FOR MILITARY CONSTRUCTION PROJECTS TO REPLACE FACILITIES DAMAGED OR DESTROYED BY NATURAL DISASTERS OR TERRORISM INCIDENTS.

(a) AUTHORIZING USE OF FUNDS.—Section 2854 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(c)(1) In using the authority described in subsection (a) to carry out a military construction project to replace a facility, including a family housing facility, that has been damaged or destroyed, the Secretary concerned may use appropriations available for operation and maintenance if—

''(A) the damage or destruction to the facility was the result of a natural disaster or a terrorism incident; and

''(B) the Secretary submits a notification to the appropriate committees of Congress of the decision to carry out the replacement project, and includes in the notification—

''(i) the current estimate of the cost of the replacement project;

''(ii) the source of funds for the replacement project;

''(iii) in the case of damage to a facility rather than destruction, a certification that the replacement project is more cost-effective than repair or restoration; and

''(iv) a certification that deferral of the replacement project for inclusion in the next Military Construction Authorization Act would be inconsistent with national security or the protection of health, safety, or environmental quality, as the case may be.

''(2) A replacement project under this subsection may be carried out only after the end of the 7-day period beginning on the date on which a copy of the notification described in paragraph (1) is provided in an electronic medium pursuant to section 480 of this title.

''(3) The maximum aggregate amount that the Secretary concerned may obligate from appropriations available for operation and maintenance in any fiscal year for replacement projects under the authority of this subsection is $50,000,000.''.

(b) CONFORMING AMENDMENT.—Subsection (b) of section 2854 of such title, as amended by section 2801(c)(2), is amended by striking ''under this section'' and inserting ''under subsection (a)''.

Subtitle B—Real Property and Facilities Administration

SEC. 2811. ELIMINATION OF WRITTEN NOTICE REQUIREMENT FOR MILITARY REAL PROPERTY TRANSACTIONS AND RELIANCE ON ELECTRONIC SUBMISSION OF NOTIFICATIONS AND REPORTS.

(a) GENERAL REAL PROPERTY TRANSACTION REPORT.—Section 2662(a) of title 10, United States Code, is amended by striking paragraph (3) and inserting a new paragraph:

''(3) The authority of the Secretary concerned to enter into a transaction described in paragraph (1) commences only after the end of the 14-day period beginning on the first day of the first month beginning on or after the date on which the report containing the facts concerning such transaction, and all other such proposed transactions for that month, is provided in an electronic medium pursuant to section 480 of this title.''.

(b) ACQUISITION OF INTERESTS IN LAND WHEN NEED IS URGENT.—Section 2663(d)(2) of title 10, United States Code, is amended—

(1) by inserting after ''submit'' the following: '', in an electronic medium pursuant to section 480 of this title,''; and

(2) by striking ''written notice'' and inserting ''a notice''.

(c) ACQUISITION OF LAND BY CONDEMNATION FOR CERTAIN MILITARY PURPOSES.—Section 2663(f)(2) of title 10, United States Code, is amended by striking ''or, if over sooner, the end of the 14-day period beginning on the date on which a copy of the report is provided''.

(d) EXCEPTIONS TO LIMITATIONS ON LAND ACQUISITION REDUCTION IN SCOPE OR INCREASE IN COST.—Section 2664(d) of title 10, United States Code, is amended—

(1) by striking ''written'';

(2) by striking ''a period of 21 days elapses from'' and inserting ''the end of the 14-day period beginning on''; and

(3) by striking ''or, if over sooner, a period of 14 days elapses from the date on which a copy of that notification is provided''.

(e) LEASES OF NON-EXCESS DEFENSE PROPERTY.—Section 2667(d)(3) of title 10, United States Code, is amended by striking ''provide to the congressional defense committees written notice'' and inserting ''submit, in an electronic medium pursuant to section 480 of this title, to the congressional defense committees a notice''.

(f) MAINTENANCE AND REPAIR AND JURISDICTION OVER FACILITIES FOR DEFENSE AGENCIES.—Section 2682(c)(2) of title 10, United States Code, is amended by striking ''to the appropriate congressional committees written notification'' and inserting '', in an electronic medium pursuant to section 480 of this title, to the appropriate congressional committees a notice''.

(g) AGREEMENTS TO LIMIT ENCROACHMENTS AND OTHER CONSTRAINTS ON MILITARY TRAINING, TESTING, AND OPERATIONS.—Section 2684a(d)(4)(D) of title 10, United States Code, is amended—

(1) in clause (i), by striking ''provides written notice'' and inserting ''submits, in an electronic medium pursuant to section 480 of this title, a notice''; and

(2) in clause (ii), by striking ''14 days'' and all that follows through the end of the clause and inserting the following: ''10 days after the date on which the notice is submitted under clause (i).''.

(h) CONVEYANCE OF SURPLUS REAL PROPERTY FOR NATURAL RESOURCE CONSERVATION.—Section 2694a of title 10, United States Code, is amended by striking subsection (e) and inserting the following new subsection:

''(e) NOTICE AND WAIT REQUIREMENTS.—The Secretary concerned may not approve of the reconveyance of real property under subsection (c) or grant the release of a covenant under subsection (d) until after the end of the 14-day period beginning on the date on which the Secretary submits, in an electronic medium pursuant to section 480 of this title, to the appropriate committees of Congress a notice of the proposed reconveyance or release.''.

SEC. 2812. CLARIFICATION OF APPLICABILITY OF FAIR MARKET VALUE CONSIDERATION IN GRANTS OF EASEMENTS ON MILITARY LANDS FOR RIGHTS-OF-WAY.

Section 2668(e) of title 10, United States Code, is amended—

(1) in the subsection heading, by striking ''DISPOSITION OF'' and inserting ''CONDITIONS AND''; and

(2) by striking ''Subsections (c) and (e)'' and inserting ''Subsections (b)(4), (c), and (e)''.

SEC. 2813. CRITERIA FOR EXCHANGES OF PROPERTY AT MILITARY INSTALLATIONS.

Paragraph (2) of section 2869(a) of title 10, United States Code, is amended to read as follows:

''(2) Paragraph (1) applies with respect to real property under the jurisdiction of the Secretary concerned—

''(A) that is located on a military installation that is closed or realigned under a base closure law; or

''(B) that is located on a military installation not covered by subparagraph (A) and for which the Secretary concerned makes a determination that the conveyance under paragraph (1) is advantageous to the United States.''.

SEC. 2814. PROHIBITING USE OF UPDATED ASSESSMENT OF PUBLIC SCHOOLS ON DEPARTMENT OF DEFENSE INSTALLATIONS TO SUPERSEDE FUNDING OF CERTAIN PROJECTS.

(a) PROHIBITING USE OF UPDATED ASSESSMENT TO SUPERSEDE FUNDING OF CERTAIN PUBLIC SCHOOL PROJECTS.—Subsection (a) of section 2814 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2717) is amended by adding at the end the following new paragraph:

''(3) PROHIBITING USE OF UPDATED ASSESSMENT TO SUPERSEDE FUNDING OF CERTAIN REMAINING PROJECTS.—In determining which projects will be funded under the programs described in paragraph (2), the Secretary may not, on the basis of the updated assessment described in paragraph (1), supersede the funding of any of the remaining projects which were included among the 33 projects for which Secretary assigned the highest priority for receiving funds under the assessment of the capacity and facility condition deficiencies of elementary and secondary public schools on military installations conducted by the Secretary in July 2011 under section 8109 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011 (Public Law 112–10; 125 Stat. 82).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect as if included in the enactment of the National Defense Authorization Act for Fiscal Year 2017.

SEC. 2815. REQUIREMENTS FOR WINDOW FALL PREVENTION DEVICES IN MILITARY FAMILY HOUSING.

(a) REQUIREMENT.—Chapter 169 of title 10, United States Code, is amended by inserting after section 2878 the following new section:

''§2879. Window fall prevention devices in military family housing units

''(a) REQUIRING USE OF DEVICES ON CERTAIN WINDOWS.—The Secretary concerned shall ensure that if a window in any military family housing unit acquired or constructed under this chapter is described in subsection (b), including a window designed for emergency escape or rescue, the window is equipped with fall prevention devices that protect against unintentional window falls by young children and that are in compliance with applicable International Building Code (IBC) standards.

''(b) WINDOWS DESCRIBED.—A window is described in this subsection if the bottom sill of the window is within 36 inches of the floor, as measured in the interior of the unit.''.

(b) BRIEFING ON IMPLEMENTATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary of each military department shall brief the Committee on Armed Services of the House of Representatives on the implementation of section 2879 of title 10, United States Code (as added by subsection (a)), and include in the briefing the following:

(1) The extent to which the Secretary is in compliance with the requirements of such section.

(2) A plan for the retrofitting of existing military family housing units to enable the units to meet the requirements of such section.

(3) The feasibility and cost-effectiveness of expanding the requirements of such section to apply to windows for which the bottom sill—

(A) is within 42 inches of the floor, as measured in the interior of the unit; or

(B) is 72 inches or more above the ground, as measured on the exterior of the unit.

(4) The feasibility and cost-effectiveness of modifying the requirements of such section to require windows to be equipped with fall prevention devices that meet the following requirements:

(A) The device attaches to the window frame and covers the entire opening with materials of sufficient strength to withstand 60 pounds (27 kg) of force.

(B) The device allows protection in case of a fully opened window.

(C) The device prohibits the passage of a 4 inch rigid sphere anywhere in the window opening.

(D) The device has a 2 step release mechanism that—

(i) allows the window to be fully opened for emergency escape or rescue with no more than 15 lb ft of force;

(ii) requires 2 distinct actions to operate;

(iii) is clearly identified for use in an emergency; and

(iv) is not designed in a manner which accommodates the use of locking devices which require special tools or knowledge to operate, such as combination locks or keyed locks.

(5) The feasibility and cost-effectiveness of extending the requirements of such section to private housing leased or otherwise used by military families.

(6) The feasibility and cost-effectiveness of other potential methods to protect against unintentional window falls by young children in military family housing units.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 169 of such title is amended by inserting after the item relating to section 2878 the following new item:

''2879. Window fall prevention devices in military family housing units.''.

SEC. 2816. AUTHORIZING REIMBURSEMENT OF STATES FOR COSTS OF SUPPRESSING WILDFIRES CAUSED BY DEPARTMENT OF DEFENSE ACTIVITIES ON STATE LANDS; RESTORATION OF LANDS OF OTHER FEDERAL AGENCIES FOR DAMAGE CAUSED BY DEPARTMENT OF DEFENSE VEHICLE MISHAPS.

(a) AUTHORITIES.—Section 2691 of title 10, United States Code, is amended—

(1) in subsection (a), by striking ''or lease'' each place it appears;

(2) in subsection (b), by striking ''or lease'';

(3) in subsection (c), by striking ''lease,''; and

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

''(d) WILDLAND FIRES ON STATE LAND.—The Secretary of Defense may, in any lease, permit, license, or other grant of access for use of lands owned by a State, agree to reimburse the State for the reasonable costs of the State in suppressing wildland fires caused by the activities of the Department of Defense under such lease, permit, license, or other grant of access.

''(e) RESTORATION OF LAND DAMAGED BY MISHAP.—(1) When land under the administrative jurisdiction of a Federal agency that is not a part of the Department of Defense is damaged as the result of a mishap involving a vessel, aircraft, or vehicle of the Department of Defense, the Secretary of Defense may, with the consent of the Federal agency, restore the land.

''(2) When land under the administrative jurisdiction of the Department of Defense or a military department is damaged as the result of a mishap involving a vessel, aircraft, or vehicle of a Federal agency that is not a part of the Department of Defense, the head of the Federal agency under whose control the vessel, aircraft, or vehicle was operating may, with the consent of the Department of Defense, restore the land.''.

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

(1) in the heading, by striking ''lease'' and inserting ''DAMAGED BY MISHAP; REIMBURSEMENT OF STATE COSTS OF FIGHTING WILDLAND FIRES'';

(2) in subsection (a), by striking ''(a) The Secretary'' and inserting ''(a) RESTORATION OF OTHER AGENCY LAND USED BY PERMIT.—The Secretary'';

(3) in subsection (b), by striking ''(b) Unless'' and inserting ''(b) SCREENING FOR USE OF IMPROVED LAND.—Unless''; and

(4) in subsection (c), by striking ''(c)(1) As a condition'' and inserting ''(c) RESTORATION OF DEPARTMENT OF DEFENSE LAND USED BY OTHER AGENCY.—(1) As a condition''.

(c) CLERICAL AMENDMENT.—The table of sections of chapter 159 of such title is amended by amending the item relating to section 2691 to read as follows:

''2691. Restoration of land used by permit or damaged by mishap; reimbursement of State costs of fighting wildland fires.''.

SEC. 2817. PROHIBITING COLLECTION OF ADDITIONAL AMOUNTS FROM MEMBERS LIVING IN UNITS UNDER MILITARY HOUSING PRIVATIZATION INITIATIVE.

(a) PROHIBITION.—Subchapter IV of chapter 169 of title 10, United States Code, is amended by adding at the end the following new section:

''§2886. Prohibiting collection of amounts in addition to rent from members assigned to units

''(a) PROHIBITION.—An agreement for acquiring or constructing a military family housing unit or military unaccompanied housing unit under this subchapter which is entered into between the Secretary and an eligible entity shall prohibit the entity from imposing on a member of the armed forces who occupies the unit a supplemental payment (such as an out-of-pocket fee) in addition to the amount of rent the eligible entity charges for a unit of similar size and composition, without regard to whether or not the amount of the member's basic allowance for housing is less than the amount of the rent.

''(b) PERMITTING CERTAIN ADDITIONAL PAYMENTS.—Nothing in this section shall be construed to prohibit an eligible entity from imposing an additional payment for optional services provided to residents, such as access to a gym or a parking space, or an additional payment for non-essential utility services, as determined in accordance with regulations promulgated by the Secretary.

''(c) NO EFFECT ON RENTAL GUARANTEES OR DIFFERENTIAL LEASE PAYMENTS.—Nothing in this section shall be construed to limit or otherwise affect the authority of the Secretary 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 member of the armed forces who is assigned to a military family housing unit or military unaccompanied housing unit under this subchapter to pay an out-of-pocket fee or payment in addition to the member's basic housing allowance.''.

(b) CLERICAL AMENDMENT.—The table of sections for subchapter IV of chapter 169 of such title is amended by adding at the end the following new item:

''2886. Prohibiting collection of amounts in addition to rent from members assigned to units.''.

Subtitle C—Land Conveyances

SEC. 2821. LAND EXCHANGE, NAVAL INDUSTRIAL RESERVE ORDNANCE PLANT, SUNNYVALE, CALIFORNIA.

(a) LAND EXCHANGE AUTHORIZED.—The Secretary of the Navy may convey to an entity (in this section referred to as the ''Exchange Entity'') all right, title, and interest of the United States in and to the parcel of real property, including improvements thereon, comprising the Naval Industrial Reserve Ordnance Plant (NIROP) located in Sunnyvale, California in exchange for—

(1) real property, including improvements thereon, that will replace the NIROP and meet the readiness requirements of the Department of the Navy, as determined by the Secretary; and

(2) relocation of contractor and Government personnel and equipment from the NIROP to the replacement facilities.

(b) LAND EXCHANGE AGREEMENT.—

(1) IN GENERAL.—The exchange authorized under subsection (a) shall be governed by a land exchange agreement that identifies the property to be exchanged (including improvements thereon), the time period in which the exchange will occur, and the roles and responsibilities of the Secretary and the Exchange Entity in carrying out the exchange.

(2) COMPLIANCE WITH ENVIRONMENTAL LAWS.—Nothing in this section shall be construed to affect or limit the application of, or any obligation to comply with, any environmental law, including the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601).

(c) VALUATION; CASH EQUALIZATION PAYMENT IF NIROP VALUE EXCEEDS VALUE OF EXCHANGED PROPERTY.—

(1) VALUATION.—The values of the properties to be exchanged by the Secretary and the Exchange Entity under subsection (a) (including improvements thereon) shall be determined by an independent appraiser selected by the Secretary, and in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions and the Uniform Standards of Professional Appraisal Practice.

(2) CASH EQUALIZATION PAYMENT.—If, as determined in accordance with paragraph (1), the value of the NIROP is greater than the combination of the value of the property to be conveyed by the Exchange Entity under subsection (a) and the relocation costs covered by the Exchange Entity under such subsection, the Exchange Entity shall make a cash equalization payment to the Secretary to equalize the values. Nothing in this paragraph may be construed to require the Secretary to make a cash equalization payment to the Exchange Entity if the value of the property to be conveyed by the Exchange Entity and the relocation costs covered by the Exchange Entity are greater than the value of the NIROP.

(d) PAYMENT OF COSTS OF CONVEYANCE.—The Secretary shall require the Exchange Entity to pay costs incurred by the Department of the Navy to carry out the exchange authorized under subsection (a), including costs incurred for land surveys, environmental documentation, the review of replacement facilities design, real estate due diligence (including appraisals), preparing and executing the agreement described in subsection (b), and any other administrative costs related to the exchange. If amounts are collected from the Exchange Entity in advance of the Secretary incurring the actual costs and the amount collected exceeds the costs actually incurred by the Secretary to carry out the exchange under subsection (a), the Secretary shall refund the excess amount to the Exchange Entity.

(e) TREATMENT OF AMOUNTS RECEIVED.—Amounts received under subsections (a), (c)(2), and (d) shall be used in accordance with section 2695(c) of title 10, United States Code.

(f) DESCRIPTION OF PROPERTY.—The exact legal description of the property, including acreage, to be exchanged under subsection (a) shall be determined by surveys satisfactory to the Secretary.

(g) RELATION TO OTHER MILITARY CONSTRUCTION REQUIREMENTS.—

(1) EXCLUSION FROM TREATMENT AS MILITARY CONSTRUCTION PROJECT.—The acquisition or disposition of any property pursuant to the exchange authorized under subsection (a) shall not be treated as a military construction project for which an authorization is required by section 2802 of title 10, United States Code, or for which reporting is required by section 2662 of such title.

(2) EXCLUSION OF REQUIREMENT FOR PRIOR SCREENING BY GENERAL SERVICES ADMINISTRATION FOR ADDITIONAL FEDERAL USE.—Section 2696(b) of title 10, United States Code, does not apply to the conveyance of any real property pursuant to the exchange authorized under subsection (a).

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the exchange authorized under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(i) SUNSET.—The authority provided to the Secretary to carry out the exchange under subsection (a) shall expire on October 1, 2023.

SEC. 2822. LAND CONVEYANCE, NAVAL SHIP REPAIR FACILITY, GUAM.

(a) CONVEYANCE.—Not later than 1 year after the date of the enactment of this Act, the Secretary of the Navy shall convey, without consideration, to the Guam Economic Development Authority (hereafter referred to as the ''Authority'') all right, title, and interest of the United States in and to the real property (including improvements thereon and related personal property) consisting of the former Naval Ship Repair Facility in Guam, as identified under the base realignment and closure authority carried out under 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), for purposes of providing support for ship repair and other military maintenance requirements.

(b) REVERSIONARY INTEREST.—If the Secretary of the Navy determines at any time that the property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to such property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—The Secretary of the Navy shall be responsible for the costs of carrying out the conveyance under subsection (a), including survey costs, costs for environmental documentation and remediation, and any other administrative costs related to the conveyance.

(c) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be conveyed under subsection (a) shall be determined as set forth in the Environmental Impact Statement for the Relocation of U.S. Marine Corps Forces to Guam, as completed by the Secretary of the Navy in September 2010.

(d) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States and to ensure that the property conveyed is used in accordance with the purpose of the conveyance.

SEC. 2823. LEASE OF REAL PROPERTY TO THE UNITED STATES NAVAL ACADEMY ALUMNI ASSOCIATION AND NAVAL ACADEMY FOUNDATION AT UNITED STATES NAVAL ACADEMY, ANNAPOLIS, MARYLAND.

(a) AUTHORITY.—The Secretary of the Navy may lease approximately 3 acres at the United States Naval Academy in Annapolis, Maryland to the United States Naval Academy Alumni Association Inc. and the United States Naval Academy Foundation Inc. (hereafter referred to as the ''lessees''), for the purpose of enabling the lessees to construct, operate, and maintain the Alumni Association and Foundation Center.

(b) DURATION OF LEASE.—At the option of the Secretary of the Navy, the lease entered into under this section shall be in effect for 50 years. Upon the expiration of the lease, the Secretary may extend the lease for such additional period as the Secretary may determine.

(c) PAYMENTS UNDER LEASE.—

(1) AMOUNT OF PAYMENTS BASED ON FAIR MARKET VALUE.—The Secretary of the Navy shall require the lessees to make payments under the lease entered into under this section, in cash or in the form of in-kind consideration, in an amount and form that reflects the fair market value of the lease as determined by the Secretary.

(2) PAYMENTS IN THE FORM OF IN-KIND CONSIDERATION.—

(A) TIMING.—To the extent that the lessees make payments under the lease in the form of in-kind consideration, such consideration may be paid as a lump-sum payment for the entire lease term, or any part thereof, or in annual installments.

(B) DESCRIPTION OF IN-KIND CONSIDERATION.—The in-kind consideration paid under the lease—

(i) shall include the relocation of any Naval Support Activity Annapolis functions presently located on the land to be leased to alternate locations deemed sufficient by the Secretary; and

(ii) may include annual support (including cash, real property, or personal property) provided by the lessees after the date the lease is executed, to be used for the benefit of, or for use in connection with, the Naval Academy.

(d) RETENTION AND USE OF FUNDS.—Funds received under the lease entered into under this section may be retained for use in support of the Naval Academy and to cover expenses incurred by the Secretary of the Navy in managing the lease.

(e) LEASEBACK PROHIBITED.—During the period in which the lease entered into under this section is in effect, the Secretary of the Navy may not lease any of the space constructed by the lessees on the property leased under this section.

(f) PAYMENT OF COSTS OF ENTERING INTO AND MANAGING LEASE.—

(1) PAYMENT REQUIRED.—The Secretary of the Navy shall require the lessees to cover the costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, in entering into and managing the lease under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the lease (as defined in section 2667 of title 10, United States Code). Any expenses incurred by the lessees pursuant to this provision may be considered in-kind consideration for purposes of subsection (c)(2) and may be credited against any payments due during the term of the lease.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in entering into and managing the lease. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account. If amounts are collected from the lessees in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary in entering into and managing the lease, the Secretary may refund the excess amount to the lessees.

(g) DESCRIPTION OF PROPERTY.—The exact acreage and legal description of the property to be leased under this section shall be determined by a survey satisfactory to the Secretary of the Navy, and may include property currently used for public purposes.

(h) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of the Navy may require such additional terms and conditions in connection with the lease entered into under this section as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2824. LAND CONVEYANCE, NATICK SOLDIER SYSTEMS CENTER, MASSACHUSETTS.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Army may sell and convey all right, title,

and interest of the United States in and to parcels of real property, consisting of approximately 98 acres and improvements thereon, located in the vicinity of Hudson, Wayland, and Needham, Massachusetts, that are the sites of military family housing supporting military personnel assigned to the United States (U.S.) Army Natick Soldier Systems Center.

(b) COMPETITIVE SALE REQUIREMENT.—The Secretary shall use competitive procedures for the sale authorized by subsection (a).

(c) CONSIDERATION.—

(1) CONSIDERATION REQUIRED.—The Secretary shall require as consideration for conveyance under subsection (a), tendered by cash payment, an amount equal to no less than the fair market value, as determined by the Secretary, of the real property and any improvements thereon.

(2) CASH PAYMENTS.—

(A) CASH PAYMENTS DEPOSITED IN A SPECIAL ACCOUNT.—Cash payments provided as consideration under this subsection shall be deposited in a special account in the Treasury established for the Secretary.

(B) USE OF FUNDS IN SPECIAL ACCOUNT.—The Secretary is authorized to use funds deposited in the special account established under subparagraph (A) for—

(i) demolition of existing military family housing on the U.S. Army Natick Soldier Systems Center (other than housing on property conveyed under subsection (a)) that the Secretary determines necessary to accommodate construction of military family housing or unaccompanied soldier housing to support military personnel assigned to the U.S. Army Natick Soldier Systems Center;

(ii) construction or rehabilitation of military family housing or unaccompanied soldier housing to support military personnel assigned to the U.S. Army Natick Soldier Systems Center; or

(iii) construction of ancillary supporting facilities (as that term is defined in section 2871(1) of title 10, United States Code) to support military personnel assigned to the U.S. Army Natick Soldier Systems Center.

(C) CASH CONSIDERATION NOT USED PRIOR TO OCTOBER 1, 2025.—Cash payments provided as consideration under this subsection that are received by the Secretary and not used by the Secretary for purposes authorized by subparagraph (B) prior to October 1, 2025, shall be transferred to an account in the Treasury established pursuant to section 2883 of title 10, United States Code.

(d) DESCRIPTION OF PARCELS.—The exact acreage and legal description of the parcels to be conveyed under subsection (a) shall be determined by a survey that is satisfactory to the Secretary. The cost of the survey shall be borne by the recipient of the parcels.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

(f) INAPPLICABILITY OF CERTAIN PROVISIONS OF LAW.—The conveyance of property under this section shall not be subject to section 2696 of title 10, United States Code.

(g) DEFINITION OF SECRETARY.—In this section the term ''Secretary'' means the Secretary of the Army.

SEC. 2825. IMPOSITION OF ADDITIONAL CONDITIONS ON LAND CONVEYANCE, CASTNER RANGE, FORT BLISS, TEXAS.

Section 2844 of the Military Construction Authorization Act for Fiscal Year 2013 (division B of Public Law 112–239; 126 Stat. 2157) is amended by adding at the end the following new subsection:

''(e) ADDITIONAL CONDITIONS ON ANY CONVEYANCE OF CASTNER RANGE.—

''(1) CONDITIONS.—The real property described in subsection (a) may not be conveyed to the Department or any other governmental, public, or private entity unless the recipient agrees—

''(A) to prohibit the commercial development of the real property; and

''(B) to conserve and protect the ecological, scenic, wildlife, recreational, cultural, historical, natural, educational, and scientific resources of the real property.

''(2) RECONVEYANCE TO PUBLIC LAND TRUST.—The conditions imposed by paragraph (1) do not prevent the recipient of real property described in subsection (a) from conveying all or a portion of the real property to a public land trust so long as the public land trust agrees to comply with such conditions.

''(3) CONVEYANCE DEFINED.—In this subsection, the term 'convey' includes any transfer of administrative jurisdiction over the real property described in subsection (a) to another Federal agency.''.

SEC. 2826. LAND CONVEYANCE, WASATCH-CACHE NATIONAL FOREST, RICH COUNTY, UTAH.

(a) LAND CONVEYANCE AUTHORIZED.—Not later than 6 months after the date of the enactment of this section, the Secretary of Agriculture shall convey, without consideration, to the Utah State University Research Foundation (in this section referred to as the ''Foundation'') all right, title, and interest of the United States in and to a parcel of real property consisting of approximately 80 acres, including improvements thereon, located outside of the boundaries of the Wasatch-Cache National Forest in Rich County, Utah, within Sections 19 and 30, Township 14 North, Range 5 East, Salt Lake Base and Meridian for the purpose of permitting the Foundation to use the property for scientific and educational purposes.

(b) REVERSIONARY INTEREST.—If the Secretary of Agriculture determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in such subsection, all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary of Agriculture shall require the Foundation to cover the costs (except any costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the Foundation in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the Foundation.

(2) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance. Amounts so credited shall be merged with amounts in such fund or account, and shall be available for the same purposes, and subject to the same conditions and limitations, as amounts in such fund or account.

(d) 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 Agriculture.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary of Agriculture may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

SEC. 2827. LAND CONVEYANCE, FORMER MISSILE ALERT FACILITY KNOWN AS QUEBEC-01, LARAMIE COUNTY, WYOMING.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the State of Wyoming (in this section referred to as the ''State''), all right, title, and interest of the United States in and to the real property, including any improvements thereon, consisting of the former Missile Alert Facility (MAF) known as ''Quebec-01,'' located in Laramie County, Wyoming, for the purpose of operating a historical site, interpretive center, or museum.

(b) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—Subject to paragraph (2), the Secretary of the Air Force shall require the State to cover costs to be incurred by the Secretary, or to reimburse the Secretary for such costs incurred by the Secretary, to carry out the conveyance under subsection (a), including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the State in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the State.

(2) LIMITATION ON PAYMENT OF COSTS BY STATE.—

(A) LIMITATION.—Paragraph (1) shall apply only with respect to the costs the State agrees to cover under the Programmatic Agreement described in subparagraph (B), as such Agreement is in effect at the time of the payment of the costs.

(B) PROGRAMMATIC AGREEMENT DESCRIBED.—The Programmatic Agreement described in this subparagraph is the Programmatic Agreement between Francis E. Warren Air Force Base, and the Wyoming State Historic Preservation Officer, Regarding the Implementation of the Strategic Arms Reduction Treaty at Francis E. Warren Air Force Base Cheyenne, Laramie County, Wyoming.

(3) TREATMENT OF AMOUNTS RECEIVED.—Amounts received as reimbursement under paragraph (1) shall be credited to the fund or account that was used to cover those costs incurred by the Secretary in carrying out the conveyance, or if such fund or account has expired at the time of credit, to an appropriate appropriation, 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 appropriation, fund, or account, and shall be available for the same purpose, and subject to the same conditions and limitations, as amounts in such fund or account.

(c) 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.

(d) REVERSIONARY INTEREST.—If the Secretary of the Air Force determines at any time that the real property conveyed under subsection (a) is not being used in accordance with the purpose of the conveyance specified in subsection (a), all right, title, and interest in and to such real property, including any improvements thereto, shall, at the option of the Secretary, revert to and become the property of the United States, and the United States shall have the right of immediate entry onto such real property. A determination by the Secretary under this subsection shall be made on the record after an opportunity for a hearing.

(e) ADDITIONAL TERMS.—The Secretary of the Air Force may require such additional terms and conditions in connection with the conveyance as the Secretary considers appropriate to protect the interests of the United States.

Subtitle D—Military Land Withdrawals

SEC. 2831. INDEFINITE DURATION OF CERTAIN MILITARY LAND WITHDRAWALS AND RESERVATIONS AND IMPROVED MANAGEMENT OF WITHDRAWN AND RESERVED LANDS.

(a) IMPROVING MANAGEMENT OF CURRENT STATUTORY LAND WITHDRAWALS AND RESERVATIONS AND MAKING MANAGEMENT MORE TRANSPARENT.—

(1) ROLE OF SECRETARY OF THE INTERIOR.—Section 101(a)(2) of the Sikes Act (16 U.S.C. 670a(a)(2)) is amended by striking '', acting through the Director of the United States Fish and Wildlife Service,''.

(2) ADDITIONAL ELEMENTS OF INTEGRATED NATURAL RESOURCES MANAGEMENT PLAN.—Section 101(b) of the Sikes Act (16 U.S.C. 670a(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (I), by striking ''and'' after the semicolon;

(ii) by redesignating subparagraph (J) as subparagraph (K); and

(iii) by inserting after subparagraph (I) the following new subparagraph:

''(J) procedures to ensure that each periodic review of the plan is conducted jointly by the Secretary of the military department and the Secretary of the Interior, and that affected States and Indian tribes, and the public, are provided a meaningful opportunity to comment upon any substantial revisions to the plan that may be proposed; and'';

(B) by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively; and

(C) by inserting after paragraph (1) the following new paragraph:

''(2) shall contain a determination by the Secretary of the military department regarding whether there will be a continuing military need for the lands covered by the integrated natural resources management plan during the period of the plan;''.

(b) EL CENTRO NAVAL AIR FACILITY RANGES.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The El Centro Naval Air Facility Ranges Withdrawal Act (subtitle B of title XXIX of Public Law 104–201; 110 Stat. 2813) is amended—

(A) in section 2921(b)(3), by striking '', before the termination date specified in section 2925,'';

(B) in section 2924(a), by striking the third sentence;

(C) by striking sections 2925 and 2927; and

(D) in section 2928(a), by striking ''specified in section 2925''.

(2) ESTABLISHMENT OF INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—The El Centro Naval Air Facility Ranges Withdrawal Act (subtitle B of title XXIX of Public Law 104–201; 110 Stat. 2813) is further amended by inserting after section 2924 the following new section:

''SEC. 2925. INTERGOVERNMENTAL EXECUTIVE COMMITTEE.

''(a) ESTABLISHMENT AND PURPOSE.—The Secretary of the Navy and the Secretary of the Interior shall establish, by memorandum of understanding, an intergovernmental executive committee for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the lands withdrawn and reserved under this subtitle.

''(b) COMPOSITION.—

''(1) REPRESENTATIVES OF OTHER FEDERAL AGENCIES.—The Secretary of the Navy and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee.

''(2) REPRESENTATIVES OF STATE AND LOCAL GOVERNMENTS.—The Secretary of the Navy and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee—

''(A) at least one elected officer (or other authorized representative) from the government of the State of California; and

''(B) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

''(c) OPERATION.—The intergovernmental executive committee shall operate in accordance with the terms set forth in the memorandum of understanding under subsection (a).

''(d) PROCEDURES.—The memorandum of understanding under subsection (a) shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the lands withdrawn and reserved under this subtitle, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

''(e) COORDINATOR.—The Secretary of the Navy, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee. The duties of the coordinator shall be included in the memorandum of understanding under subsection (a). The coordinator shall not be a member of the committee.

''(f) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the intergovernmental executive committee.''.

(3) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The El Centro Naval Air Facility Ranges Withdrawal Act (subtitle B of title XXIX of Public Law 104–201; 110 Stat. 2813) is further amended by inserting after section 2926 the following new section:

''SEC. 2927. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.

''(a) DETERMINATION OF CONTINUING MILITARY NEED.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under this subtitle is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary of the Navy shall include the Secretary's determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.

''(b) PUBLIC REPORTS.—

''(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review of an integrated natural resources management plan described in subsection (a), the Secretary of the Navy and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands withdrawn and reserved under this subtitle since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

''(B) A report under subparagraph (A) shall include a summary of current military use of the lands withdrawn and reserved under this subtitle, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

''(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands withdrawn and reserved under this subtitle.

''(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the Navy and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands withdrawn and reserved under this subtitle.

''(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of El Centro, and any other means considered necessary or desirable by the Secretaries.

''(4) DISTRIBUTION OF REPORT.—The final version of a report under this subsection shall be made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.''.

(c) JUNIPER BUTTE RANGE.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The Juniper Butte Range Withdrawal Act (title XXIX of Public Law 105–261; 112 Stat. 2226) is amended—

(A) in section 2915—

*(i) in the section heading, by striking ''**Duration**'' and inserting ''**Relinquishment**'';*

(ii) in subsection (a), by striking ''TERMINATION.—'' and all that follows through ''At the time of termination'' and inserting ''EFFECT OF RELINQUISHMENT ON OPERATION OF GENERAL LAND LAWS.—Upon relinquishment of Department of the Air Force jurisdiction over lands withdrawn and reserved by this title'';

(iii) in subsection (b)—

(I) in the subsection heading, by inserting ''PROCESS'' after ''RELINQUISHMENT'';

(II) in paragraph (1), by striking ''under subsection (c)''; and

(III) in paragraph (3), by striking ''before the date of termination, as provided for in subsection (a)(1)''; and

(iv) by striking subsection (c); and

(B) in section 2916—

*(i) in the section heading, by striking ''**or upon termination of withdrawal**'';*

(ii) in subsection (a)(1), by striking ''and in all cases not later than 2 years before the date of termination of withdrawal and reservation,'';

(iii) in subsection (b), by striking ''environmental remediation'' and all that follows through the end of the subsection and inserting ''environmental remediation before relinquishing, to the Secretary of the Interior, jurisdiction over any lands identified in a notice of intent to relinquish under section 2915(b).''; and

(iv) in subsection (d)—

(I) in the subsection heading, by striking ''TERMINATES'' and inserting ''RELINQUISHED'';

(II) by striking ''termination date'' both places it appears and inserting ''relinquishment date''; and

(III) in paragraph (2), by striking ''termination'' and inserting ''relinquishment''.

(2) ESTABLISHMENT OF INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—Section 2910 of the Juniper Butte Range Withdrawal Act (title XXIX of Public Law 105–261; 112 Stat. 2231) is amended by adding at the end the following new subsection:

''(d) INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—

''(1) ESTABLISHMENT AND PURPOSE.—The memorandum of understanding under subsection (a) shall be modified as provided in subsection (c) to establish an intergovernmental executive committee for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the lands withdrawn and reserved by this title.

''(2) COMPOSITION.—(A) The Secretary of the Air Force and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee.

''(B) The Secretary of the Air Force and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee—

''(i) at least one elected officer (or other authorized representative) from the government of the State of Idaho; and

''(ii) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

''(3) OPERATION.—The intergovernmental executive committee shall operate in accordance with the terms set forth in the memorandum of understanding.

''(4) PROCEDURES.—The memorandum of understanding shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the lands withdrawn and reserved by this title, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

''(5) COORDINATOR.—The Secretary of the Air Force, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee. The duties of the coordinator shall be included in the memorandum of understanding. The coordinator shall not be a member of the committee.

''(6) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the intergovernmental executive committee.''.

(3) DETERMINATIONS OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—Section 2909 of the Juniper Butte Range Withdrawal Act (title XXIX of Public Law 105–261; 112 Stat. 2230) is amended—

(A) in subsection (c), by adding at the end the following new sentence: ''The review shall include the determination of the Secretary of the Air Force regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following 5 years.''; and

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

''(d) PUBLIC REPORTS.—

''(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review of an integrated natural resources management plan developed under this section. the Secretary of the Air Force and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands withdrawn and reserved by this title since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

''(B) A report under subparagraph (A) shall include a summary of current military use of the lands withdrawn and reserved by this title, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous 5 years.

''(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands withdrawn and reserved by this title.

''(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the Air Force and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands withdrawn and reserved by this title.

''(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of the Juniper Butte Range (if one exists), and any other means considered necessary or desirable by the Secretaries.

''(4) DISTRIBUTION OF REPORT.—The final version of a report under this subsection shall be made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.''.

(d) RANGES COVERED BY SUBTITLE A OF MILITARY LANDS WITHDRAWAL ACT OF 1999.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885) is amended—

(A) by striking section 3015;

(B) by striking section 3016 and inserting the following new section:

''SEC. 3016. RELINQUISHMENT.

''(a) NOTICE OF INTENT REGARDING RELINQUISHMENT.—If the Secretary of the military department concerned decides to relinquish all or any of the lands withdrawn and reserved by section 3011, such Secretary shall transmit a notice of intent to relinquish such lands to the Secretary of the Interior.

''(b) OPENING DATE.—On the date of relinquishment of the withdrawal and reservation of lands withdrawn and reserved by section 3011, such lands shall not be open to any form of appropriation under the public land laws, including the mineral laws and the mineral leasing and geothermal leasing laws, until the Secretary of the Interior publishes in the Federal Register an appropriate order stating the date upon which such lands shall be restored to the public domain and opened.''; and

(C) in section 3017—

(i) by striking ''section 3016(d)'' each place it appears and inserting ''section 3016''; and

(ii) in subsection (e)—

(I) by striking ''If because'' and everything that follows through ''determines that'' and inserting ''If the Secretary of the Interior declines to accept jurisdiction over lands withdrawn by this subtitle which have been proposed for relinquishment because the Secretary determines that''; and

(II) in paragraph (2), by striking ''the expiration of the withdrawal of such lands under this subtitle'' and inserting ''such determination''.

(2) ESTABLISHMENT OF INTERGOVERNMENTAL EXECUTIVE COMMITTEES.—Section 3014 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 890) is amended by adding at the end the following new subsection:

''(g) INTERGOVERNMENTAL EXECUTIVE COMMITTEES.—

''(1) ESTABLISHMENT AND PURPOSE.—For the lands withdrawn and reserved by section 3011, the Secretary of the military department concerned and the Secretary of the Interior shall establish, by memorandum of understanding, an intergovernmental executive committee for each range for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the withdrawn and reserved lands.

''(2) COMPOSITION.—(A) The Secretary of the military department concerned and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee for a range.

''(B) The Secretary of the military department concerned and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee for a range—

''(i) at least one elected officer (or other authorized representative) from the government of the State in which the withdrawn and reserved lands are located; and

''(ii) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

''(3) OPERATION.—The intergovernmental executive committee for a range shall operate in accordance with the terms set forth in the memorandum of understanding.

''(4) PROCEDURES.—The memorandum of understanding for a range shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the withdrawn and reserved lands, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

''(5) COORDINATOR.—The Secretary of the military department concerned, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee for a range. The duties of the coordinator shall be included in the memorandum of understanding. The coordinator shall not be a member of the committee.

''(6) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to an intergovernmental executive committee established under this subsection.''.

(3) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 885) is further amended by inserting after section 3014 the following new section:

''SEC. 3015. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.

''(a) DETERMINATION OF CONTINUING MILITARY NEED.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under section 3011 is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary of the military department concerned shall include the Secretary's determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.

''(b) PUBLIC REPORTS.—

''(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review of an integrated natural resources management plan described in subsection (a), the Secretary of the military department concerned and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands covered by the plan since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

''(B) A report under subparagraph (A) shall include a summary of current military use of the lands covered by the plan, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

''(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands covered by the integrated natural resources management plan.

''(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the military department concerned and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall

hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands addressed by the report.

''(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of the affected military range (if one exists), and any other means considered necessary or desirable by the Secretaries.

''(4) DISTRIBUTION OF REPORT.—The final version of a report under this subsection shall be made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.''.

(e) BARRY M. GOLDWATER RANGE.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—Section 3031 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 897) is amended—

(A) in subsection (c)—

(i) in paragraph (1), by striking '', including the duration of any renewal or extension'';

(ii) in paragraph (2)—

(I) in the paragraph heading, by striking ''OR TERMINATION''; and

(II) in subparagraph (C), by striking the last sentence; and

(iii) in paragraph (3)(A), by striking ''or termination''; and

(B) in subsection (d), by striking ''DURATION'' and all that follows through ''of the termination'' and inserting ''EFFECT OF RELINQUISHMENT ON OPERATION OF GENERAL LAND LAWS.—On the date of relinquishment'';

(C) by striking subsection (e); and

(D) in subsection (f)—

(i) in the subsection heading, by striking ''TERMINATION AND'';

(ii) in paragraph (1), by striking ''but not later than three years before the termination of the withdrawal and reservation,'';

(iii) in paragraph (3), by striking ''before the termination date of the withdrawal and reservation of such lands under this section''; and

(iv) in paragraph (4)(A), by striking ''Notwithstanding the termination date, unless'' and inserting ''Unless''.

(2) DETERMINATIONS OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION.—Section 3031 of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 897) is further amended by inserting after subsection (d) the following new subsection:

''(e) PERIODIC DETERMINATION OF CONTINUING MILITARY NEED.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under this section is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary of the Navy and the Secretary of the Air Force shall include the Secretary's determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.''.

(3) USE OF DEFINITIONS.—Section 3031(c)(5) of the Military Lands Withdrawal Act of 1999 (title XXX of Public Law 106–65; 113 Stat. 907) is amended by striking subparagraphs (A) and (B) and inserting the following:

''(A) The term 'military munitions' has the meaning given that term in section 101(e)(4) of title 10, United States Code.

''(B) The term 'unexploded ordnance' has the meaning given that term in section 101(e)(5) of such title.''.

(f) NATIONAL TRAINING CENTER.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The Fort Irwin Military Land Withdrawal Act of 2001 (title XXIX of Public Law 107–107; 115 Stat. 1335) is amended—

(A) in section 2910, by striking the section heading and all that follows through ''At the time of the termination'' and inserting the following:

''SEC. 2910. EFFECT OF RELINQUISHMENT ON OPERATION OF GENERAL LAND LAWS.

''On the date of relinquishment'';

(B) by striking section 2911; and

(C) in section 2912—

*(i) in the section heading, by striking ''**Termination and**'';*

(ii) in subsection (a), by striking ''During the first 22 years of the withdrawal and reservation made by this title, if'' and inserting ''If'';

(iii) in subsection (c), by striking ''before the termination date of the withdrawal and reservation''; and

(iv) in subsection (d), by striking ''Notwithstanding the termination date specified in section 2910, unless'' and inserting ''Unless''.

(2) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The Fort Irwin Military Land Withdrawal Act of 2001 (title XXIX of Public Law 107–107; 115 Stat. 1335) is further amended by inserting after section 2910 the following new section:

''SEC. 2911. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.

''(a) PERIODIC DETERMINATION OF CONTINUING NEED.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under this title is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary of the Army shall include in the plan the Secretary's determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.

''(b) PUBLIC REPORTS.—

''(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review of an integrated natural resources management plan described in subsection (a), the Secretary of the Army and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands withdrawn and reserved by this title since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

''(B) A report under subparagraph (A) shall include a summary of current military use of the lands withdrawn and reserved by this title, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

''(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands withdrawn and reserved by this title.

''(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary of the Army and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands withdrawn and reserved by this title.

''(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of National Training Range, and any other means considered necessary or desirable by the Secretaries.

''(4) DISTRIBUTION OF REPORT.—The final version of a report under this subsection shall be made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.''.

(3) ESTABLISHMENT OF INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—The Fort Irwin Military Land Withdrawal Act of 2001 (title XXIX of Public Law 107–107; 115 Stat. 1335) is further amended by adding at the end the following new section:

''SEC. 2914. INTERGOVERNMENTAL EXECUTIVE COMMITTEE.

''(a) ESTABLISHMENT AND PURPOSE.—The Secretary of the Army and the Secretary of the Interior shall establish, by memorandum of understanding, an intergovernmental executive committee for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the lands withdrawn and reserved by this title.

''(b) COMPOSITION.—

''(1) REPRESENTATIVES OF OTHER FEDERAL AGENCIES.—The Secretary of the Army and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee.

''(2) REPRESENTATIVES OF STATE AND LOCAL GOVERNMENTS.—The Secretary of the Army and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee—

''(A) at least one elected officer (or other authorized representative) from the government of the State of California; and

''(B) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

''(c) OPERATION.—The intergovernmental executive committee shall operate in accordance with the terms set forth in the memorandum of understanding under subsection (a).

''(d) PROCEDURES.—The memorandum of understanding under subsection (a) shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the lands withdrawn and reserved by this title, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

''(e) COORDINATOR.—The Secretary of the Army, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee. The duties of the coordinator shall be included in the memorandum of understanding under subsection (a). The coordinator shall not be a member of the committee.

''(f) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to the intergovernmental executive committee.''.

(g) RANGES COVERED BY MILITARY LAND WITHDRAWALS ACT OF 2013.—

(1) ELIMINATION OF TERMINATION DATE AND CONFORMING AMENDMENTS.—The Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1025) is amended—

(A) by striking sections 2919, 2920; 2936, 2946, and 2979;

(B) in section 2921, by striking ''On the termination of'' and inserting ''On the relinquishment of''; and

(C) in section 2922(d)(3)—

(i) in the paragraph heading, by striking ''ON TERMINATION'' and inserting ''UPON RELINQUISHMENT''; and

(ii) by striking ''or if at the expiration of the withdrawal and reservation,''.

(2) ESTABLISHMENT OF INTERGOVERNMENTAL EXECUTIVE COMMITTEE.—The Military Land

Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1025) is further amended by inserting after section 2918 the following new section:

"SEC. 2919. INTERGOVERNMENTAL EXECUTIVE COMMITTEE.

''(a) ESTABLISHMENT AND PURPOSE.—For the lands withdrawn and reserved by sections 2931, 2941, and 2971, the Secretary concerned and the Secretary of the Interior shall establish, by memorandum of understanding, an intergovernmental executive committee for each location for the sole purpose of exchanging views, information, and advice relating to the management of the natural and cultural resources of the withdrawn and reserved lands.

''(b) COMPOSITION.—

''(1) REPRESENTATIVES OF OTHER FEDERAL AGENCIES.—The Secretary concerned and the Secretary of the Interior shall include representatives from interested Federal agencies as members of the intergovernmental executive committee for a location covered by subsection (a).

''(2) REPRESENTATIVES OF STATE AND LOCAL GOVERNMENTS.—The Secretary concerned and the Secretary of the Interior shall invite to serve as members of the intergovernmental executive committee for a location covered by subsection (a)—

''(A) at least one elected officer (or other authorized representative) from the government of the State in which the withdrawn and reserved lands are located; and

''(B) at least one elected officer (or other authorized representative) from each local government and Indian tribal government in the vicinity of the withdrawn and reserved lands, as determined by the Secretaries.

''(c) OPERATION.—The intergovernmental executive committee for a location covered by subsection (a) shall operate in accordance with the terms set forth in the memorandum of understanding under subsection (a).

''(d) PROCEDURES.—The memorandum of understanding under subsection (a) shall establish procedures for creating a forum for exchanging views, information, and advice relating to the management of natural and cultural resources on the withdrawn and reserved lands, procedures for rotating the chair of the intergovernmental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

''(e) COORDINATOR.—The Secretary concerned, in consultation with the Secretary of the Interior, shall appoint an individual to serve as coordinator of the intergovernmental executive committee for a location covered by subsection (a). The duties of the coordinator shall be included in the memorandum of understanding under subsection (a). The coordinator shall not be a member of the committee.

''(f) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) does not apply to a intergovernmental executive committee for a location covered by subsection (a).''.

(3) DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.—The Military Land Withdrawals Act of 2013 (title XXIX of Public Law 113–66; 127 Stat. 1025) is further amended by inserting after section 2919, as added by paragraph (2), the following new section:

"SEC. 2920. DETERMINATION OF CONTINUING MILITARY NEED FOR WITHDRAWAL AND RESERVATION AND PUBLIC REPORTS.

''(a) PERIODIC DETERMINATION OF CONTINUING NEED.—Whenever an integrated natural resources management plan covering the lands withdrawn and reserved under a subtitle of this title is reviewed as to operation and effect as required by section 101(b)(3) of the Sikes Act (16 U.S.C. 670a(b)(2)), but not less often than every five years, the Secretary concerned shall include in the plan the Secretary's determination regarding whether there will be a continuing military need for any or all of the withdrawn and reserved lands for the following five years.

''(b) PUBLIC REPORTS.—

''(1) CHANGES IN LAND CONDITIONS.—(A) Concurrent with each review of an integrated natural resources management plan described in subsection (a), the Secretary concerned and the Secretary of the Interior shall jointly prepare and issue a report describing any changes in the condition of the lands covered by the plan since the later of the date of any previous report under this paragraph or the date of the environmental analysis prepared to support the actions that changed the condition of the lands.

''(B) A report under subparagraph (A) shall include a summary of current military use of the lands covered by the plan, any changes in military use of the lands since the previous report, and efforts related to the management of natural and cultural resources and environmental remediation of the lands during the previous five years.

''(2) COMBINATION WITH OTHER REPORTS.—A report under this subsection may be combined with, or incorporate by reference, any contemporary report required by any other provision of law regarding the lands addressed by the report.

''(3) PUBLIC REVIEW AND COMMENT.—(A) Before the finalization of a report under this subsection, the Secretary concerned and the Secretary of the Interior shall invite interested members of the public to review and comment on the report, and shall hold at least one public meeting concerning the report in a location or locations reasonably accessible to persons who may be affected by management of the lands addressed by the report.

''(B) Each public meeting under subparagraph (A) shall be announced not less than 15 days before the date of the meeting by advertisements in local newspapers of general circulation, notices on the internet, including the website of the affected military range (if one exists), and any other means considered necessary or desirable by the Secretaries.

''(4) DISTRIBUTION OF REPORT.—The final version of a report under this subsection shall be made available to the public and submitted to the Committees on Armed Services and Energy and Natural Resources of the Senate and the Committees on Armed Services and Natural Resources of the House of Representatives.''.

(h) EFFECT ON NEW LAND WITHDRAWALS AND RESERVATIONS.—Nothing in this section or the amendments made by this section shall be construed as changing the requirements imposed on the Department of Defense to obtain a new or expanded land withdrawal and reservation.

SEC. 2832. TEMPORARY SEGREGATION FROM PUBLIC LAND LAWS OF PROPERTY SUBJECT TO PROPOSED MILITARY LAND WITHDRAWAL; TEMPORARY USE PERMITS AND TRANSFERS OF SMALL PARCELS OF LAND BETWEEN DEPARTMENTS OF INTERIOR AND MILITARY DEPARTMENTS; MORE EFFICIENT SURVEYING OF LANDS.

(a) TEMPORARY SEGREGATION OF MILITARY LAND FROM PUBLIC LAND LAWS UNDER REQUEST FOR WITHDRAWAL MADE TO SECRETARY OF THE INTERIOR.—Section 3 of the Act of February 28, 1958 (Public Law 85–337; 43 U.S.C. 157), is amended—

(1) by striking ''Any application'' and inserting ''(a) CONTENTS OF APPLICATION.—Any application'';

(2) by striking ''shall specify'' and inserting ''shall be filed with the Secretary of the Interior and shall specify''; and

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

''(b) TEMPORARY SEGREGATION FROM PUBLIC LAND LAWS.—

''(1) PUBLIC NOTICE.—Not later than 30 days after the date of the receipt of an application under subsection (a) for a withdrawal or reservation, the Secretary of the Interior shall publish a notice in the Federal Register stating that the application has been submitted, identifying the land that is the subject of the application, and stating the extent to which the land is to be segregated in accordance with paragraph (2).

''(2) SEGREGATION FROM PUBLIC LAND LAWS.—Upon publication of a notice under paragraph (1), the land identified in the notice shall be segregated from the operation of the public land laws to the extent specified in the notice. The segregation of such land pursuant to such notice shall terminate upon the earlier of—

''(A) the enactment of some or all of the withdrawal or reservation by Congress; or

''(B) the expiration of the 7-year period which begins on the date of the publication of the notice.

''(3) DEFINITION.—In this subsection, the term 'public land laws' includes the mining laws, the mineral leasing laws, and the geothermal leasing laws.''.

(b) AUTHORIZATION OF ADDITIONAL ARRANGEMENTS FOR USE AND TRANSFER OF LANDS UNDER JURISDICTION OF SECRETARY OF THE INTERIOR.—Such Act (43 U.S.C. 155 et seq.) is further amended by adding at the end the following new sections:

"SEC. 7. SHORT-TERM PERMITS FOR USE OF DEPARTMENT OF INTERIOR LANDS FOR MILITARY TRAINING AND TESTING.

''(a) AUTHORITY.—In addition to any other authority to grant permits for the use of land, the Secretary of the Interior may grant a permit to the Secretary of Defense to use land under the administrative jurisdiction of the Secretary of the Interior. Any such permit—

''(1) shall be issued consistent with section 2691 of title 10, United States Code;

''(2) shall allow the Department of Defense to use the land only for purposes of training and testing that are consistent with the purposes for which the Secretary of the Interior manages the land; and

''(3) may contain such other requirements as the Secretary of the Interior considers appropriate.

''(b) DURATION OF PERMIT.—A permit granted under this section shall be in effect for such period as the Secretary of the Interior may provide, except that such period may not exceed 30 days.

"SEC. 8. TRANSFERS OF SMALL PARCELS OF LAND BETWEEN THE DEPARTMENTS OF DEFENSE AND INTERIOR.

''(a) TRANSFER AUTHORIZED.—Subject to any valid existing rights, upon mutual agreement, and without cost for the value of the land or any improvements thereon—

''(1) the Secretary of the Interior may transfer administrative jurisdiction over land that meets the requirements of subsection (b) to the Secretary of a military department; and

''(2) the Secretary of a military department may transfer administrative jurisdiction over land that meets the requirements of subsection (b) to the Secretary of the Interior.

''(b) REQUIREMENTS FOR LAND ELIGIBLE FOR TRANSFER.—The requirements of this subsection are as follows:

''(1) CONTIGUITY.—The land is contiguous to land already under the administrative jurisdiction of the Secretary to whom such jurisdiction is transferred.

''(2) LIMITATION ON ACREAGE.—No single parcel of the land is larger than 5,000 acres of contiguous area.

''(3) NO RECENT PRIOR TRANSFER OF CONTIGUOUS LAND.—The land is not contiguous to any other land for which administrative jurisdiction has been transferred under the authority of this section during the previous 5 years.

''(4) PRIOR USE FOR DEFENSE PURPOSES.—In the case of land transferred to the Department of Defense, the land was used for defense purposes immediately prior to the date of transfer.

''(c) MAP AND LEGAL DESCRIPTION.—

''(1) PREPARATION AND PUBLICATION.—The Secretary of the Interior shall—

''(A) publish in the Federal Register a notice containing the legal description of any land transferred under subsection (a);

''(B) file maps and legal descriptions of the land with—

''(i) the Committees on Armed Services and Energy and Natural Resources of the Senate, and

''(ii) the Committees on Armed Services and Natural Resources of the House of Representatives; and

''(C) make copies of such maps and legal descriptions available for public inspection in the appropriate offices of the Bureau of Land Management.

''(2) FORCE OF LAW.—For purposes of any transfer of administrative jurisdiction over land under this section, the legal description and map for the land shall be the legal description of the land filed under paragraph (1)(B), except that the Secretary of the Interior may correct clerical and typographical errors in the legal description or map.

''(d) TREATMENT AND USE OF LAND TRANSFERRED TO THE SECRETARY OF A MILITARY DEPARTMENT.—Upon a transfer of administrative jurisdiction over land to the Secretary of a military department under subsection (a)—

''(1) the land shall be treated as property (as defined in section 102(9) of title 40, United States Code) under the administrative jurisdiction of the Secretary of the military department; and

''(2) the land shall be withdrawn from all forms of appropriation under the public land laws, including the mining laws, the mineral leasing laws, and the geothermal leasing laws, for as long as the land is under the administrative jurisdiction of a Secretary of a military department.

''(e) TREATMENT AND USE OF LAND TRANSFERRED TO THE SECRETARY OF THE INTERIOR.—Upon a transfer of administrative jurisdiction over land to the Secretary of the Interior under subsection (a)—

''(1) the land shall become public land; and

''(2) the land shall be administered for the same purposes and be subject to the same conditions of use as the adjacent public land.

''(f) EFFECT ON OTHER AUTHORITIES.—The authority provided by this section is in addition to, and not subject to, any other authority relating to transfers of land.''.

(c) SHORT TITLE.—Section 1 of such Act (43 U.S.C. 155) is amended—

(1) by striking ''Notwithstanding'' and inserting ''(a) WITHDRAWAL, RESERVATION, OR RESTRICTION OF PUBLIC LANDS FOR DEFENSE PURPOSES.—Notwithstanding''; and

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

''(b) SHORT TITLE.—This Act may be cited as the 'Engle Act'.''.

(d) PROMOTING MORE EFFICIENT SURVEYING OF LANDS.—In fixing the original corner position in an official survey of unsurveyed land, when applicable and feasible, Cadastral Surveys may, instead of using physical monuments, use geographic coordinates correlated to the National Spatial Reference System geodetic datum, in accordance with the Manual of Surveying Instructions.

Subtitle E—Military Memorials, Monuments, and Museums

SEC. 2841. MODIFICATION OF PROHIBITION ON TRANSFER OF VETERANS MEMORIAL OBJECTS TO FOREIGN GOVERNMENTS WITHOUT SPECIFIC AUTHORIZATION IN LAW.

(a) DESCRIPTION OF OBJECTS.—Paragraph (2)(B)(iii) of section 2572(e) of title 10, United States Code, is amended by striking ''from abroad'' and inserting ''from abroad before 1907''.

(b) EXTENSION OF PROHIBITION.—Paragraph (3)(B) of section 2572(e) of such title is amended by striking ''September 30, 2017'' and inserting ''September 30, 2022''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect October 1, 2017.

SEC. 2842. RECOGNITION OF THE NATIONAL MUSEUM OF WORLD WAR II AVIATION.

(a) FINDINGS.—Congress finds the following:

(1) World War II was one of the most important events in the history of the Nation, a time of common purpose that remains today as an inspiration to all people in the United States.

(2) The role of aviation was a critical factor in the success of winning World War II and defeating the enemies worldwide.

(3) The bravery, courage, dedication, and heroism of World War II aviators and support personnel were decisive in winning World War II.

(4) The National Museum of World War II Aviation in Colorado Springs, Colorado, is the only museum in the United States that exists to exclusively preserve and promote an understanding of the role of aviation in winning World War II.

(5) The National Museum of World War II Aviation is dedicated to celebrating the spirit of the United States, recognizing the teamwork, collaboration, patriotism, and courage of the men and women who fought, as well as those on the homefront who mobilized and supported the national aviation effort.

(b) RECOGNITION.—The National Museum of World War II Aviation in Colorado Springs, Colorado, is recognized as America's National World War II Aviation Museum.

(c) EFFECT OF RECOGNITION.—The National Museum recognized by this section is not a unit of the National Park System, and the recognition of the National Museum shall not be construed to require or permit Federal funds to be expended for any purpose related to the National Museum.

SEC. 2843. PRINCIPAL OFFICE OF AVIATION HALL OF FAME.

Section 23107 of title 36, United States Code, is amended by striking ''Dayton,'' and all that follows through ''trustees'' and inserting ''Ohio''.

Subtitle F—Shiloh National Military Park

SEC. 2851. SHORT TITLE.

This subtitle may be cited as the ''Shiloh National Military Park Boundary Adjustment and Parker's Crossroads Battlefield Designation Act''.

SEC. 2852. DEFINITIONS.

In this subtitle, the following definitions apply:

(1) AFFILIATED AREA.—The term ''affiliated area'' means the Parker's Crossroads Battlefield established as an affiliated area of the National Park System under section 2854.

(2) PARK.—The term ''Park'' means Shiloh National Military Park, a unit of the National Park System.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of the Interior.

SEC. 2853. AREAS TO BE ADDED TO SHILOH NATIONAL MILITARY PARK.

(a) ADDITIONAL AREAS.—The boundary of Shiloh National Military Park is modified to include the areas that are generally depicted on the map entitled ''Shiloh National Military Park, Proposed Boundary Adjustment'', numbered 304/80,011, and dated July 2014, as follows:

(1) Fallen Timbers Battlefield.

(2) Russell House Battlefield.

(3) Davis Bridge Battlefield.

(b) ACQUISITION AUTHORITY.—The Secretary may acquire lands described in subsection (a) by donation, purchase from willing sellers with donated or appropriated funds, or exchange.

(c) ADMINISTRATION.—Any lands acquired under this section shall be administered as part of the Park.

SEC. 2854. ESTABLISHMENT OF AFFILIATED AREA.

(a) IN GENERAL.—Parker's Crossroads Battlefield in the State of Tennessee is hereby established as an affiliated area of the National Park System.

(b) DESCRIPTION.—The affiliated area shall consist of the area generally depicted within the ''Proposed Boundary'' on the map entitled ''Parker's Crossroads Battlefield, Proposed Boundary'', numbered 903/80,073, and dated July 2014.

(c) ADMINISTRATION.—The affiliated area shall be managed in accordance with this subtitle and all laws generally applicable to units of the National Park System.

(d) MANAGEMENT ENTITY.—The City of Parkers Crossroads and the Tennessee Historical Commission shall jointly be the management entity for the affiliated area.

(e) COOPERATIVE AGREEMENTS.—The Secretary may provide technical assistance and enter into cooperative agreements with the management entity for the purpose of providing financial assistance with marketing, marking, interpretation, and preservation of the affiliated area.

(f) LIMITED ROLE OF THE SECRETARY.—Nothing in this Act authorizes the Secretary to acquire property at the affiliated area or to assume overall financial responsibility for the operation, maintenance, or management of the affiliated area.

(g) GENERAL MANAGEMENT PLAN.—

(1) IN GENERAL.—The Secretary, in consultation with the management entity, shall develop a general management plan for the affiliated area. The plan shall be prepared in accordance with section 100502 of title 54, United States Code.

(2) TRANSMITTAL.—Not later than 3 years after the date that funds are made available for this subtitle, the Secretary shall provide a copy of the completed general management plan to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate.

SEC. 2855. PRIVATE PROPERTY PROTECTION.

(a) NO USE OF CONDEMNATION.—The Secretary of the Interior may not acquire by condemnation any land or interests in land under this subtitle or for the purposes of this subtitle.

(b) WRITTEN CONSENT OF OWNER.—No non-Federal property may be included in the Shiloh National Military Park without the written consent of the owner.

(c) NO BUFFER ZONE CREATED.—Nothing in this subtitle, the establishment of the Shiloh National Military Park, or the management plan for the Shiloh National Military Park shall be construed to create buffer zones outside of the Park. That activities or uses can be seen, heard, or detected from areas within the Shiloh National Military Park shall not preclude, limit, control, regulate, or determine the conduct or management of activities or uses outside of the Park.

Subtitle G—Other Matters

SEC. 2861. MODIFICATION OF DEPARTMENT OF DEFENSE GUIDANCE ON USE OF AIRFIELD PAVEMENT MARKINGS.

(a) MODIFICATION REQUIRED.—The Secretary of Defense shall require such modifications of Unified Facilities Guide Specifications for pavement markings (UFGS 32 17 23.00 20 Pavement Markings, UFGS 32 17 24.00 10 Pavement Markings), Air Force Engineering Technical Letter ETL 97–18 (Guide Specification for Airfield and Roadway Marking), and any other Department of Defense guidance on airfield pavement markings as may be necessary to prohibit the use of Type I glass beads or any glass beads with a 1.6 refractive index or less from use on airfield markings on airfields under the control of the Secretary.

(b) EFFECTIVE DATE.—The modifications required under subsection (a) shall apply with respect to procurements occurring after September 30, 2018.

SEC. 2862. AUTHORITY OF CHIEF OPERATING OFFICER OF ARMED FORCES RETIREMENT HOME TO ACQUIRE AND LEASE PROPERTY.

(a) ACQUISITION OF PROPERTY.—Section 1511(e) of the Armed Forces Retirement Home Act of 1991 (24 U.S.C. 411(e)) is amended—

(1) in paragraph (2)—

(A) by striking ''Secretary of Defense may acquire,'' and inserting ''Chief Operating Officer may acquire,''; and

(B) by striking ''Secretary may acquire'' and inserting ''Chief Operating Officer may acquire''; and

(2) in paragraph (3)—

(A) by striking ''Secretary of Defense determines'' and inserting ''Chief Operating Officer determines''; and

(B) by striking ''Secretary shall dispose'' and inserting ''Chief Operating Officer shall dispose''.

(b) LEASING OF NON-EXCESS PROPERTY.—Subsection (i) of section 1511 of such Act (24 U.S.C. 411(i)) is amended—

(1) in paragraph (1)—

(A) by striking ''Secretary of Defense (acting on behalf of the Chief Operating Officer)'' and inserting ''Chief Operating Officer''; and

(B) by striking ''Secretary considers'' and inserting ''Chief Operating Officer considers'';

(2) in paragraph (5), by striking ''the Secretary of Defense may not enter into the lease on behalf of the Chief Operating Officer'' and inserting ''the Chief Operating Officer may not enter into the lease''; and

(3) in subparagraph (A) of paragraph (6), by striking ''Secretary of Defense'' and inserting ''Chief Operating Officer''.

TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Army may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Army: Outside the United States

Country	Installation	Amount
Cuba	Guantanamo	$115,000,000
Turkey	Various Locations	$6,400,000

SEC. 2902. AUTHORIZED NAVY CONSTRUCTION AND LAND ACQUISITION PROJECT.

The Secretary of the Navy 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:

Navy: Outside the United States

Country	Installation	Amount
Djibouti	Camp Lemonnier	$13,390,000

SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Air Force may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

Air Force: Outside the United States

Country	Installation	Amount
Estonia	Amari Air Base	$13,900,000
Hungary	Kecskemet Air Base	$55,400,000
Iceland	Keflavik	$14,400,000
Italy	Aviano AB	$27,325,000
Jordan	Azraq	$143,000,000
Latvia	Lielvarde Air Base	$3,850,000
Luxembourg	Sanem	$67,400,000
Norway	Rygge	$10,300,000
Qatar	Al Udeid	$15,000,000
Romania	Campia Turzii	$2,950,000
Slovakia	Malacky	$24,000,000
	Sliac Airport	$22,000,000
Turkey	Incirlik Air Base	$48,697,000

SEC. 2904. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECT.

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:

Defense Agencies: Outside the United States

Country	Installation	Amount
Italy	Sigonella	$22,400,000

SEC. 2905. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 2017, for the military construction projects outside the United States authorized by this title as specified in the funding table in section 4602.

SEC. 2906. EXTENSION OF AUTHORIZATION OF CERTAIN FISCAL YEAR 2015 PROJECTS.

(a) EXTENSION.—Notwithstanding section 2002 of the Military Construction Authorization Act for Fiscal Year 2015 (division B of Public Law 113-291; 128 Stat. 3669), the authorizations set forth in the table in subsection (b), as provided in section 2902 of that Act (128 Stat. 3717), shall remain in effect until October 1, 2018, or the date of the enactment of an Act authorizing funds for military construction for fiscal year 2019, whichever is later.

(b) TABLE.—The table referred to in subsection (a) is as follows:

Extension of 2015 Air Force OCO Project Authorizations

Country	Installation	Project	Amount
Italy	Camp Darby	ERI: Improve Weapons Storage Facility	$44,450,000
Poland	Lask Air Base	ERI: Improve Support Infrastructure	$22,400,000

DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY AUTHORIZATIONS AND OTHER AUTHORIZATIONS

TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

Subtitle A—National Security Programs 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 2018 for the activities of the National Nuclear Security Administration in carrying out programs as specified in the funding table in division D.

(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 18–D–150, Surplus Plutonium Disposition, Savannah River Site, Aiken, South Carolina, $9,000,000.

Project 18-D–620, Exascale Computing Facility Modernization Project, Lawrence Livermore National Laboratory, Livermore, California, $3,000,000.

Project 18–D–650, Tritium Production Capability, Savannah River Site, Aiken, South Carolina, $6,800,000.

Project 18–D–660, Fire Station, Y–12 National Security Complex, Oak Ridge, Tennessee, $28,000,000.

Project 18–D–670, Exascale Class Computer Cooling Equipment, Los Alamos National Laboratory, Los Alamos, New Mexico, $22,000,000.

Project 18–D–680, Material Staging Facility, Pantex Plant, Amarillo, Texas, $5,200,000.

Project 18–D–920, KL Fuel Development Laboratory, Knolls Atomic Power Laboratory, Schenectady, New York, $1,000,000.

Project 18–D–921, KS Overhead Piping, Kesselring Site, West Milton, New York, $6,688,000.

Project 18–D–922, BL Component Test Complex, Bettis Atomic Power Laboratory, West Mifflin, Pennsylvania, $3,000,000.

SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.

(a) IN GENERAL.—Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2018 for defense environmental cleanup activities in carrying out programs as specified in the funding table in division D.

(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 18-D–401, Saltstone Disposal Units #8 and #9, Savannah River Site, Aiken, South Carolina, $500,000.

Project 18–D–402, Emergency Operations Center Replacement, Savannah River Site, Aiken, South Carolina, $500,000.

Project 18–D–404, Modification of Waste Encapsulation and Storage Facility, Hanford Site, Richland, Washington, $6,500,000.

SEC. 3103. OTHER DEFENSE ACTIVITIES.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2018 for other defense activities in carrying out programs as specified in the funding table in division D.

SEC. 3104. NUCLEAR ENERGY.

Funds are hereby authorized to be appropriated to the Department of Energy for fiscal year 2018 for nuclear energy as specified in the funding table in division D.

Subtitle B—Program Authorizations, Restrictions, and Limitations

SEC. 3111. NUCLEAR SECURITY ENTERPRISE INFRASTRUCTURE RECAPITALIZATION AND REPAIR.

(a) FINDINGS.—Congress finds the following:

(1) On September 7, 2016, during testimony before the Subcommittee on Strategic Forces of the Committee on Armed Services of the House of Representatives—

(A) the Administrator for Nuclear Security, Frank Klotz, said—

(i) ''Our infrastructure is extensive, complex, and, in many critical areas, several decades old. More than half of NNSA's approximately 6,000 real property assets are over 40 years old, and nearly 30 percent date back to the Manhattan Project era. Many of the enterprise's critical utility, safety, and support systems are failing at an increasing and unpredictable rate, which poses both programmatic and safety risk.''; and

(ii) ''I can think of no greater threat to the nuclear security enterprise than the state of NNSA's infrastructure.'';

(B) the President and Chief Executive Officer of Consolidated Nuclear Security, Morgan Smith, said, ''Many key facilities at both [Pantex and Y–12] were constructed in the 1940s and were intended to operate for as little as one decade. Many facilities and their supporting infrastructure have exceeded or far exceeded their expected life, and major systems within the facilities are beginning to fail.''; and

(C) the Director of Los Alamos National Laboratory, Dr. Charlie McMillan, said, ''One of the things that keeps me up at night is the realization that essential capabilities are held at risk by the possibility of such failures; in many cases, our enterprise has a single point of failure.''.

(2) In a letter sent on December 23, 2015, by the Secretary of Energy, Ernest Moniz, to the Director of the Office of Management and Budget, Shaun Donovan, the Secretary said, ''A majority of the National Nuclear Security Administration's (NNSA) facilities and systems are well beyond end-of-life. . . Infrastructure problems such as falling ceilings are increasing in frequency and severity, unacceptably risking the safety and security of both personnel and material at NNSA facilities, as well as in some instances, potential offsite risks. The entire complex could be placed at risk if there is a single failure where a single point would disrupt a critical link in infrastructure.''.

(3) The Nuclear Posture Review published in April 2010 stated that ''In order to sustain a safe, secure, and effective U.S. nuclear stockpile as long as nuclear weapons exist, the United States must possess a modern physical infrastructure. . . Today's nuclear complex, however, has fallen into neglect. Although substantial science, technology, and engineering investments were made over the last decade under the auspices of the Stockpile Stewardship Program, the complex still includes many oversized and costly-to maintain facilities built during the 1940s and 1950s. Some facilities needed for working with plutonium and uranium date back to the Manhattan Project. Safety, security, and environmental issues associated with these aging facilities are mounting, as are the costs of addressing them.''.

(4) In 2009, the bipartisan Congressional Commission on the Strategic Posture of the United States established by section 1062 of the National Defense Authorization for Fiscal Year 2008 (Public Law 110–181; 122 Stat. 319) stated, with regards to key production facilities, that ''existing facilities are genuinely decrepit and are maintained in a safe and secure manner only at high cost''.

(5) Previous efforts to address the deferred maintenance and repair challenges within the nuclear security enterprise, such as the Facilities Infrastructure and Recapitalization Program and the recent halt in the growth of backlog metrics, are laudable but insufficient for the magnitude of the problem.

(6) Recent figures provided by the Administrator for Nuclear Security estimate the backlog of deferred maintenance and repair needs of the nuclear security enterprise to be approximately $3,700,000,000.

(b) FACILITIES AND INFRASTRUCTURE RECAPITALIZATION AND REPAIR PROGRAM.—

(1) ESTABLISHMENT.—Not later than 30 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall establish and carry out a program known as the Facilities and Infrastructure Recapitalization and Repair Program to reduce the backlog of deferred maintenance and repair needs of the nuclear security enterprise (as defined in section 4002(6) of the Atomic Energy Defense Act (50 U.S.C. 2501(6)). The Administrator shall ensure that, by not later than five years after the date of the enactment of this Act, the program achieves the goal of reducing such backlog of deferred maintenance and repair needs by 50 percent.

(2) AUTHORITIES.—

(A) PROCESS.—

(i) IN GENERAL.—The Secretary of Energy shall provide to the Administrator a process that will enhance or streamline the ability of the Administrator to carry out the program under paragraph (1) in an efficient and effective manner, including with respect to—

(I) the demolition or construction of non-nuclear facilities of the Administration that have a total estimated project cost of less than $100,000,000; and

(II) the decontamination, decommissioning, and demolition (to be performed in accordance with applicable health and safety standards used by the Defense Environmental Cleanup Program) of process-contaminated facilities of the Administration that have a total estimated project cost of less than $50,000,000.

(ii) FUNDING.—Clause (i) may be carried out using amounts authorized to be appropriated for fiscal year 2018 or any subsequent fiscal year.

(B) APPLICATION OF CERTAIN REQUIREMENTS.—For purposes of the Management Procedures Memorandum 2015–01 of the Office of Management and Budget, or such successor memorandum, in carrying out the program under paragraph (1), the Administrator may—

(i) perform new construction during a fiscal year that differs from the fiscal year of corresponding facility demolition;

(ii) perform demolition of different facility category codes and have that demolition credit count towards the construction of new facilities with a different facility category code; and

(iii) have the net reduction in infrastructure footprint for the five fiscal years prior to the date of the enactment of this Act, and the demolition during the five fiscal years following such date of enactment, considered as a factor for the purpose of meeting the intent of such memorandum.

(3) PLAN.—Together with the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2019, the Secretary and the Administrator shall jointly submit to the Committees on Armed Services of the House of Representatives and the Senate a plan to carry out the program under paragraph (1) to achieve the goal specified in such paragraph. Such plan shall include—

(A) the funding required to carry out the program during the period covered by the future-years nuclear security program under section 3253 of the National Nuclear Security Administration Act (50 U.S.C. 2453);

(B) the criteria for selecting and prioritizing projects within the program under paragraph (1);

(C) mechanisms for ensuring the robust management and oversight of such projects;

(D) a description of the process provided to the Administrator to carry out the program pursuant to paragraph (2)(A);

(E) a description of any legislative actions the Secretary recommends to further enhance or streamline authorities or processes relating to the program; and

(F) a certification by the Secretary that such budget will enable the program to meet the goal specified in paragraph (1).

(4) TERMINATION.—The Administrator shall terminate the program under paragraph (1) on the date that is five years after the date of the enactment of this Act.

(c) INCLUSION IN BIENNIAL DETAILED REPORT.—Section 4203(d)(4) of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended—

(1) in subparagraph (B), by striking ''; and'' and inserting a semicolon;

(2) in subparagraph (C), by striking the period at the end and inserting ''; and''; and

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

''(D)(i) a description of—

''(I) the metrics (based on industry best practices) used by the Administrator to determine the infrastructure deferred maintenance and repair needs of the nuclear security enterprise; and

''(II) the percentage of replacement plant value being spent on maintenance and repair needs of the nuclear security enterprise; and

''(ii) an explanation of whether the annual spending on such needs complies with the recommendation of the National Research Council of the National Academies of Sciences, Engineering, and Medicine that such spending be in an amount equal to four percent of the replacement plant value, and, if not, the reasons for such noncompliance and a plan for how the Administrator will ensure facilities of the nuclear security enterprise are being properly sustained.''.

(d) REQUIREMENTS RELATING TO CRITICAL DECISIONS.—

(1) IN GENERAL.—Subtitle A of title XLVII of the Atomic Energy Defense Act (50 U.S.C. 2741 et seq.) is amended by adding at the end the following new section:

''SEC. 4715. MATTERS RELATING TO CRITICAL DECISIONS.

''(a) POST-CRITICAL DECISION 2 CHANGES.—After the date on which a plant project specifically authorized by law achieves critical decision 2, the Administrator may not change the requirements for such project if such change increases the scope, schedule, or budget of such project unless—

''(1) the Administrator submits to the congressional defense committees—

''(A) a certification that the Administrator, without delegation, authorizes such proposed change; and

''(B) a cost-benefit and risk analysis of such proposed change, including with respect to—

''(i) the effects of such proposed change on the project cost and schedule; and

''(ii) any mission risks and operational risks from making such change or not making such change; and

''(2) a period of 15 days elapses following the date of such submission.

''(b) REVIEW AND APPROVAL.—The Administrator shall ensure that critical decision packages are timely reviewed and either approved or disapproved.''.

(2) CLERICAL AMENDMENT.—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 4714 the following new item:

''Sec. 4715. Matters relating to critical decisions.''.

(e) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the nuclear security enterprise, comprised of the infrastructure and capabilities of the laboratories and plants coupled with the dedicated and talented scientists, engineers, technicians, and administrators who form the backbone of the enterprise, are a central component of the nuclear deterrent of the United States;

(2) if left unaddressed, the state of the infrastructure within the nuclear security enterprise represents a direct, long-term threat to the credibility of the nuclear deterrent of the United States;

(3) both Congress and the President must take strong, sustained action to recapitalize and repair this infrastructure;

(4) the Administrator must continue to carry out expeditious demolition of old facilities of the Administration to reduce long-term costs and improve safety; and

(5) each budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for fiscal year 2019 and each fiscal year thereafter during the life of the program established pursuant to subsection (b)(1) should include funding in an amount sufficient to carry out the program to achieve the goal specified in such subsection.

SEC. 3112. INCORPORATION OF INTEGRATED SURETY ARCHITECTURE IN TRANSPORTATION.

(a) INCORPORATION.—Subtitle A of title XLII of the Atomic Energy Defense Act (50 U.S.C. 2521 et seq.) is amended by adding at the end the following new section:

''SEC. 4222. INCORPORATION OF INTEGRATED SURETY ARCHITECTURE.

''(a) SHIPMENTS.—(1) The Administrator shall ensure that shipments described in paragraph (2) incorporate surety technologies relating to transportation and shipping developed by the Integrated Surety Architecture program of the Administration.

''(2) A shipment described in this paragraph is an over-the-road shipment of the Administration that involves any nuclear weapon planned to be in the active stockpile after 2025.

''(b) CERTAIN PROGRAMS.—(1) The Administrator, in coordination with the Chairman of the Nuclear Weapons Council, shall ensure that each program described in paragraph (2) incorporate integrated designs compatible with the Integrated Surety Architecture program.

''(2) A program described in this subsection is a program of the Administration that is a warhead development program, a life extension program, or a warhead major alteration program.

''(c) DETERMINATION.—(1) If, on a case-by-case basis, the Administrator determines that a shipment under subsection (a) will not incorporate some or all of the surety technologies described in such subsection, or that a program under subsection (b) will not incorporate some or all of the integrated designs described in such subsection, the Administrator shall submit such determination to the congressional defense committees, including the results of an analysis conducted pursuant to paragraph (2).

''(2) Each determination made under paragraph (1) shall be based on a documented, system risk analysis that considers security risk reduction, operational impacts, and technical risk.

''(e) TERMINATION.—The requirements of subsections (a) and (b) shall terminate on December 31, 2029.''.

(b) CLERICAL AMENDMENT.—The table of contents for such Act is amended by inserting after the item relating to section 4221 the following new item:

''Sec. 4222. Incorporation of integrated surety architecture.''.

(c) IMPLEMENTATION OF CERTAIN DIRECTION.—The Administrator shall implement the direction relating to this section contained in the classified annex accompanying this Act.

SEC. 3113. COST ESTIMATES FOR LIFE EXTENSION PROGRAM AND MAJOR ALTERATION PROJECTS.

Subsection (b) of section 4217 of the Atomic Energy Defense Act (50 U.S.C. 2537(b)) is amended to read as follows:

''(b) INDEPENDENT COST ESTIMATES AND REVIEWS.—(1) The Secretary, acting through the Administrator, shall submit to the congressional defense committees and the Nuclear Weapons Council the following:

''(A) An independent cost estimate of the following:

''(i) Each nuclear weapon system undergoing life extension at the completion of phase 6.2A, relating to design definition and cost study.

''(ii) Each nuclear weapon system undergoing life extension at the completion of phase 6.3, relating to development engineering.

''(iii) Each nuclear weapon system undergoing life extension at the completion of phase 6.4, relating to production engineering, and before the initiation of phase 6.5, relating to first production.

''(iv) Each new nuclear facility within the nuclear security enterprise that is estimated to cost more than $500,000,000 before such facility achieves critical decision 1 and before such facility achieves critical decision 2 in the acquisition process.

''(v) Each nuclear weapons system undergoing a major alteration project (as defined in section 2753(a)(2) of this title).

''(B) An independent cost review of each nuclear weapon system undergoing life extension at the completion of phase 6.2, relating to study of feasibility and down-select.

''(2) Each independent cost estimate and independent cost review under paragraph (1) shall include—

''(A) whether the cost baseline or the budget estimate for the period covered by the future-years nuclear security program has changed, and the rationale for any such change; and

''(B) any views of the Secretary or the Administrator regarding such estimate or review.

''(3) The Administrator shall review and consider the results of any independent cost estimate or independent cost review of a nuclear weapon system or a nuclear facility, as the case may be, under this subsection before entering the next phase of the development process of such system or the acquisition process of such facility.

''(4) Each independent cost estimate or independent cost review of a nuclear weapon system or a nuclear facility, as the case may be, under this subsection shall be submitted not later than 30 days after the date on which—

''(A) such system completes a phase specified in paragraph (1); or

''(B) such facility achieves critical decision 1 as specified in subparagraph (A)(iv) of such paragraph.

''(5) Each independent cost estimate or independent cost review submitted under this subsection shall be submitted in unclassified form, but may include a classified annex if necessary.''.

SEC. 3114. BUDGET REQUESTS AND CERTIFICATION REGARDING NUCLEAR WEAPONS DISMANTLEMENT.

Section 3125 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended—

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

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

''(d) BUDGET REQUESTS.—The Administrator for Nuclear Security shall ensure that the budget of the President submitted to Congress under section 1105(a) of title 31, United States Code, for each of fiscal years 2019 through 2021 includes amounts for the nuclear weapons dismantlement and disposition activities of the National Nuclear Security Administration in accordance with the limitation in subsection (a).

''(e) CERTIFICATION.—Not later than February 1, 2018, the Administrator shall certify to the congressional defense committees that the Administrator is carrying out the nuclear weapons dismantlement and disposition activities of the Administration in accordance with the limitations in subsections (a) and (b).''.

SEC. 3115. IMPROVED INFORMATION RELATING TO DEFENSE NUCLEAR NONPROLIFERATION RESEARCH AND DEVELOPMENT PROGRAM.

(a) IMPROVED INFORMATION.—Title XLIII of the Atomic Energy Defense Act (50 U.S.C. 2563 et seq.) is amended by adding at the end the following new section:

''SEC. 4310. INFORMATION RELATING TO DEFENSE NUCLEAR NONPROLIFERATION RESEARCH AND DEVELOPMENT PROGRAM AND ARMS CONTROL PROGRAM.

''(a) TECHNOLOGIES AND CAPABILITIES.—The Administrator shall document, for efforts that are not focused on basic research, the technologies and capabilities of the defense nuclear nonproliferation research and development program—

''(1) that are transitioned to end users for further development or deployment; and

''(2) that are deployed.

''(b) ASSESSMENTS OF STATUS.—(1) In assessing projects under the defense nuclear nonproliferation research and development program or the defense nuclear nonproliferation and arms control program, the Administrator shall compare the status of each such project, including with respect to the final results of such project, to the baseline targets and goals established in the initial project plan of such project.

''(2) The Administrator may carry out paragraph (1) using a common template or such other means as the Administrator determines appropriate.''.

(b) INCLUSION IN PLAN.—Section 4309(b) of such Act (50 U.S.C. 2575(b)) is amended—

(1) by redesignating paragraph (16) as paragraph (18); and

(2) by inserting after paragraph (15) the following new paragraphs:

''(16) A summary of the technologies and capabilities documented under section 4310(a).

''(17) A summary of the assessments conducted under section 4310(b)(1).''.

SEC. 3116. RESEARCH AND DEVELOPMENT OF ADVANCED NAVAL REACTOR FUEL BASED ON LOW-ENRICHED URANIUM.

(a) PROHIBITION ON AVAILABILITY OF FUNDS FOR FISCAL YEAR 2018.—

(1) RESEARCH AND DEVELOPMENT.—Except as provided by paragraph (2), none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Energy or the Department of Defense may be obligated or expended to plan or carry out research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

(2) EXCEPTION.—Of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for defense nuclear nonproliferation, as specified in the funding table in division D—

(A) $5,000,000 shall be made available to the Deputy Administrator for Naval Reactors of the National Nuclear Security Administration for low-enriched uranium activities (including downblending of high-enriched uranium fuel into low-enriched uranium fuel, research and development using low-enriched uranium fuel, or the modification or procurement of equipment and infrastructure related to such activities) to develop an advanced naval nuclear fuel system based on low-enriched uranium; and

(B) if the Secretary of Energy and the Secretary of the Navy determine under section 3118(c)(1) of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1196) that such low-enriched uranium activities and research and development should continue, an additional $30,000,000 may be made available to the Deputy Administrator for such purpose.

(b) PROHIBITION ON AVAILABILITY OF FUNDS REGARDING CERTAIN ACCOUNTS AND PURPOSES.—

(1) RESEARCH AND DEVELOPMENT AND PROCUREMENT.—Chapter 633 of title 10, United States Code, is amended by adding at the end the following new section:

''§ 7319. Requirements for availability of funds relating to advanced naval nuclear fuel systems based on low-enriched uranium

''(a) AUTHORIZATION.—Low-enriched uranium activities may only be carried out using funds authorized to be appropriated or otherwise made available for the Department of Energy for atomic energy defense activities for defense nuclear nonproliferation.

''(b) PROHIBITION REGARDING CERTAIN ACCOUNTS.—(1) None of the funds described in paragraph (2) may be obligated or expended to carry out low-enriched uranium activities.

''(2) The funds described in this paragraph are funds authorized to be appropriated or otherwise made available for any fiscal year for any of the following accounts:

''(A) Shipbuilding and conversion, Navy, or any other account of the Department of Defense.

''(B) Any account within the atomic energy defense activities of the Department of Energy other than defense nuclear nonproliferation, as specified in subsection (a).

''(3) The prohibition in paragraph (1) may not be superseded except by a provision of law that specifically supersedes, repeals, or modifies this section. A provision of law, including a table incorporated into an Act, that appropriates funds described in paragraph (2) for low-enriched uranium activities may not be treated as specifically superseding this section unless such provision specifically cites to this section.

''(c) LOW-ENRICHED URANIUM ACTIVITIES DEFINED.—In this section, the term 'low-enriched uranium activities' means the following:

''(1) Planning or carrying out research and development of an advanced naval nuclear fuel system based on low-enriched uranium.

''(2) Procuring ships that use low-enriched uranium in naval nuclear propulsion reactors.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding at the end the following new item:

''7319. Requirements for availability of funds relating to advanced naval nuclear fuel systems based on low-enriched uranium''.

(c) REPORTS.—

(1) SSN(X) SUBMARINE.—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Navy and the Deputy Administrator for Naval Reactors shall jointly submit to the Committees on Armed Services of the House of Representatives and the Senate a report on the cost and timeline required to assess the feasibility, costs, and requirements for a design of the Virginia-class replacement nuclear attack submarine that would allow for the use of a low-enriched uranium fueled reactor, if technically feasible, without changing the diameter of the submarine.

(2) RESEARCH AND DEVELOPMENT.—Not later than 60 days after the date of the enactment of this Act, the Deputy Administrator for Naval Reactors shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report on—

(A) the planned research and development activities on low-enriched uranium and highly enriched uranium fuel that could apply to the development of a low-enriched uranium fuel or an advanced highly enriched uranium fuel; and

(B) with respect to such activities for each such fuel—

(i) the costs associated with such activities; and

(ii) a detailed proposal for funding such activities.

SEC. 3117. PROHIBITION ON AVAILABILITY OF FUNDS FOR PROGRAMS IN RUSSIAN FEDERATION.

(a) PROHIBITION.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for atomic energy defense activities may be obligated or expended to enter into a contract with, or otherwise provide assistance to, the Russian Federation.

(b) WAIVER.—The Secretary of Energy, without delegation, may waive the prohibition in subsection (a) only if—

(1) the Secretary determines, in writing, that a nuclear-related threat arising in the Russian Federation must be addressed urgently and it is necessary to waive the prohibition to address that threat;

(2) the Secretary of State and the Secretary of Defense concur in the determination under paragraph (1);

(3) the Secretary of Energy submits to the appropriate congressional committees a report containing—

(A) a notification that the waiver is in the national security interest of the United States;

(B) justification for the waiver, including the determination under paragraph (1); and

(C) a description of the activities to be carried out pursuant to the waiver, including the expected cost and timeframe for such activities; and

(4) a period of seven days elapses following the date on which the Secretary submits the report under paragraph (3).

(c) EXCEPTION.—The prohibition under subsection (a) and the requirements under subsection (b) to waive that prohibition shall not apply to an amount, not to exceed $3,000,000, that the Secretary may make available for the Department of Energy Russian Health Studies Program.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means the following:

(1) The congressional defense committees.

(2) The Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives.

SEC. 3118. NATIONAL NUCLEAR SECURITY ADMINISTRATION PAY AND PERFORMANCE SYSTEM.

(a) PAY BANDING AND PERFORMANCE-BASED PAY ADJUSTMENT DEMONSTRATION PROJECT.—

(1) EXTENSION.—The Administrator for Nuclear Security shall carry out the demonstration project until the date that is five years after the date of the enactment of this Act. The Administrator shall carry out such project in accordance with the demonstration project plan, including with respect to the authority of the Administrator to modify such system pursuant to such plan and waiving certain authorities or requirements under such plan.

(2) NAVAL NUCLEAR PROPULSION PROGRAM.—The Deputy Administrator for Naval Reactors

may carry out the demonstration project with respect to the employees of the Naval Nuclear Propulsion Program in positions in the competitive service.

(3) ROTATIONS.—In carrying out the demonstration project, the Administrator shall authorize, and establish incentives for, employees of the National Nuclear Security Administration to have rotational assignments among different programs of the Administration, the headquarters and field offices of the Administration, and the management and operating contractors of the Administration.

(4) REQUIREMENTS FOR SENIOR-LEVEL POSITIONS.—The Administrator shall establish requirements for employees of the Administration who are in the demonstration project to be promoted to senior-level positions in the Administration, including requirements with respect to—

(A) professional training and continuing education; and

(B) a certain number and types of rotational assignments under paragraph (3), as determined by the Administrator.

(5) DEFINITIONS.—In this subsection:

(A) The term ''demonstration project'' means the National Nuclear Security Administration Pay Banding and Performance-Based Pay Adjustment Demonstration Project that is carried out—

(i) pursuant to section 4703 of title 5, United States Code; and

(ii) in accordance with the demonstration project plan and this subsection.

(B) The term ''demonstration project plan'' means the demonstration project plan published in the Federal Register on December 21, 2007 (72 Fed. Reg. 72,776).

(b) ROTATIONS FOR CERTAIN CONTRACTORS.—

(1) INCREASED USE.—The Administrator for Nuclear Security shall increase the use of rotational assignments of employees of the management and operating contractors of the National Nuclear Security Administration to the headquarters of the Administration, the Department of Defense and the military departments, the intelligence community, and other departments and agencies of the Federal Government.

(2) METHODS.—The Administrator shall carry out paragraph (1) by—

(A) establishing incentives for—

(i) the management and operating contractors of the Administration and the employees of such contractors to participate in rotational assignments; and

(ii) the departments and agencies of the Federal Government specified in such paragraph to facilitate such assignments;

(B) providing professional and leadership development opportunities during such assignments;

(C) using details and other applicable authorities and programs, including the mobility program under subchapter VI of chapter 33 of title 5, United States Code (commonly referred to as the ''Intergovernmental Personnel Act Mobility Program''); and

(D) taking such other actions as the Administrator determines appropriate to increase the use of such rotational assignments.

(c) RED-TEAM ANALYSIS.—

(1) ANALYSIS.—The Director for Cost Estimating and Program Evaluation of the National Nuclear Security Administration shall carry out a red-team analysis of the Federal employee staffing structure of the Administration with respect to the Administrator for Nuclear Security meeting the authorized personnel levels under section 3241A of the National Nuclear Security Administration Act (50 U.S.C. 22441a).

(2) MATTERS INCLUDED.—The analysis under paragraph (1) shall include assessments of—

(A) the number of Federal employees within each program of the Administration, and whether such numbers are appropriately balanced with respect to the size, scope, functions, budgets, and risks, of the program; and

(B) the number of Senior Executive Service positions within the Administration, including a comparison of such number to other comparable departments and agencies of the Federal Government, and whether such number is appropriate.

(d) BRIEFINGS.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act—

(A) the Administrator for Nuclear Security shall provide a briefing to the appropriate congressional committees on the implementation of—

(i) section 3248 of the National Nuclear Security Administration Act, as added by subsection (a); and

(ii) subsection (b); and

(B) the Director for Cost Estimating and Program Evaluation shall provide to such committees a briefing on the analysis under subsection (c).

(2) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this subsection, the term ''appropriate congressional committees'' means—

(A) the Committees on Armed Services of the House of Representatives and the Senate;

(B) the Committee on Energy and Commerce of the House of Representatives;

(C) the Committee on Energy and Natural Resources of the Senate; and

(D) the Committee on Oversight and Government Reform of the House of Representatives.

SEC. 3119. DISPOSITION OF WEAPONS-USABLE PLUTONIUM.

(a) IN GENERAL.—Subject to subsection (b), the Secretary of Energy shall carry out construction and project support activities relating to the MOX facility using funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the National Nuclear Security Administration for the MOX facility for construction and project support activities.

(b) WAIVER.—The Secretary of Energy may waive the requirement in subsection (a) if the Secretary submits to the Committees on Armed Services of the House of Representatives and the Senate the following:

(1) The matters required by section 3116(b)(3) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2761).

(2) Notification that the Secretary has sought to enter into consultations with any relevant State necessary to pursue an alternative option for carrying out the plutonium disposition program.

(3) Notification that the Secretary has been unable to enter into a fixed-price contract with the prime contractor of the MOX facility (for construction and project support activities under subsection (a)) that the Secretary determines sufficiently minimizes risk and cost to the Department of Energy.

(4) Certification that—

(A) an alternative option for carrying out the plutonium disposition program exists;

(B) the total lifecycle cost of such alternative option would be less than approximately half of the estimated remaining total lifecycle cost of the mixed-oxide fuel program; and

(C) pursuing such alternative option is in the best interest of the Federal Government.

(5) The commitment of the Secretary to—

(A) remove plutonium from South Carolina; and

(B) ensure a sustainable future for the Savannah River Site.

(c) DEFINITIONS.—In this section:

(1) The term ''MOX facility'' means the mixed-oxide fuel fabrication facility at the Savannah River Site, Aiken, South Carolina.

(2) The term ''project support activities'' means activities that support the design, long-lead equipment procurement, and site preparation of the MOX facility.

SEC. 3120. MODIFICATION OF MINOR CONSTRUCTION THRESHOLD FOR PLANT PROJECTS.

Section 4701 of the Atomic Energy Defense Act (50 U.S.C. 2741) is amended—

(1) by striking ''In this subtitle:'' and inserting the following:

''(a) IN GENERAL.—In this subtitle:'';

(2) in paragraph (2), by striking ''$10,000,000'' and inserting ''$20,000,000, subject to adjustment under subsection (b)''; and

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

''(b) ADJUSTMENT OF MINOR CONSTRUCTION THRESHOLD FOR INFLATION.—(1) The Secretary of Energy shall adjust the amount of the minor construction threshold on October 1, 2017, and at the beginning of each fiscal year thereafter, to reflect the percentage (if any) of the increase in the average of the Consumer Price Index for the preceding 12-month period compared to the Consumer Price Index for fiscal year 2016.

''(2) In adjusting the amount of the minor construction threshold under paragraph (1), the Secretary—

''(A) shall round the amount of any increase in the Consumer Price Index to the nearest dollar; and

''(B) may ignore any such increase of less than 1 percent.

''(3) For purposes of this subsection, the term 'Consumer Price Index' means the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.''.

SEC. 3121. DESIGN COMPETITION.

(a) FINDINGS.—Congress finds the following:

(1) In January 2016, the co-chairs of a congressionally-mandated study panel from the National Academies of Science testified before the House Committee on Armed Services that:

(A) ''The National Nuclear Security Administration (NNSA) complex must engage in robust design competitions in order to exercise the design and production skills that underpin stockpile stewardship and are necessary to meet evolving threats.''

(B) ''To exercise the full set of design skills necessary for an effective nuclear deterrent, the NNSA should develop and conduct the first in what the committee envisions to be a series of design competitions that integrate the full end-to-end process from novel design conception through engineering, building, and non-nuclear testing of a prototype.''

(2) In March 2016 testimony before the House Committee on Armed Services regarding a December 2016 Defense Science Board (DSB) report titled, ''Seven Defense Priorities for the New Administration'', members of the DSB said:

(A) ''A key contributor to nuclear deterrence is the continuous, adaptable exercise of the development, design, and production functions for nuclear weapons in both the DOD and DOE... Yet the DOE laboratories and DOD contractor community have done little integrated design and development work outside of life extension for 25 years, let alone concept development that could serve as a hedge to surprise.''

(B) ''The Defense Science Board believes that the triad's complementary features remain robust tenets for the design of a future force. Replacing our current, aging force is essential, but not sufficient in the more complex nuclear environment we now face to provide the adaptability or flexibility to confidently hold at risk what adversaries value. In particular, if the threat evolves in ways that favorably change the cost/benefit calculus in the view of an adversary's leadership, then we should be in a position to quickly restore a credible deterrence posture.''

(3) In a memorandum dated May 9, 2014, then-Secretary of Energy Ernie Moniz said:

(A) ''If nuclear military capabilities are to provide deterrence for the nation they need to be relevant to the emerging global strategic environment. The current stockpile was designed to meet the needs of a bipolar world with roots in the Cold War era. A more complex, chaotic, and dynamic security environment is emerging. In order to uphold the Department's mission to ensure an effective nuclear deterrent... we must

ensure our nuclear capabilities meet the challenges of known and potential geopolitical and technological trends. Therefore we must look ahead, using the expertise of our laboratories, to how the capabilities that may be employed by other nations could impact deterrence over the next several decades.''

(B) ''We must challenge our thinking about our programs of record in order to permit foresighted actions that may reduce, in the coming decades, the chances for surprise and that buttress deterrence.''

(b) DESIGN COMPETITION.—

(1) IN GENERAL.—In accordance with paragraph (2), the Administrator for Nuclear Security, in coordination with the Chairman of the Nuclear Weapons Council, shall carry out a new and comprehensive design competition for a nuclear warhead that could be employed on ballistic missiles of the United States by 2030. Such competition shall—

(A) examine options for warhead design and related delivery system requirements in the 2030s, including—

(i) life extension of existing weapons;

(ii) new capabilities; and

(iii) such other concepts that the Administrator and Chairman determine necessary to fully exercise and create responsive design capabilities in the enterprise and ensure a robust nuclear deterrent into the 2030s;

(B) assess how the capabilities and defenses that may be employed by other nations could impact deterrence in 2030 and beyond and how such threats could be addressed or mitigated in the warhead and related delivery systems;

(C) exercise the full set of design skills necessary for an effective nuclear deterrent and responsive enterprise through production of conceptual designs and, as the Administrator determines appropriate, production of non-nuclear prototypes of components or subsystems; and

(D) examine and recommend actions for significantly shortening timelines and significantly reducing costs associated with design, development, certification, and production of the warhead, without reducing worker or public health and safety.

(2) TIMING.—The Administrator shall—

(A) during fiscal year 2018 develop a plan to carry out paragraph (1); and

(B) during fiscal year 2019 implement such plan.

(c) BRIEFING.—Not later than March 1, 2018, the Administrator, in coordination with the Chairman of the Nuclear Weapons Council, shall provide a briefing to the Committees on Armed Services of the Senate and House of Representatives on the plan of the Administrator to carry out the warhead design competition under subsection (b). Such briefing shall include an assessment of the costs, benefits, risks, and opportunities of such plan, particularly impacts to ongoing life extension programs and infrastructure projects.

SEC. 3122. DEPARTMENT OF ENERGY COUNTERINTELLIGENCE POLYGRAPH PROGRAM.

Section 4504(b) of the Atomic Energy Defense Act (50 U.S.C. 2654(b)) is amended by adding at the end the following new paragraph:

''(4) The regulations prescribed under paragraph (1) shall ensure that the persons subject to the counterintelligence polygraph program required by subsection (a) include any person who is—

''(A) a United States national who also has the nationality of a foreign state; and

''(B) seeking employment with the National Nuclear Security Administration.''.

SEC. 3123. SECURITY CLEARANCE FOR DUAL-NATIONALS EMPLOYED BY NATIONAL NUCLEAR SECURITY AGENCY.

(a) IN GENERAL.—The National Nuclear Security Administration Act (50 U.S.C. 2401 et seq.) is amended by inserting after section 3236 the following new section:

''SEC. 3237. SECURITY CLEARANCE FOR DUAL NATIONALS OF HIGH THREAT FOREIGN STATES.

''(a) IN GENERAL.—In the case of an individual who is a United States national who also has the nationality of a foreign state that is on the list maintained by the Secretary of Energy under subsection (a) and who is appointed to or hired for a position designated by the Office of Personnel Management as critical sensitive or special sensitive, the Secretary shall provide additional review before approving a security clearance for such individual.

''(b) WAIVER.—

''(1) WAIVER AUTHORITY.—In the case of a person who is a United States national who also has the nationality of a foreign state identified under paragraph (2), the Secretary may waive the requirement under subsection (a).

''(2) FOREIGN STATES.—The Director of National Intelligence shall identify foreign states that permit citizens or nationals of the United States to serve in positions of trust equivalent to positions identified by the Office of Personnel Management as critical sensitive or special sensitive.''.

(b) CLERICAL AMENDMENT.—The table of contents at the beginning of such Act is amended by inserting after the item relating to section 3236 the following new item:

''Sec. 3237. Security clearance for dual nationals of high threat foreign states.''.

Subtitle C—Plans and Reports

SEC. 3131. MODIFICATION OF CERTAIN REPORTING REQUIREMENTS.

(a) STATUS OF NUCLEAR MATERIALS PROTECTION, CONTROL, AND ACCOUNTING PROGRAM.—

(1) REPEAL.—Section 4303 of the Atomic Energy Defense Act (50 U.S.C. 2563) is repealed.

(2) CLERICAL AMENDMENT.—The table of contents for the Atomic Energy Defense Act is amended by striking the item relating to section 4303.

(b) STATUS OF SECURITY OF ATOMIC ENERGY DEFENSE FACILITIES.—Section 4506 of the Atomic Energy Defense Act (50 U.S.C. 2657) is amended by striking ''of each year'' each place it appears and inserting ''of each even-numbered year''.

(c) SECURITY RISKS POSED TO NUCLEAR WEAPONS COMPLEX.—

(1) INCLUDED IN SSMP.—Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523) is amended—

(A) in subsection (c)—

(i) by redesignating paragraph (7) as paragraph (8); and

(ii) by inserting after paragraph (6) the following new paragraph (7):

''(7) A summary of the status of the plan regarding the research and development, deployment, and lifecycle sustainment of technologies described in subsection (d)(7).''; and

(B) in subsection (d)—

(i) by redesignating paragraph (7) as paragraph (8); and

(ii) by inserting after paragraph (6) the following new paragraph (7):

''(7) A plan for the research and development, deployment, and lifecycle sustainment of the technologies employed within the nuclear security enterprise to address physical and cybersecurity threats during the five-fiscal-year period following the date of the plan, together with—

''(A) for each site in the nuclear security enterprise, a description of the technologies deployed to address the physical and cybersecurity threats posed to that site;

''(B) for each site and for the nuclear security enterprise, the methods used by the Administration to establish priorities among investments in physical and cybersecurity technologies; and

''(C) a detailed description of how the funds identified for each program element specified pursuant to paragraph (1) in the budget for the Administration for each fiscal year during that five-fiscal-year period will help carry out that plan.''.

(2) CONFORMING AMENDMENT.—Section 3253(b) of the National Nuclear Security Administration Act (50 U.S.C. 2453) is amended by striking paragraph (5).

(d) SELECTED ACQUISITION REPORTS.—Section 4217(a) of the Atomic Energy Defense Act (50 U.S.C. 2537(a)) is amended by striking ''fiscal-year quarter'' each place it appears and inserting ''fiscal year''.

(e) LONG-TERM PLAN FOR MEETING NATIONAL SECURITY REQUIREMENTS FOR UNENCUMBERED URANIUM.—Section 4221(a) of the Atomic Energy Defense Act (50 U.S.C. 2538c(a)) is amended by striking ''Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, in'' and inserting ''Not later than December 31 of''.

(f) DEFENSE NUCLEAR NONPROLIFERATION MANAGEMENT PLAN.—Section 4309 of the Atomic Energy Defense Act (50 U.S.C. 2575) is amended—

(1) in subsection (a), by striking ''IN GENERAL.—Concurrent with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, in each fiscal year'' and inserting ''PLAN.—Not later than March 31 of each odd-numbered year'';

(2) by redesignating subsection (c) as subsection (d);

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

''(c) UPDATED SUMMARY.—Not later than March 31 of each even-numbered year, the Administrator shall submit to the congressional defense committees an updated summary of the plan submitted under subsection (a) during the previous year.''; and

(4) in subsection (d), as so redesignated, by inserting ''and the updated summary required by subsection (c)'' before ''shall be submitted''.

SEC. 3132. ASSESSMENT OF MANAGEMENT AND OPERATING CONTRACTS OF NATIONAL SECURITY LABORATORIES.

(a) ASSESSMENT.—Not later than 30 days after the date of the enactment of this Act, the Administrator for Nuclear Security shall seek to enter into a contract with a federally funded research and development center to conduct an assessment of the benefits, costs, challenges, risks, efficiency, and effectiveness of the strategy of the Administrator with respect to management and operating contracts for national security laboratories. The Administrator may not award such contract to a federally funded research and development center for which the Department of Energy or the National Nuclear Security Administration is the primary sponsor.

(b) COOPERATION.—The Administrator, and the director of each national security laboratory, shall provide to the federally funded research and development center conducting the assessment under subsection (a) the information the center requires to conduct such assessment.

(c) SUBMISSION.—

(1) NNSA.—Not later than 90 days after the date on which the Administrator and a federally funded research and development center enter into the contract under subsection (a), the center shall submit to the Administrator a report on the assessment conducted under such subsection. Such report shall include the following:

(A) An assessment of the acquisition strategy and the contract oversight process of the Administrator, and of the use of for-profit management and operating contractors at national security laboratories, and whether such strategy, process, and contractors provide the best outcomes to the Federal Government with respect to performance, cost, efficiency, and effectiveness.

(B) An assessment of the total costs, for each national security laboratory, that are incurred because of using a for-profit model for the management and operating contract that would not be incurred under a nonprofit model, and whether performance, costs, efficiency, and effectiveness would be expected to increase or decrease under a nonprofit model.

(C) An assessment of whether the Administrator is appropriately using, managing, and overseeing the national security laboratories with respect to the nature of the laboratories as federally funded research and development centers.

(2) CONGRESS.—Not later than 30 days after the date on which the Administrator receives the report under paragraph (1), the Administrator shall submit to the Committees on Armed Services of the House of Representatives and the Senate such report, without change, together with any comments the Administrator determines appropriate.

(3) LIMITATION.—

(A) AWARD OR EXTENSION OF CONTRACT.—None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the National Nuclear Security Administration may be obligated or expended to award, or to extend, a management and operating contract for a national security laboratory until the date on which the Administrator submits to the congressional defense committees the report under paragraph (2).

(B) WAIVER FOR EXTENSION.—The Secretary of Energy may waive the limitation in subparagraph (A) with respect to the extension of a management and operating contract for a national security laboratory if the Secretary—

(i) determines such waiver is required in the interest of national security; and

(ii) notifies the Committees on Armed Services of the House of Representatives and the Senate of such determination.

(d) SENSE OF CONGRESS.—It is the sense of Congress that nothing in this section should be construed to mandate or encourage an extension of an existing management and operating contract for a national security laboratory.

(e) NATIONAL SECURITY LABORATORY DEFINED.—In this section, the term ''national security laboratory'' has the meaning given that term in section 4002(7) of the Atomic Energy Defense Act (50 U.S.C. 2501(7)).

SEC. 3133. EVALUATION OF CLASSIFICATION OF CERTAIN DEFENSE NUCLEAR WASTE.

(a) EVALUATION.—The Secretary of Energy shall conduct an evaluation of the feasibility, costs, and cost savings of classifying certain defense nuclear waste as other than high-level radioactive waste, without decreasing environmental, health, or public safety requirements.

(b) MATTERS INCLUDED.—In conducting the evaluation under subsection (a), the Secretary shall consider—

(1) the estimated quantities and locations of certain defense nuclear waste;

(2) the potential disposal path for such waste;

(3) the estimated disposal timeline for such waste;

(4) the estimated costs for disposal of such waste, and potential cost savings;

(5) the potential effect on existing consent orders, permits, and agreements;

(6) the basis by which the Secretary would make a decision on whether to reclassify such waste; and

(7) any such other matters relating to defense nuclear waste that the Secretary determines appropriate.

(c) REPORT.—Not later than February 1, 2018, the Secretary shall submit to the appropriate congressional committees a report on the evaluation under subsection (a), including a description of—

(1) the consideration by the Secretary of the matters under subsection (b);

(2) any actions the Secretary has taken or plans to take to change the processes, rules, regulations, orders, or directives, relating to defense nuclear waste, as appropriate;

(3) any recommendations for legislative action the Secretary determines appropriate; and

(4) the assessment of the Secretary regarding the benefits and risks of the actions and recommendations of the Secretary under paragraphs (1) and (2).

(d) DEFINITIONS.—In this section:

(1) The term ''appropriate congressional committees'' means the following:

(A) The congressional defense committees.

(B) The Committee on Energy and Commerce of the House of Representatives.

(C) The Committee on Energy and Natural Resources of the Senate.

(2) The term ''certain defense nuclear waste'' means radioactive waste that—

(A) resulted from the reprocessing of spent nuclear fuel that was generated from atomic energy defense activities; and

(B) contains more than 100 nCi/g of alpha-emitting transuranic isotopes with half-lives greater than 20 years.

SEC. 3134. REPORT ON CRITICAL DECISION–1 ON MATERIAL STAGING FACILITY PROJECT.

Not later than October 31, 2017, the Administrator for Nuclear Security shall submit to the congressional defense committees a report containing the following:

(1) The decision memorandum of the Administrator with respect to Critical Decision–1 on the Material Staging Facility project at the Pantex Plant.

(2) The preferred alternative approved by the Administrator for such Critical Decision–1.

(3) The cost-range estimates, including a description of the costs saved or avoided from not carrying out recapitalization and sustainment of Area 4 at the Pantex Plant.

(4) The schedule-range estimates that include completion of the Material Staging Facility by 2024.

(5) The risk factors and risk mitigation and management options relating to the Material Staging Facility.

(6) The expected improvements to operations and security provided by the Material Staging Facility, once operational, including the potential annual cost savings.

(7) Such other matters as the Administrator considers appropriate.

SEC. 3135. MODIFICATION TO STOCKPILE STEWARDSHIP, MANAGEMENT, AND RESPONSIVENESS PLAN.

Section 4203 of the Atomic Energy Defense Act (50 U.S.C. 2523), as amended by section 3131, is further amended—

(1) in subsection (c)—

(A) by redesignating paragraph (8) as paragraph (9); and

(B) by inserting after paragraph (7) the following new paragraph (8):

''(8) A summary of the assessment under subsection (d)(8) regarding the execution of the programs with current and projected budgets and any associated risks.''; and

(2) in subsection (d)—

(A) by redesignating paragraph (8) as paragraph (9); and

(B) by inserting after paragraph (7) the following new paragraph (8):

''(8) An assessment of whether the programs described by the report can be executed with current and projected budgets and any associated risks.''.

SEC. 3136. IMPROVED REPORTING FOR ANTI-SMUGGLING RADIATION DETECTION SYSTEMS.

(a) ANNUAL REPORT.—Together with the submission to Congress of the budget of the President under section 1105(a) of title 31, United States Code, for each of fiscal years 2019 through 2021, the Administrator for Nuclear Security shall submit to the congressional defense committees a report regarding any anti-smuggling radiation detection systems that the Administrator proposes to deploy during the fiscal year covered by the budget.

(b) MATTERS INCLUDED.—Each report under subsection (a) shall include the following:

(1) The probability of detection for the anti-smuggling radiation detection systems covered by the report against realistic potential smuggling threats, including shielded and unshielded uranium, plutonium, and other special nuclear material.

(2) The costs associated with the deployments of such systems, including costs to the United States and costs to any host nation.

(3) Options for technological advances that would make radiation detection less expensive or more effective.

(4) The benefits to the national security of the United States resulting from the deployments of such systems.

SEC. 3137. ANNUAL SELECTED ACQUISITION REPORTS ON CERTAIN HARDWARE RELATING TO DEFENSE NUCLEAR NONPROLIFERATION.

(a) ANNUAL SELECTED ACQUISITION REPORTS.—

(1) IN GENERAL.—At the end of each fiscal year, the Administrator for Nuclear Security shall submit to the congressional defense committees a report on each covered hardware project. The reports shall be known as Selected Acquisition Reports for the covered hardware program concerned.

(2) MATTERS INCLUDED.—The information contained in the Selected Acquisition Report for a fiscal year for a covered hardware project shall be the information contained in the Selected Acquisition Report for such fiscal year for a major defense acquisition program under section 2432 of title 10, United States Code, expressed in terms of the covered hardware project.

(b) COVERED HARDWARE PROJECT DEFINED.—In this section, the term ''covered hardware project'' means projects carried out under the defense nuclear nonproliferation research and development program that—

(1) are focused on the production and deployment of hardware, including with respect to the development and deployment of satellites or satellite payloads; and

(2) exceed $500,000,000 in total program cost over the course of five years.

SEC. 3138. ASSESSMENT OF DESIGN TRADE OPTIONS OF W80-4 WARHEAD.

(a) ASSESSMENT.—The Director for Cost Estimating and Program Evaluation shall conduct an assessment of the design trade options, and the associated cost and benefit analyses for each such option, for the W80-4 warhead relating to the down-select options to be contained in the final Phase 6.2 study report. Such assessment shall include a review of the cost and schedule estimates of each such option.

(b) ASSESSMENT AND BRIEFING.—

(1) NNSA.—Not later than 60 days after the date of the enactment of this Act, the Director shall submit to the Administrator for Nuclear Security the assessment under subsection (a).

(2) CONGRESS.—Not later than 90 days after the date of the enactment of this Act, the Administrator shall provide to the congressional defense committees a briefing containing a copy of the hassessment under subsection (a), without change, and any views of the Administrator.

(3) FORM.—The assessment submitted under paragraph (2) shall be submitted in unclassified form, but may include a classified annex.

TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD

SEC. 3201. AUTHORIZATION.

There are authorized to be appropriated for fiscal year 2018, $30,600,000 for the operation of the Defense Nuclear Facilities Safety Board under chapter 21 of the Atomic Energy Act of 1954 (42 U.S.C. 2286 et seq.).

TITLE XXXIV—NAVAL PETROLEUM RESERVES

SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.

(a) AMOUNT.—There are hereby authorized to be appropriated to the Secretary of Energy $4,900,000 for fiscal year 2018 for the purpose of carrying out activities under chapter 641 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 ADMINISTRATION

SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINISTRATION.

There are authorized to be appropriated to the Department of Transportation for fiscal year 2018, 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, $84,400,000, of which—

(A) $66,400,000 shall be for Academy operations; and

(B) $18,000,000 shall remain available until expended for capital asset management at the Academy.

(2) For expenses necessary to support the State maritime academies, $27,400,000, of which—

(A) $2,400,000 shall remain available until September 30, 2019, for the Student Incentive Program;

(B) $3,000,000 shall remain available until expended for direct payments to such academies; and

(C) $22,000,000 shall remain available until expended for maintenance and repair of State maritime academy training vessels.

(3) For expenses necessary to support the National Security Multi-Mission Vessel Program, $36,000,000, which shall remain available until expended.

(4) For expenses necessary to support Maritime Administration operations and programs, $60,020,000.

(5) 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.

(6) For expenses necessary to provide assistance for small shipyards and maritime communities under section 54101 of title 46, United States Code, $30,000,000, which shall remain available until expended for capital and related improvements.

(7) 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 authorized by chapter 537 of title 46, United States Code, $40,000,000.

SEC. 3502. MERCHANT SHIP SALES ACT OF 1946.

(a) AMENDMENTS.—The Merchant Ship Sales Act of 1946 (50 U.S.C. 4401 et seq.) is amended by—

(1) repealing the first section and sections 2, 3, 5, 12, and 14;

(2) in section 8, redesignating subsection (d) as section 56308 of title 46, United States Code, transferring it to appear after section 56307 of such title; and

(3) redesignating section 11 as section 57100 of title 46, United States Code, and transferring it to appear before section 57101 of such title.

(b) CONFORMING AND CLERICAL AMENDMENTS.—

(1) Section 2218 of title 10, United States Code, is amended by striking ''section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744)'' each place it appears and inserting ''section 57100 of title 46''.

(2) Section 3134 of title 40, United States Code, is amended—

(A) by striking ''31,'' and inserting ''31 or''; and

(B) by striking ''or the Merchant Ship Sales Act of 1946 (50 App. U.S.C. 1735 et seq.),''.

(3) Section 3703a(b)(6) of title 46, United States Code, is amended by striking ''section 11 of the Merchant Ship Sales Act of 1946 (50 App. U.S.C. 1744)'' and inserting ''section 57100''.

(4) Section 52101(c)(1)(A)(i) of title 46, United States Code, is amended by striking ''section 11 of the Merchant Ship Sales Act of 1946 (50 App. U.S.C. 1744)'' and inserting ''section 57100''.

(5) Section 56308 of title 46, United States Code, as redesignated and transferred by subsection (a)(2) of this section, is amended—

(A) by striking so much as precedes ''vessel constructed'' and inserting the following:

''§ 56308. Transfer of substitute vessels

''In the case of any'';

(B) by inserting ''of Transportation'' after ''Secretary''; and

(C) by striking ''adjustments with respect to the retained vessels as provided for in section 9, and''.

(6) Section 57100 of title 46, United States Code, as redesignated and transferred by subsection (a)(3) of this section, is amended—

(A) by striking so much as precedes the text of subsection (a) and inserting the following:

''§ 57100. National Defense Reserve Fleet

''(a) FLEET COMPONENTS.—'';

(B) in subsection (b), by inserting before the first sentence the following: ''PERMITTED USES.—''; and

(C) in subsection (e)—

(i) by inserting before the first sentence the following: ''EXEMPTION FROM TANK VESSEL CONSTRUCTION STANDARDS.—''; and

(ii) by striking ''of title 46, United States Code''.

(7) Section 57101 of title 46, United States Code, is amended by striking ''maintained under section 11 of the Merchant Ship Sales Act of 1946 (50 App. 1744)''.

(8) The analysis for chapter 563 of title 46, United States Code, is amended by inserting after the item relating to section 56307 the following:

''56308. Transfer of substitute vessels.''.

(9) The analysis for chapter 571 of title 46, United States Code, is amended by inserting before the item relating to section 57101 the following:

''57100. National Defense Reserve Fleet.''.

SEC. 3503. MARITIME SECURITY FLEET PROGRAM; RESTRICTION ON OPERATION FOR NEW ENTRANTS.

(a) RESTRICTION.—Section 53105(a) of title 46, United States Code, is amended—

(1) in paragraph (1)(A), by inserting '', except as provided in paragraph (2),'' after ''in the foreign commerce or'';

(2) in paragraph (1)(B), by striking ''and'' after the semicolon at the end;

(3) by redesignating paragraph (2) as paragraph (3); and

(4) by inserting after paragraph (1) the following:

''(2) in the case of a vessel, other than a replacement vessel under subsection (f), first covered by an operating agreement after the date of the enactment of the National Defense Authorization Act for Fiscal Year 2018, the vessel shall not be operated in the transportation of cargo between points in the United States and its territories either directly or via a foreign port; and''.

(b) CONFORMING AMENDMENTS.—Section 53106 of title 46, United States Code, is amended—

(1) in subsection (b), by striking ''section 53105(a)(1)'' and inserting ''paragraph (1) and (2) of section 53105(a), as otherwise applicable with respect to such vessel,''; and

(2) in subsection (d)(3), by striking ''section 53105(a)(1)'' and inserting ''paragraph (1) and (2) of section 53105(a), as otherwise applicable with respect to such vessel''.

SEC. 3504. CODIFICATION OF SECTIONS RELATING TO ACQUISITION, CHARTER, AND REQUISITION OF VESSELS.

(a) EMERGENCY FOREIGN VESSEL ACQUISITION; PURCHASE OR REQUISITION OF VESSELS LYING IDLE IN UNITED STATES WATERS.—The first section of the Act of August 9, 1954 (ch. 659; 50 U.S.C. 196)—

(1) is redesignated as section 56309 of title 46, United States Code, and transferred to appear at the end of chapter 563 of such title, as otherwise amended by this title; and

(2) is amended—

(A) by striking ''That during'' and inserting the following:

''§ 56309. Emergency foreign vessel acquisition; purchase or requisition of vessels lying idle in United States waters

''During'';

(B) by striking ''section 902 of the Merchant Marine Act, 1936, as amended'' each place it appears and inserting ''this chapter''; and

(C) by striking ''the second paragraph of subsection (d) of such section 902, as amended'' and inserting ''section 56305''.

(b) VOLUNTARY PURCHASE OR CHARTER AGREEMENTS.—Section 2 of such Act (50 U.S.C. 197)—

(1) is redesignated as section 56310 of title 46, United States Code, and transferred to appear after section 56309 of such title (as amended by subsection (a)); and

(2) is amended—

(A) by striking so much as proceeds ''During'' and inserting the following:

''§ 56310. Voluntary purchase or charter agreements''; and

(B) by striking ''section 902 of the Merchant Marine Act, 1936,'' and inserting ''this chapter''.

(c) REQUISITIONED VESSELS.—Section 3 of such Act (50 U.S.C. 198)—

(1) is redesignated as section 56311 of title 46, United States Code, and transferred to appear after section 56310 of such title (as amended by subsections (a) and (b));

(2) is amended by striking so much as precedes subsection (a) and inserting the following:

''§ 56311. Requisitioned vessels''; and

(3) is amended—

(A) except as provided in subparagraphs (B) and (C), by striking ''this Act'' each place it appears and inserting ''section 56309 or 56310, as applicable'';

(B) in subsection (c)—

(i) in the first sentence, by striking ''this Act'' and inserting ''section 56309 or 56310, as applicable,''; and

(ii) by striking ''The second paragraph of section 9 of the Shipping Act, 1916, as amended,'' and inserting ''Section 57109''; and

(C) in subsection (d)—

(i) in the first sentence by striking ''provisions of section 3709 of the Revised Statutes'' and inserting ''section 6101 of title 41'';

(ii) in the second sentence—

(I) by striking ''this Act'' and inserting ''section 56309 or 56310, as applicable,''; and

(II) by striking ''said section 3709'' and inserting ''section 6101 of title 41'';

(iii) by striking ''title VII of the Merchant Marine Act, 1936'' and inserting ''chapter 575''; and

(iv) by striking subsection (f).

(d) DOCUMENTED DEFINED.—Chapter 563 of title 46, United States Code, as amended by this section, is further amended by adding at the end the following:

''§ 56312. Documented defined

''In sections 56309 through 56311, the term 'documented' means, with respect to a vessel, that a certificate of documentation has been issued for the vessel under chapter 121.''.

(e) CLERICAL AMENDMENT.—The analysis for chapter 563 of title 46, United States Code, as otherwise amended by this title, is further amended by adding at the end the following:

''56309. Emergency foreign vessel acquisition; purchase or requisition of vessels lying idle in United States waters

''56310. Voluntary purchase or charter agreements

''56311. Requisitioned vessels

''56312. Documented defined''.

(f) REFERENCES.—Any reference in a law, regulation, document, paper, or other record of the United States to a section that is redesignated

and transferred by this section is deemed to refer to such section as so redesignated and transferred.

SEC. 3505. ASSISTANCE FOR SMALL SHIPYARDS.

(a) IN GENERAL.—Section 54101 of title 46, United States Code, is amended—

*(1) in the section heading, by striking ''**and maritime communities**'';*

(2) in subsection (a)(2), by striking ''in communities'' and all that follows through the period and inserting ''relating to shipbuilding, ship repair, and associated industries.'';

(3) in subsection (b), by amending paragraph (1) to read as follows:

''(1) consider projects that foster—

''(A) efficiency, competitive operations, and quality ship construction, repair, and reconfiguration; and

''(B) employee skills and enhanced productivity related to shipbuilding, ship repair, and associated industries; and'';

(4) in subsection (c)(1)—

(A) by inserting ''to'' after ''may be used''; and

(B) by striking subparagraphs (A), (B), and (C) and inserting the following:

''(A) make capital and related improvements in small shipyards; and

''(B) provide training for workers in shipbuilding, ship repair, and associated industries.'';

(5) in subsection (d), by striking ''unless'' and all that follows before the period;

(6) in subsection (e)—

(A) by striking paragraph (2);

(B) by redesignating paragraph (3) as paragraph (2); and

(C) in paragraph (1) by striking ''Except as provided in paragraph (2),''; and

(7) in subsection (i), by striking ''2015'' and all that follows before the period and inserting ''2018 and 2019 to carry out this section $30,000,000''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 541 of title 46, United States Code, is amended by striking the item relating to section 54101 and inserting the following:

''54101. Assistance for small shipyards.''.

SEC. 3506. REPORT ON SEXUAL ASSAULT VICTIM RECOVERY IN THE COAST GUARD.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Commandant of the Coast Guard shall submit to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on sexual assault prevention and response policies of the Coast Guard and strategic goals related to sexual assault victim recovery.

(b) CONTENTS.—The report shall—

(1) describe Coast Guard strategic goals relating to sexual assault climate, prevention, response, and accountability, and actions taken by the Coast Guard to promote sexual assault victim recovery;

(2) explain how victim recovery is being incorporated into Coast Guard strategic and programmatic guidance related to sexual assault prevention and response;

(3) examine current Coast Guard sexual assault prevention and response policy with respect to—

(A) Coast Guard criteria for what comprises sexual assault victim recovery;

(B) alignment of Coast Guard personnel policies to enhance—

(i) an approach to sexual assault response that gives priority to victim recovery;

(ii) upholding individual privacy and dignity; and

(iii) the opportunity for the continuation of Coast Guard service by sexual assault victims; and

(C) sexual harassment response, including a description of the circumstances under which sexual harassment is considered a criminal offense; and

(4) to ensure victims and supervisors understand the full scope of resources available to aid in long-term recovery, explain how the Coast Guard informs its workforce about changes to sexual assault prevention and response policies related to victim recovery.

SEC. 3507. CENTERS OF EXCELLENCE.

(a) IN GENERAL.—Chapter 541 of title 46, United States Code, is amended by adding at the end the following:

''§ 54102. Centers of excellence for domestic maritime workforce training and education

''(a) DESIGNATION.—The Secretary of Transportation may designate as a center of excellence for domestic maritime workforce training and education a covered training entity located in a State that borders on the—

''(1) Gulf of Mexico;

''(2) Atlantic Ocean;

''(3) Long Island Sound;

''(4) Pacific Ocean;

''(5) Great Lakes; or

''(6) Mississippi River System.

''(b) ASSISTANCE.—The Secretary may enter into a cooperative agreement (as that term is used in section 6305 of title 31) with a center of excellence designated under subsection (a) to support maritime workforce training and education at the center of excellence, including efforts of the center of excellence to—

''(1) admit additional students;

''(2) recruit and train faculty;

''(3) expand facilities;

''(4) create new maritime career pathways; or

''(5) award students credit for prior experience, including military service.

''(c) COVERED TRAINING ENTITY DEFINED.—In this section, the term 'covered training entity' means an entity that is—

''(1) a community or technical college; or

''(2) a maritime training center—

''(A) operated by, or under the supervision of, a State; and

''(B) with a maritime training program in operation on the date of enactment of this section.''.

(b) CLERICAL AMENDMENT.—The analysis for chapter 541 of title 46, United States Code, is amended by inserting after the item relating to section 54101 the following:

''54102. Centers of excellence for domestic maritime workforce training and education.''.

DIVISION D—FUNDING TABLES

SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TABLES.

(a) IN GENERAL.—Whenever a funding table in this division specifies a dollar amount authorized for a project, program, or activity, the obligation and expenditure of the specified dollar amount for the project, program, or activity is hereby authorized, subject to the availability of appropriations.

(b) MERIT-BASED DECISIONS.—A decision to commit, obligate, or expend funds with or to a specific entity on the basis of a dollar amount authorized pursuant to subsection (a) shall—

(1) be based on merit-based selection procedures in accordance with the requirements of sections 2304(k) and 2374 of title 10, United States Code, or on competitive procedures; and

(2) comply with other applicable provisions of law.

(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING AUTHORITY.—An amount specified in the funding tables in this division may be transferred or reprogrammed under a transfer or reprogramming authority provided by another provision of this Act or by other law. The transfer or reprogramming of an amount specified in such funding tables shall not count against a ceiling on such transfers or reprogrammings under section 1001 or section 1512 of this Act or any other provision of law, unless such transfer or reprogramming would move funds between appropriation accounts.

(d) APPLICABILITY TO CLASSIFIED ANNEX.—This section applies to any classified annex that accompanies this Act.

(e) ORAL 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.

TITLE XLI—PROCUREMENT

SEC. 4101. PROCUREMENT.

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
002	UTILITY F/W AIRCRAFT	75,115	75,115
004	MQ–1 UAV	30,206	90,206
	Unfunded requirement		[60,000]
	ROTARY		
005	HELICOPTER, LIGHT UTILITY (LUH)	108,383	108,383
006	AH–64 APACHE BLOCK IIIA REMAN	725,976	725,976
007	ADVANCE PROCUREMENT (CY)	170,910	170,910
008	AH–64 APACHE BLOCK IIIB NEW BUILD	374,100	648,500
	Unfunded requirement		[274,400]
009	ADVANCE PROCUREMENT (CY)	71,900	71,900
010	UH–60 BLACKHAWK M MODEL (MYP)	938,308	1,224,710
	Unfunded requirement—additional 5 for ARNG		[100,000]
	Unfunded requirement—UH–60M ECPs		[186,402]
011	ADVANCE PROCUREMENT (CY)	86,295	86,295
012	UH–60 BLACK HAWK A AND L MODELS	76,516	93,216
	Unfunded requirement—UH–60Vs		[16,700]
013	CH–47 HELICOPTER	202,576	557,076

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	Emergent requirements—additional 4 CH–47F Block I		[108,000]
	Unfunded requirement—additional 4 MH–47Gs		[246,500]
014	ADVANCE PROCUREMENT (CY)	17,820	17,820
	MODIFICATION OF AIRCRAFT		
015	MQ–1 PAYLOAD (MIP)	5,910	29,910
	Realign European Reassurance Initiative to Base		[8,000]
	Unfunded requirement		[16,000]
016	UNIVERSAL GROUND CONTROL EQUIPMENT (UAS)	15,000	15,000
017	GRAY EAGLE MODS2	74,291	74,291
018	MULTI SENSOR ABN RECON (MIP)	68,812	127,762
	Realign European Reassurance Initiative to Base		[29,475]
	Unfunded requirement		[29,475]
019	AH–64 MODS	238,141	382,941
	Unfunded requirement		[144,800]
020	CH–47 CARGO HELICOPTER MODS (MYP)	20,166	81,166
	Unfunded requirement		[61,000]
021	GRCS SEMA MODS (MIP)	5,514	5,514
022	ARL SEMA MODS (MIP)	11,650	11,650
023	EMARSS SEMA MODS (MIP)	15,279	15,279
024	UTILITY/CARGO AIRPLANE MODS	57,737	57,737
025	UTILITY HELICOPTER MODS	5,900	5,900
026	NETWORK AND MISSION PLAN	142,102	142,102
027	COMMS, NAV SURVEILLANCE	166,050	207,630
	Unfunded requirement—ARC–201D encrypted radios		[41,580]
028	GATM ROLLUP	37,403	37,403
029	RQ–7 UAV MODS	83,160	194,160
	Unfunded requirement		[111,000]
030	UAS MODS	26,109	26,429
	Unfunded requirement		[320]
	GROUND SUPPORT AVIONICS		
031	AIRCRAFT SURVIVABILITY EQUIPMENT	70,913	70,913
032	SURVIVABILITY CM	5,884	5,884
033	CMWS	26,825	26,825
034	COMMON INFRARED COUNTERMEASURES (CIRCM)	6,337	6,337
	OTHER SUPPORT		
035	AVIONICS SUPPORT EQUIPMENT	7,038	7,038
036	COMMON GROUND EQUIPMENT	47,404	56,304
	Unfunded requirement—grow the Army		[1,800]
	Unfunded requirement—Non destructive test equip		[7,100]
037	AIRCREW INTEGRATED SYSTEMS	47,066	47,066
038	AIR TRAFFIC CONTROL	83,790	84,905
	Unfunded requirement		[1,115]
039	INDUSTRIAL FACILITIES	1,397	1,397
040	LAUNCHER, 2.75 ROCKET	1,911	1,911
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**4,149,894**	**5,593,561**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
001	LOWER TIER AIR AND MISSILE DEFENSE (AMD)	140,826	140,826
002	MSE MISSILE	459,040	459,040
003	INDIRECT FIRE PROTECTION CAPABILITY INC 2–I	57,742	57,742
	AIR-TO-SURFACE MISSILE SYSTEM		
005	HELLFIRE SYS SUMMARY	94,790	94,790
006	JOINT AIR-TO-GROUND MSLS (JAGM)	178,432	173,432
	Program decrease		[–5,000]
	ANTI-TANK/ASSAULT MISSILE SYS		
008	JAVELIN (AAWS-M) SYSTEM SUMMARY	110,123	118,235
	Realign European Reassurance Initiative to Base		[8,112]
009	TOW 2 SYSTEM SUMMARY	85,851	89,758
	Realign European Reassurance Initiative to Base		[3,907]
010	ADVANCE PROCUREMENT (CY)	19,949	19,949
011	GUIDED MLRS ROCKET (GMLRS)	595,182	593,882
	Program reduction—unit cost savings		[–2,800]
	Unfunded requirement—training devices		[1,500]
012	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	28,321	28,321
013	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS		476,728
	Realign European Reassurance Initiative to Base		[41,000]
	Unfunded requirement—ERI		[197,000]
	Unfunded requirement—grow the Army		[238,728]
	MODIFICATIONS		
015	PATRIOT MODS	329,073	329,073
016	ATACMS MODS	116,040	116,040
017	GMLRS MOD	531	531
018	STINGER MODS	63,090	91,090
	Realign European Reassurance Initiative to Base		[28,000]
019	AVENGER MODS	62,931	62,931
020	ITAS/TOW MODS	3,500	3,500
021	MLRS MODS	138,235	187,035
	Unfunded requirement		[48,800]
022	HIMARS MODIFICATIONS	9,566	9,566
	SPARES AND REPAIR PARTS		
023	SPARES AND REPAIR PARTS	18,915	18,915
	SUPPORT EQUIPMENT & FACILITIES		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
024	AIR DEFENSE TARGETS	5,728	5,728
026	PRODUCTION BASE SUPPORT	1,189	1,189
	TOTAL MISSILE PROCUREMENT, ARMY	**2,519,054**	**3,078,301**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	BRADLEY PROGRAM		200,000
	Realign European Reassurance Initiative to Base		[200,000]
002	ARMORED MULTI PURPOSE VEHICLE (AMPV)	193,715	447,618
	Realign European Reassurance Initiative to Base		[253,903]
	MODIFICATION OF TRACKED COMBAT VEHICLES		
004	STRYKER (MOD)	97,552	97,552
005	STRYKER UPGRADE		348,000
	Unfunded requirement – completes 4th DVH SBCT		[348,000]
006	BRADLEY PROGRAM (MOD)	444,851	585,851
	Realign European Reassurance Initiative to Base		[30,000]
	Unfunded requirement		[111,000]
007	M109 FOV MODIFICATIONS	64,230	64,230
008	PALADIN INTEGRATED MANAGEMENT (PIM)	646,413	772,149
	Realign European Reassurance Initiative to Base		[125,736]
009	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	72,402	194,402
	Unfunded requirement		[122,000]
010	ASSAULT BRIDGE (MOD)	5,855	5,855
011	ASSAULT BREACHER VEHICLE	34,221	64,221
	Unfunded requirement		[30,000]
012	M88 FOV MODS	4,826	4,826
013	JOINT ASSAULT BRIDGE	128,350	128,350
014	M1 ABRAMS TANK (MOD)	248,826	558,526
	Realign European Reassurance Initiative to Base		[138,700]
	Unfunded requirement		[171,000]
015	ABRAMS UPGRADE PROGRAM	275,000	1,092,800
	Realign European Reassurance Initiative to Base		[442,800]
	Unfunded requirement		[375,000]
	WEAPONS & OTHER COMBAT VEHICLES		
018	M240 MEDIUM MACHINE GUN (7.62MM)	1,992	3,292
	Unfunded requirement		[1,300]
019	MULTI-ROLE ANTI-ARMOR ANTI-PERSONNEL WEAPON S	6,520	58,520
	Unfunded requirement		[52,000]
020	MORTAR SYSTEMS	21,452	34,552
	Unfunded requirement—120mm mortars		[13,100]
021	XM320 GRENADE LAUNCHER MODULE (GLM)	4,524	5,324
	Unfunded requirement		[800]
023	CARBINE	43,150	51,150
	Unfunded requirement		[5,000]
	Unfunded requirement—grow the Army		[3,000]
024	COMMON REMOTELY OPERATED WEAPONS STATION	750	10,750
	Unfunded requirement—modifications		[10,000]
025	HANDGUN	8,326	8,726
	Unfunded requirement		[400]
	MOD OF WEAPONS AND OTHER COMBAT VEH		
026	MK–19 GRENADE MACHINE GUN MODS	2,000	2,000
027	M777 MODS	3,985	89,785
	Unfunded requirement		[85,800]
028	M4 CARBINE MODS	31,315	31,315
029	M2 50 CAL MACHINE GUN MODS	47,414	52,414
	Unfunded requirement—accessories		[2,600]
	Unfunded requirement—M2A1 machine guns		[2,400]
030	M249 SAW MACHINE GUN MODS	3,339	3,339
031	M240 MEDIUM MACHINE GUN MODS	4,577	11,177
	Unfunded requirement—accessories		[1,000]
	Unfunded requirement—M240Ls		[5,600]
032	SNIPER RIFLES MODIFICATIONS	1,488	1,488
033	M119 MODIFICATIONS	12,678	12,678
034	MORTAR MODIFICATION	3,998	3,998
035	MODIFICATIONS LESS THAN $5.0M (WOCV-WTCV)	2,219	2,219
	SUPPORT EQUIPMENT & FACILITIES		
036	ITEMS LESS THAN $5.0M (WOCV-WTCV)	5,075	7,775
	Unfunded requirement		[2,700]
037	PRODUCTION BASE SUPPORT (WOCV-WTCV)	992	992
039	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	1,573	1,573
	UNDISTRIBUTED		
042	UNDISTRIBUTED		1,200
	Security Force Assistance Brigade		[1,200]
	TOTAL PROCUREMENT OF W&TCV, ARMY	**2,423,608**	**4,958,647**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES	39,767	39,767
002	CTG, 7.62MM, ALL TYPES	46,804	46,804
003	CTG, HANDGUN, ALL TYPES	10,413	10,418
	Realign European Reassurance Initiative to Base		[5]
004	CTG, .50 CAL, ALL TYPES	62,837	62,958
	Realign European Reassurance Initiative to Base		[121]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
005	CTG, 20MM, ALL TYPES	8,208	8,208
006	CTG, 25MM, ALL TYPES	8,640	8,640
007	CTG, 30MM, ALL TYPES	76,850	101,850
	Realign European Reassurance Initiative to Base		[25,000]
008	CTG, 40MM, ALL TYPES	108,189	108,189
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES	57,359	57,359
010	81MM MORTAR, ALL TYPES	49,471	49,471
011	120MM MORTAR, ALL TYPES	91,528	91,528
	TANK AMMUNITION		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES	133,500	133,500
	ARTILLERY AMMUNITION		
013	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES	44,200	44,200
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES	187,149	187,149
015	PROJ 155MM EXTENDED RANGE M982	49,000	251,545
	Realign European Reassurance Initiative to Base		[19,045]
	Unfunded requirement		[183,500]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	83,046	99,724
	Realign European Reassurance Initiative to Base		[16,678]
	MINES		
017	MINES & CLEARING CHARGES, ALL TYPES	3,942	15,557
	Realign European Reassurance Initiative to Base		[11,615]
	ROCKETS		
019	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	5,000	5,000
020	ROCKET, HYDRA 70, ALL TYPES	161,155	161,155
	OTHER AMMUNITION		
021	CAD/PAD, ALL TYPES	7,441	7,441
022	DEMOLITION MUNITIONS, ALL TYPES	19,345	19,345
023	GRENADES, ALL TYPES	22,759	22,759
024	SIGNALS, ALL TYPES	2,583	2,583
025	SIMULATORS, ALL TYPES	13,084	13,084
	MISCELLANEOUS		
026	AMMO COMPONENTS, ALL TYPES	12,237	12,237
027	NON-LETHAL AMMUNITION, ALL TYPES	1,500	1,500
028	ITEMS LESS THAN $5 MILLION (AMMO)	10,730	10,730
029	AMMUNITION PECULIAR EQUIPMENT	16,425	16,425
030	FIRST DESTINATION TRANSPORTATION (AMMO)	15,221	15,221
	PRODUCTION BASE SUPPORT		
032	INDUSTRIAL FACILITIES	329,356	429,356
	Unfunded requirement		[100,000]
033	CONVENTIONAL MUNITIONS DEMILITARIZATION	197,825	197,825
034	ARMS INITIATIVE	3,719	3,719
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**1,879,283**	**2,235,247**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
001	TACTICAL TRAILERS/DOLLY SETS	9,716	9,716
002	SEMITRAILERS, FLATBED:	14,151	36,151
	Unfunded requirement—additional M872s		[22,000]
003	AMBULANCE, 4 LITTER, 5/4 TON, 4X4	53,000	87,792
	Unfunded requirement		[34,792]
004	GROUND MOBILITY VEHICLES (GMV)	40,935	40,935
006	JOINT LIGHT TACTICAL VEHICLE	804,440	804,440
007	TRUCK, DUMP, 20T (CCE)	967	967
008	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	78,650	241,944
	Unfunded requirement—FMTVs		[154,100]
	Unfunded requirement—trailers		[9,194]
009	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP	19,404	19,404
010	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	81,656	114,658
	Realign European Reassurance Initiative to Base		[25,874]
	Unfunded requirement—forward repair systems		[7,128]
011	PLS ESP	7,129	59,729
	Unfunded requirement		[52,600]
012	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV		150,878
	Realign European Reassurance Initiative to Base		[38,628]
	Unfunded requirement		[112,250]
013	TACTICAL WHEELED VEHICLE PROTECTION KITS	43,040	43,040
014	MODIFICATION OF IN SVC EQUIP	83,940	89,470
	Realign European Reassurance Initiative to Base		[2,599]
	Unfunded requirement—CTE equipment		[2,931]
	NON-TACTICAL VEHICLES		
016	HEAVY ARMORED SEDAN	269	269
017	PASSENGER CARRYING VEHICLES	1,320	1,320
018	NONTACTICAL VEHICLES, OTHER	6,964	6,964
	COMM—JOINT COMMUNICATIONS		
019	WIN-T—GROUND FORCES TACTICAL NETWORK	420,492	420,492
020	SIGNAL MODERNIZATION PROGRAM	92,718	92,718
021	TACTICAL NETWORK TECHNOLOGY MOD IN SVC	150,497	227,997
	Program reduction		[–10,000]
	Unfunded requirement		[87,500]
022	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY	6,065	6,065
023	JCSE EQUIPMENT (USREDCOM)	5,051	5,051
	COMM—SATELLITE COMMUNICATIONS		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
024	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	161,383	161,383
025	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS	62,600	62,600
026	SHF TERM	11,622	11,622
028	SMART-T (SPACE)	6,799	6,799
029	GLOBAL BRDCST SVC—GBS	7,065	7,065
031	ENROUTE MISSION COMMAND (EMC)	21,667	21,667
	COMM—COMBAT SUPPORT COMM		
033	MOD-IN-SERVICE PROFILER	70	70
	COMM—C3 SYSTEM		
034	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	2,658	2,658
	COMM—COMBAT COMMUNICATIONS		
036	HANDHELD MANPACK SMALL FORM FIT (HMS)	355,351	363,760
	Unfunded requirement		[8,409]
037	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	25,100	25,100
038	RADIO TERMINAL SET, MIDS LVT(2)	11,160	11,160
040	TRACTOR DESK	2,041	2,041
041	TRACTOR RIDE	5,534	13,734
	Unfunded requirement		[8,200]
042	SPIDER APLA REMOTE CONTROL UNIT	996	996
043	SPIDER FAMILY OF NETWORKED MUNITIONS INCR	4,500	6,858
	Unfunded requirement		[2,358]
045	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM	4,411	4,411
046	UNIFIED COMMAND SUITE	15,275	15,275
047	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE	15,964	16,725
	Unfunded requirement		[761]
	COMM—INTELLIGENCE COMM		
049	CI AUTOMATION ARCHITECTURE	9,560	9,560
050	DEFENSE MILITARY DECEPTION INITIATIVE	4,030	4,030
	INFORMATION SECURITY		
054	COMMUNICATIONS SECURITY (COMSEC)	107,804	130,667
	Unfunded Requirement		[22,863]
055	DEFENSIVE CYBER OPERATIONS	53,436	61,436
	Unfunded Requirement		[8,000]
056	INSIDER THREAT PROGRAM—UNIT ACTIVITY MONITO	690	690
057	PERSISTENT CYBER TRAINING ENVIRONMENT	4,000	4,000
	COMM—LONG HAUL COMMUNICATIONS		
058	BASE SUPPORT COMMUNICATIONS	43,751	51,290
	Unfunded requirement—first responder communication equipment		[7,539]
	COMM—BASE COMMUNICATIONS		
059	INFORMATION SYSTEMS	118,101	118,101
060	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM	4,490	4,490
061	HOME STATION MISSION COMMAND CENTERS (HSMCC)	20,050	20,050
062	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	186,251	188,751
	Realign European Reassurance Initiative to Base		[2,500]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
065	JTT/CIBS-M	12,154	19,754
	Unfunded requirement		[7,600]
068	DCGS-A (MIP)	274,782	295,494
	Unfunded requirement		[20,712]
070	TROJAN (MIP)	16,052	35,212
	Realign European Reassurance Initiative to Base		[6,000]
	Unfunded requirement		[13,160]
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	51,034	51,034
072	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	7,815	7,815
073	CLOSE ACCESS TARGET RECONNAISSANCE (CATR)	8,050	8,050
074	MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M	567	567
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
076	LIGHTWEIGHT COUNTER MORTAR RADAR	20,459	20,459
077	EW PLANNING & MANAGEMENT TOOLS (EWPMT)	5,805	5,805
078	AIR VIGILANCE (AV)	5,348	5,348
081	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	469	6,369
	Realign European Reassurance Initiative to Base		[5,900]
082	CI MODERNIZATION	285	285
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
083	SENTINEL MODS	28,491	100,491
	Unfunded requirement		[72,000]
084	NIGHT VISION DEVICES	166,493	229,389
	Unfunded requirement—grow the Army		[47,147]
	Unfunded requirement—LTLM enhancement		[15,749]
085	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	13,947	13,947
087	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	21,380	456,003
	Unfunded requirement—Air and Missile Defense (SHORAD)		[434,623]
088	FAMILY OF WEAPON SIGHTS (FWS)	59,105	59,105
089	ARTILLERY ACCURACY EQUIP	2,129	2,129
091	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	282,549	344,949
	Realign European Reassurance Initiative to Base		[2,300]
	Unfunded requirement		[60,100]
092	JOINT EFFECTS TARGETING SYSTEM (JETS)	48,664	48,664
093	MOD OF IN-SVC EQUIP (LLDR)	5,198	9,172
	Realign European Reassurance Initiative to Base		[3,974]
094	COMPUTER BALLISTICS: LHMBC XM32	8,117	8,117
095	MORTAR FIRE CONTROL SYSTEM	31,813	47,588
	Realign European Reassurance Initiative to Base		[75]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	Unfunded requirement		[15,700]
096	COUNTERFIRE RADARS	329,057	393,257
	Unfunded requirement		[64,200]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
097	FIRE SUPPORT C2 FAMILY	8,700	13,458
	Unfunded requirement		[4,758]
098	AIR & MSL DEFENSE PLANNING & CONTROL SYS	26,635	132,713
	Realign European Reassurance Initiative to Base		[9,100]
	Unfunded requirement		[96,978]
100	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,992	1,992
101	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	15,179	15,179
102	MANEUVER CONTROL SYSTEM (MCS)	132,572	137,174
	Unfunded requirement		[4,602]
103	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A)	37,201	37,201
104	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP	16,140	16,140
105	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	6,093	20,848
	Unfunded requirement		[14,755]
106	MOD OF IN-SVC EQUIPMENT (ENFIRE)	1,134	1,134
	ELECT EQUIP—AUTOMATION		
107	ARMY TRAINING MODERNIZATION	11,575	11,575
108	AUTOMATED DATA PROCESSING EQUIP	91,983	91,983
109	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM	4,465	4,465
110	HIGH PERF COMPUTING MOD PGM (HPCMP)	66,363	66,363
111	CONTRACT WRITING SYSTEM	1,001	1,001
112	RESERVE COMPONENT AUTOMATION SYS (RCAS)	26,183	26,183
	ELECT EQUIP—AUDIO VISUAL SYS (A/V)		
113	TACTICAL DIGITAL MEDIA	4,441	4,441
114	ITEMS LESS THAN $5M (SURVEYING EQUIPMENT)	3,414	16,414
	Unfunded requirement		[10,000]
	Unfunded requirement—global positioning system		[3,000]
	ELECT EQUIP—SUPPORT		
115	PRODUCTION BASE SUPPORT (C-E)	499	499
116	BCT EMERGING TECHNOLOGIES	25,050	25,050
	CLASSIFIED PROGRAMS		
116A	CLASSIFIED PROGRAMS	4,819	4,819
	CHEMICAL DEFENSIVE EQUIPMENT		
117	PROTECTIVE SYSTEMS	1,613	1,613
118	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	9,696	23,696
	Unfunded Requirement		[14,000]
120	CBRN DEFENSE	11,110	11,110
	BRIDGING EQUIPMENT		
121	TACTICAL BRIDGING	16,610	16,610
122	TACTICAL BRIDGE, FLOAT-RIBBON	21,761	43,761
	Unfunded requirement		[22,000]
124	COMMON BRIDGE TRANSPORTER (CBT) RECAP	21,046	61,446
	Unfunded requirement		[40,400]
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
125	HANDHELD STANDOFF MINEFIELD DETECTION SYS-HST	5,000	17,800
	Unfunded requirement—grow the Army		[5,600]
	Unfunded requirement—PSS–14Cs		[7,200]
126	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)	32,442	32,442
127	AREA MINE DETECTION SYSTEM (AMDS)	10,571	10,571
128	HUSKY MOUNTED DETECTION SYSTEM (HMDS)	21,695	21,695
129	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS)	4,516	19,616
	Unfunded requirement—M160s		[15,100]
130	EOD ROBOTICS SYSTEMS RECAPITALIZATION	10,073	15,073
	Unfunded requiremet		[5,000]
131	ROBOTICS AND APPLIQUE SYSTEMS	3,000	3,000
133	REMOTE DEMOLITION SYSTEMS	5,847	7,039
	Unfunded requirement—radio frequency remote activated munitions		[1,192]
134	< $5M, COUNTERMINE EQUIPMENT	1,530	1,530
135	FAMILY OF BOATS AND MOTORS	4,302	12,302
	Unfunded requirement		[8,000]
	COMBAT SERVICE SUPPORT EQUIPMENT		
136	HEATERS AND ECU'S	7,405	16,461
	Unfunded requirement		[9,056]
137	SOLDIER ENHANCEMENT	1,095	1,095
138	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	5,390	5,390
139	GROUND SOLDIER SYSTEM	38,219	42,808
	Unfunded requirement		[4,589]
140	MOBILE SOLDIER POWER	10,456	12,018
	Unfunded requirement		[1,562]
141	FORCE PROVIDER		13,850
	Unfunded requirement		[13,850]
142	FIELD FEEDING EQUIPMENT	15,340	29,740
	Unfunded requirement		[14,400]
143	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	30,607	30,607
144	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS	10,426	18,900
	Unfunded requirement		[8,474]
	PETROLEUM EQUIPMENT		
146	QUALITY SURVEILLANCE EQUIPMENT	6,903	6,903
147	DISTRIBUTION SYSTEMS, PETROLEUM & WATER	47,597	47,597
	MEDICAL EQUIPMENT		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
148	COMBAT SUPPORT MEDICAL	43,343	66,262
	Realign European Reassurance Initiative to Base		[21,122]
	Unfunded requirement		[1,797]
	MAINTENANCE EQUIPMENT		
149	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	33,774	48,194
	Realign European Reassurance Initiative to Base		[1,124]
	Unfunded requirement—metal working and machine shop sets		[13,296]
150	ITEMS LESS THAN $5.0M (MAINT EQ)	2,728	3,682
	Unfunded requirement		[954]
	CONSTRUCTION EQUIPMENT		
151	GRADER, ROAD MTZD, HVY, 6X4 (CCE)	989	15,719
	Unfunded requirement		[14,730]
152	SCRAPERS, EARTHMOVING	11,180	11,180
154	TRACTOR, FULL TRACKED		48,679
	Unfunded requirement—T9 Dozers		[48,679]
155	ALL TERRAIN CRANES	8,935	11,935
	Unfunded requiremnt		[3,000]
157	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	64,339	84,899
	Unfunded requirement		[20,560]
158	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP	2,563	2,563
160	CONST EQUIP ESP	19,032	26,032
	Unfunded requirement—Engineer Mission Modules and Vibratory Rollers		[7,000]
161	ITEMS LESS THAN $5.0M (CONST EQUIP)	6,899	11,911
	Unfunded requirement—water well drill systems		[5,012]
	RAIL FLOAT CONTAINERIZATION EQUIPMENT		
162	ARMY WATERCRAFT ESP	20,110	20,110
163	ITEMS LESS THAN $5.0M (FLOAT/RAIL)	2,877	2,877
	GENERATORS		
164	GENERATORS AND ASSOCIATED EQUIP	115,635	132,845
	Unfunded requirement		[17,210]
165	TACTICAL ELECTRIC POWER RECAPITALIZATION	7,436	7,436
	MATERIAL HANDLING EQUIPMENT		
166	FAMILY OF FORKLIFTS	9,000	10,635
	Unfunded requirement		[1,635]
	TRAINING EQUIPMENT		
167	COMBAT TRAINING CENTERS SUPPORT	88,888	126,638
	Unfunded requirement		[37,750]
168	TRAINING DEVICES, NONSYSTEM	285,989	288,689
	Realign European Reassurance Initiative to Base		[2,700]
169	CLOSE COMBAT TACTICAL TRAINER	45,718	45,718
170	AVIATION COMBINED ARMS TACTICAL TRAINER	30,568	30,568
171	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	5,406	16,906
	Unfunded requirement—SVCT systems		[11,500]
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
172	CALIBRATION SETS EQUIPMENT	5,564	5,564
173	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	30,144	37,644
	Realign European Reassurance Initiative to Base		[7,500]
174	TEST EQUIPMENT MODERNIZATION (TEMOD)	7,771	7,771
	OTHER SUPPORT EQUIPMENT		
175	M25 STABILIZED BINOCULAR	3,956	3,956
176	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	5,000	5,000
177	PHYSICAL SECURITY SYSTEMS (OPA3)	60,047	60,047
178	BASE LEVEL COMMON EQUIPMENT	13,239	13,239
179	MODIFICATION OF IN-SVC EQUIPMENT (OPA–3)	60,192	99,432
	Unfunded requirement—EOD Technician Tool Kits		[29,240]
	Unfunded requirement—Rapidly Emplaced Bridge System Arctic Kit Technical Manual (TM) update		[2,000]
	Unfunded requirement—Service Life Extension Program for the VOLCANO system		[8,000]
180	PRODUCTION BASE SUPPORT (OTH)	2,271	2,271
181	SPECIAL EQUIPMENT FOR USER TESTING	5,319	5,319
182	TRACTOR YARD	5,935	5,935
	OPA2		
184	INITIAL SPARES—C&E	38,269	38,269
	UNDISTRIBUTED		
185	UNDISTRIBUTED		56,000
	Security Force Assistance Brigade		[56,000]
	TOTAL OTHER PROCUREMENT, ARMY	**6,469,331**	**8,463,222**
	JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND		
	NETWORK ATTACK		
001	RAPID ACQUISITION AND THREAT RESPONSE	14,442	14,442
	TOTAL JOINT IMPROVISED-THREAT DEFEAT FUND	**14,442**	**14,442**
	AIRCRAFT PROCUREMENT, NAVY		
	COMBAT AIRCRAFT		
002	F/A–18E/F (FIGHTER) HORNET	1,200,146	1,791,346
	Unfunded Requirement		[591,200]
003	ADVANCE PROCUREMENT (CY)	52,971	52,971
004	JOINT STRIKE FIGHTER CV	582,324	1,102,324
	Unfunded Requirement—Marine Corps		[260,000]
	Unfunded Requirement—Navy		[260,000]
005	ADVANCE PROCUREMENT (CY)	263,112	263,112
006	JSF STOVL	2,398,139	2,860,739
	Unfunded Requirement		[462,600]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
007	ADVANCE PROCUREMENT (CY)	413,450	413,450
008	CH–53K (HEAVY LIFT)	567,605	567,605
009	ADVANCE PROCUREMENT (CY)	147,046	147,046
010	V–22 (MEDIUM LIFT)	677,404	1,028,904
	Multiyear procurement contract savings		[–25,000]
	Unfunded Requirement		[376,500]
011	ADVANCE PROCUREMENT (CY)	27,422	27,422
012	H–1 UPGRADES (UH–1Y/AH–1Z)	678,429	829,429
	Unfunded requirement – additional AH–1Zs		[157,500]
	Unit cost savings		[–6,500]
013	ADVANCE PROCUREMENT (CY)	42,082	42,082
016	P–8A POSEIDON	1,245,251	1,751,751
	P–8A		[506,500]
017	ADVANCE PROCUREMENT (CY)	140,333	123,333
	Excess to need		[–17,000]
018	E–2D ADV HAWKEYE	733,910	925,710
	E–2D		[201,800]
	Excessive growth		[–10,000]
019	ADVANCE PROCUREMENT (CY)	102,026	102,026
	OTHER AIRCRAFT		
022	KC–130J	129,577	484,877
	KC–130J		[355,300]
023	ADVANCE PROCUREMENT (CY)	25,497	25,497
024	MQ–4 TRITON	522,126	517,126
	Excess cost growth		[–5,000]
025	ADVANCE PROCUREMENT (CY)	57,266	57,266
026	MQ–8 UAV	49,472	49,472
027	STUASL0 UAV	880	880
	MODIFICATION OF AIRCRAFT		
030	AEA SYSTEMS	52,960	52,960
031	AV–8 SERIES	43,555	43,555
032	ADVERSARY	2,565	2,565
033	F–18 SERIES	1,043,661	1,076,211
	Unfunded requirement—ALQ–214 Retrofits		[32,550]
034	H–53 SERIES	38,712	38,712
035	SH–60 SERIES	95,333	95,333
036	H–1 SERIES	101,886	101,886
037	EP–3 SERIES	7,231	7,231
038	P–3 SERIES	700	700
039	E–2 SERIES	97,563	97,563
040	TRAINER A/C SERIES	8,184	8,184
041	C–2A	18,673	18,673
042	C–130 SERIES	83,541	83,541
043	FEWSG	630	630
044	CARGO/TRANSPORT A/C SERIES	10,075	10,075
045	E–6 SERIES	223,508	223,508
046	EXECUTIVE HELICOPTERS SERIES	38,787	38,787
047	SPECIAL PROJECT AIRCRAFT	8,304	8,304
048	T–45 SERIES	148,071	148,071
049	POWER PLANT CHANGES	19,827	19,827
050	JPATS SERIES	27,007	27,007
051	COMMON ECM EQUIPMENT	146,642	146,642
052	COMMON AVIONICS CHANGES	123,507	123,507
053	COMMON DEFENSIVE WEAPON SYSTEM	2,317	2,317
054	ID SYSTEMS	49,524	49,524
055	P–8 SERIES	18,665	18,665
056	MAGTF EW FOR AVIATION	10,111	10,111
057	MQ–8 SERIES	32,361	32,361
059	V–22 (TILT/ROTOR ACFT) OSPREY	228,321	228,321
060	F–35 STOVL SERIES	34,963	34,963
061	F–35 CV SERIES	31,689	31,689
062	QRC	24,766	24,766
063	MQ–4 SERIES	39,996	39,996
	AIRCRAFT SPARES AND REPAIR PARTS		
064	SPARES AND REPAIR PARTS	1,681,914	1,882,514
	Additional F–35 Initial Spares		[32,600]
	Unfunded requirement		[168,000]
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
065	COMMON GROUND EQUIPMENT	388,052	405,552
	Unfunded requirement—F–18C/D H12C Training Systems for USMC		[17,500]
066	AIRCRAFT INDUSTRIAL FACILITIES	24,613	24,613
067	WAR CONSUMABLES	39,614	39,614
068	OTHER PRODUCTION CHARGES	1,463	1,463
069	SPECIAL SUPPORT EQUIPMENT	48,500	48,500
070	FIRST DESTINATION TRANSPORTATION	1,976	1,976
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**15,056,235**	**18,414,785**
	WEAPONS PROCUREMENT, NAVY		
	MODIFICATION OF MISSILES		
001	TRIDENT II MODS	1,143,595	1,143,595
	SUPPORT EQUIPMENT & FACILITIES		
002	MISSILE INDUSTRIAL FACILITIES	7,086	7,086
	STRATEGIC MISSILES		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
003	TOMAHAWK	134,375	134,375
	TACTICAL MISSILES		
004	AMRAAM	197,109	197,109
005	SIDEWINDER	79,692	79,692
006	JSOW	5,487	5,487
007	STANDARD MISSILE	510,875	510,875
008	SMALL DIAMETER BOMB II	20,968	20,968
009	RAM	58,587	106,587
	RAM BLK II		[48,000]
010	JOINT AIR GROUND MISSILE (JAGM)	3,789	3,789
013	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM)	3,122	3,122
014	AERIAL TARGETS	124,757	124,757
015	OTHER MISSILE SUPPORT	3,420	3,420
016	LRASM	74,733	74,733
	MODIFICATION OF MISSILES		
017	ESSM	74,524	74,524
019	HARPOON MODS	17,300	17,300
020	HARM MODS	183,368	183,368
021	STANDARD MISSILES MODS	11,729	11,729
	SUPPORT EQUIPMENT & FACILITIES		
022	WEAPONS INDUSTRIAL FACILITIES	4,021	4,021
023	FLEET SATELLITE COMM FOLLOW-ON	46,357	46,357
	ORDNANCE SUPPORT EQUIPMENT		
025	ORDNANCE SUPPORT EQUIPMENT	47,159	47,159
	TORPEDOES AND RELATED EQUIP		
026	SSTD	5,240	5,240
027	MK–48 TORPEDO	44,771	70,971
	MK 48 HWT		[26,200]
028	ASW TARGETS	12,399	12,399
	MOD OF TORPEDOES AND RELATED EQUIP		
029	MK–54 TORPEDO MODS	104,044	104,044
030	MK–48 TORPEDO ADCAP MODS	38,954	38,954
031	QUICKSTRIKE MINE	10,337	10,337
	SUPPORT EQUIPMENT		
032	TORPEDO SUPPORT EQUIPMENT	70,383	70,383
033	ASW RANGE SUPPORT	3,864	3,864
	DESTINATION TRANSPORTATION		
034	FIRST DESTINATION TRANSPORTATION	3,961	3,961
	GUNS AND GUN MOUNTS		
035	SMALL ARMS AND WEAPONS	11,332	11,332
	MODIFICATION OF GUNS AND GUN MOUNTS		
036	CIWS MODS	72,698	72,698
037	COAST GUARD WEAPONS	38,931	38,931
038	GUN MOUNT MODS	76,025	76,025
039	LCS MODULE WEAPONS	13,110	13,110
040	CRUISER MODERNIZATION WEAPONS	34,825	34,825
041	AIRBORNE MINE NEUTRALIZATION SYSTEMS	16,925	16,925
	SPARES AND REPAIR PARTS		
043	SPARES AND REPAIR PARTS	110,255	110,255
	TOTAL WEAPONS PROCUREMENT, NAVY	**3,420,107**	**3,494,307**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	34,882	34,882
002	JDAM	57,343	57,343
003	AIRBORNE ROCKETS, ALL TYPES	79,318	79,318
004	MACHINE GUN AMMUNITION	14,112	14,112
005	PRACTICE BOMBS	47,027	47,027
006	CARTRIDGES & CART ACTUATED DEVICES	57,718	57,718
007	AIR EXPENDABLE COUNTERMEASURES	65,908	65,908
008	JATOS	2,895	2,895
010	5 INCH/54 GUN AMMUNITION	22,112	22,112
011	INTERMEDIATE CALIBER GUN AMMUNITION	12,804	12,804
012	OTHER SHIP GUN AMMUNITION	41,594	41,594
013	SMALL ARMS & LANDING PARTY AMMO	49,401	49,401
014	PYROTECHNIC AND DEMOLITION	9,495	9,495
016	AMMUNITION LESS THAN $5 MILLION	3,080	3,080
	MARINE CORPS AMMUNITION		
020	MORTARS	24,118	24,118
023	DIRECT SUPPORT MUNITIONS	64,045	64,045
024	INFANTRY WEAPONS AMMUNITION	91,456	91,456
029	COMBAT SUPPORT MUNITIONS	11,788	11,788
032	AMMO MODERNIZATION	17,862	17,862
033	ARTILLERY MUNITIONS	79,427	79,427
034	ITEMS LESS THAN $5 MILLION	5,960	5,960
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**792,345**	**792,345**
	SHIPBUILDING AND CONVERSION, NAVY		
	FLEET BALLISTIC MISSILE SHIPS		
001	ADVANCE PROCUREMENT (CY)	842,853	842,853
	OTHER WARSHIPS		
002	CARRIER REPLACEMENT PROGRAM	4,441,772	3,741,772
	Early to need		[–700,000]

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
004	VIRGINIA CLASS SUBMARINE	3,305,315	3,305,315
005	ADVANCE PROCUREMENT (CY)	1,920,596	2,863,596
	VA Class AP		[693,000]
	VA Class EOQ		[250,000]
006	CVN REFUELING OVERHAULS	1,604,890	1,181,590
	CVN 73 MQ–25 integration		[26,700]
	Early to need		[–450,000]
007	ADVANCE PROCUREMENT (CY)	75,897	75,897
008	DDG 1000	223,968	223,968
009	DDG–51	3,499,079	3,499,079
010	ADVANCE PROCUREMENT (CY)	90,336	90,336
011	LITTORAL COMBAT SHIP	636,146	636,146
	AMPHIBIOUS SHIPS		
015	LHA REPLACEMENT	1,710,927	1,210,927
	Early to need		[–500,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
018	TAO FLEET OILER	465,988	465,988
019	ADVANCE PROCUREMENT (CY)	75,068	75,068
020	TOWING, SALVAGE, AND RESCUE SHIP (ATS)	76,204	76,204
023	LCU 1700	31,850	31,850
024	OUTFITTING	548,703	548,703
025	SHIP TO SHORE CONNECTOR	212,554	212,554
026	SERVICE CRAFT	23,994	23,994
029	COMPLETION OF PY SHIPBUILDING PROGRAMS	117,542	117,542
	TOTAL SHIPBUILDING AND CONVERSION, NAVY	**19,903,682**	**19,223,382**
	OTHER PROCUREMENT, NAVY		
	SHIP PROPULSION EQUIPMENT		
003	SURFACE POWER EQUIPMENT	41,910	41,910
004	HYBRID ELECTRIC DRIVE (HED)	6,331	6,331
	GENERATORS		
005	SURFACE COMBATANT HM&E	27,392	27,392
	NAVIGATION EQUIPMENT		
006	OTHER NAVIGATION EQUIPMENT	65,943	65,943
	PERISCOPES		
007	SUB PERISCOPES & IMAGING EQUIP		76,000
	Submarine Warfare Federated Tactial Systems		[76,000]
	OTHER SHIPBOARD EQUIPMENT		
008	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG	151,240	151,240
009	DDG MOD	603,355	702,355
	CEC IFF Mode 5 Acceleration		[4,000]
	Destroyer modernization		[65,000]
	SPY–1 refurbishment		[30,000]
010	FIREFIGHTING EQUIPMENT	15,887	15,887
011	COMMAND AND CONTROL SWITCHBOARD	2,240	2,240
012	LHA/LHD MIDLIFE	30,287	30,287
014	POLLUTION CONTROL EQUIPMENT	17,293	17,293
015	SUBMARINE SUPPORT EQUIPMENT	27,990	27,990
016	VIRGINIA CLASS SUPPORT EQUIPMENT	46,610	46,610
017	LCS CLASS SUPPORT EQUIPMENT	47,955	47,955
018	SUBMARINE BATTERIES	17,594	17,594
019	LPD CLASS SUPPORT EQUIPMENT	61,908	61,908
021	STRATEGIC PLATFORM SUPPORT EQUIP	15,812	15,812
022	DSSP EQUIPMENT	4,178	4,178
023	CG MODERNIZATION	306,050	306,050
024	LCAC	5,507	5,507
025	UNDERWATER EOD PROGRAMS	55,922	59,938
	Realign European Reassurance Initiative to Base		[4,016]
026	ITEMS LESS THAN $5 MILLION	96,909	96,909
027	CHEMICAL WARFARE DETECTORS	3,036	3,036
028	SUBMARINE LIFE SUPPORT SYSTEM	10,364	10,364
	REACTOR PLANT EQUIPMENT		
029	REACTOR POWER UNITS	324,925	324,925
030	REACTOR COMPONENTS	534,468	534,468
	OCEAN ENGINEERING		
031	DIVING AND SALVAGE EQUIPMENT	10,619	10,619
	SMALL BOATS		
032	STANDARD BOATS	46,094	46,094
	PRODUCTION FACILITIES EQUIPMENT		
034	OPERATING FORCES IPE	191,541	191,541
	OTHER SHIP SUPPORT		
036	LCS COMMON MISSION MODULES EQUIPMENT	34,666	68,666
	MCM-USV		[34,000]
037	LCS MCM MISSION MODULES	55,870	55,870
039	LCS SUW MISSION MODULES	52,960	52,960
040	LCS IN-SERVICE MODERNIZATION	74,426	158,426
	LCS Modernization		[84,000]
	LOGISTIC SUPPORT		
042	LSD MIDLIFE & MODERNIZATION	89,536	89,536
	SHIP SONARS		
043	SPQ–9B RADAR	30,086	30,086
044	AN/SQQ–89 SURF ASW COMBAT SYSTEM	102,222	102,222
046	SSN ACOUSTIC EQUIPMENT	287,553	331,053

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	Realign European Reassurance Initiative to Base		[43,500]
047	UNDERSEA WARFARE SUPPORT EQUIPMENT	13,653	13,653
	ASW ELECTRONIC EQUIPMENT		
049	SUBMARINE ACOUSTIC WARFARE SYSTEM	21,449	21,449
050	SSTD	12,867	12,867
051	FIXED SURVEILLANCE SYSTEM	300,102	300,102
052	SURTASS	30,180	40,180
	SURTASS Array		[10,000]
	ELECTRONIC WARFARE EQUIPMENT		
054	AN/SLQ–32	240,433	240,433
	RECONNAISSANCE EQUIPMENT		
055	SHIPBOARD IW EXPLOIT	187,007	227,007
	Ship Signal Exploitation Equipment		[40,000]
056	AUTOMATED IDENTIFICATION SYSTEM (AIS)	510	510
	OTHER SHIP ELECTRONIC EQUIPMENT		
058	COOPERATIVE ENGAGEMENT CAPABILITY	23,892	23,892
060	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	10,741	10,741
061	ATDLS	38,016	38,016
062	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	4,512	4,512
063	MINESWEEPING SYSTEM REPLACEMENT	31,531	31,531
064	SHALLOW WATER MCM	8,796	8,796
065	NAVSTAR GPS RECEIVERS (SPACE)	15,923	15,923
066	AMERICAN FORCES RADIO AND TV SERVICE	2,730	2,730
067	STRATEGIC PLATFORM SUPPORT EQUIP	6,889	6,889
	AVIATION ELECTRONIC EQUIPMENT		
070	ASHORE ATC EQUIPMENT	71,882	71,882
071	AFLOAT ATC EQUIPMENT	44,611	44,611
077	ID SYSTEMS	21,239	21,239
078	NAVAL MISSION PLANNING SYSTEMS	11,976	11,976
	OTHER SHORE ELECTRONIC EQUIPMENT		
080	TACTICAL/MOBILE C4I SYSTEMS	32,425	40,325
	Realign European Reassurance Initiative to Base		[7,900]
081	DCGS-N	13,790	15,690
	Realign European Reassurance Initiative to Base		[1,900]
082	CANES	322,754	322,754
083	RADIAC	10,718	10,718
084	CANES-INTELL	48,028	48,028
085	GPETE	6,861	6,861
086	MASF	8,081	8,081
087	INTEG COMBAT SYSTEM TEST FACILITY	5,019	5,019
088	EMI CONTROL INSTRUMENTATION	4,188	4,188
089	ITEMS LESS THAN $5 MILLION	105,292	105,292
	SHIPBOARD COMMUNICATIONS		
090	SHIPBOARD TACTICAL COMMUNICATIONS	23,695	23,695
091	SHIP COMMUNICATIONS AUTOMATION	103,990	103,990
092	COMMUNICATIONS ITEMS UNDER $5M	18,577	18,577
	SUBMARINE COMMUNICATIONS		
093	SUBMARINE BROADCAST SUPPORT	29,669	29,669
094	SUBMARINE COMMUNICATION EQUIPMENT	86,204	86,204
	SATELLITE COMMUNICATIONS		
095	SATELLITE COMMUNICATIONS SYSTEMS	14,654	14,654
096	NAVY MULTIBAND TERMINAL (NMT)	69,764	69,764
	SHORE COMMUNICATIONS		
097	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	4,256	4,256
	CRYPTOGRAPHIC EQUIPMENT		
099	INFO SYSTEMS SECURITY PROGRAM (ISSP)	89,663	89,663
100	MIO INTEL EXPLOITATION TEAM	961	961
	CRYPTOLOGIC EQUIPMENT		
101	CRYPTOLOGIC COMMUNICATIONS EQUIP	11,287	11,287
	OTHER ELECTRONIC SUPPORT		
110	COAST GUARD EQUIPMENT	36,584	36,584
	SONOBUOYS		
112	SONOBUOYS—ALL TYPES	173,616	198,516
	Sonobuoys		[24,900]
	AIRCRAFT SUPPORT EQUIPMENT		
113	WEAPONS RANGE SUPPORT EQUIPMENT	72,110	72,110
114	AIRCRAFT SUPPORT EQUIPMENT	108,482	115,982
	EMALS initial spares		[7,500]
115	ADVANCED ARRESTING GEAR (AAG)	10,900	10,900
116	METEOROLOGICAL EQUIPMENT	21,137	21,137
117	DCRS/DPL	660	660
118	AIRBORNE MINE COUNTERMEASURES	20,605	20,605
119	AVIATION SUPPORT EQUIPMENT	34,032	34,032
	SHIP GUN SYSTEM EQUIPMENT		
120	SHIP GUN SYSTEMS EQUIPMENT	5,277	5,277
	SHIP MISSILE SYSTEMS EQUIPMENT		
121	SHIP MISSILE SUPPORT EQUIPMENT	272,359	272,359
122	TOMAHAWK SUPPORT EQUIPMENT	73,184	73,184
	FBM SUPPORT EQUIPMENT		
123	STRATEGIC MISSILE SYSTEMS EQUIP	246,221	246,221
	ASW SUPPORT EQUIPMENT		
124	SSN COMBAT CONTROL SYSTEMS	129,972	129,972
125	ASW SUPPORT EQUIPMENT	23,209	23,209

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	OTHER ORDNANCE SUPPORT EQUIPMENT		
126	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	15,596	15,596
127	ITEMS LESS THAN $5 MILLION	5,981	5,981
	OTHER EXPENDABLE ORDNANCE		
128	SUBMARINE TRAINING DEVICE MODS	74,550	74,550
130	SURFACE TRAINING EQUIPMENT	83,022	83,022
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
131	PASSENGER CARRYING VEHICLES	5,299	5,299
132	GENERAL PURPOSE TRUCKS	2,946	3,052
	Realign European Reassurance Initiative to Base		[106]
133	CONSTRUCTION & MAINTENANCE EQUIP	34,970	34,970
134	FIRE FIGHTING EQUIPMENT	2,541	2,541
135	TACTICAL VEHICLES	19,699	19,699
136	AMPHIBIOUS EQUIPMENT	12,162	12,162
137	POLLUTION CONTROL EQUIPMENT	2,748	2,748
138	ITEMS UNDER $5 MILLION	18,084	18,084
139	PHYSICAL SECURITY VEHICLES	1,170	1,170
	SUPPLY SUPPORT EQUIPMENT		
141	SUPPLY EQUIPMENT	21,797	21,961
	Realign European Reassurance Initiative to Base		[164]
143	FIRST DESTINATION TRANSPORTATION	5,572	5,572
144	SPECIAL PURPOSE SUPPLY SYSTEMS	482,916	482,916
	TRAINING DEVICES		
146	TRAINING AND EDUCATION EQUIPMENT	25,624	25,624
	COMMAND SUPPORT EQUIPMENT		
147	COMMAND SUPPORT EQUIPMENT	59,076	59,076
149	MEDICAL SUPPORT EQUIPMENT	4,383	4,383
151	NAVAL MIP SUPPORT EQUIPMENT	2,030	2,030
152	OPERATING FORCES SUPPORT EQUIPMENT	7,500	7,500
153	C4ISR EQUIPMENT	4,010	4,010
154	ENVIRONMENTAL SUPPORT EQUIPMENT	23,644	24,644
	Realign European Reassurance Initiative to Base		[1,000]
155	PHYSICAL SECURITY EQUIPMENT	101,982	101,982
156	ENTERPRISE INFORMATION TECHNOLOGY	19,789	19,789
	OTHER		
160	NEXT GENERATION ENTERPRISE SERVICE	104,584	104,584
	CLASSIFIED PROGRAMS		
161A	CLASSIFIED PROGRAMS	23,707	23,707
	SPARES AND REPAIR PARTS		
161	SPARES AND REPAIR PARTS	278,565	290,565
	E–2D AHE		[12,000]
	TOTAL OTHER PROCUREMENT, NAVY	**8,277,789**	**8,723,775**
	PROCUREMENT, MARINE CORPS		
	TRACKED COMBAT VEHICLES		
001	AAV7A1 PIP	107,665	107,665
002	AMPHIBIOUS COMBAT VEHICLE 1.1	161,511	161,511
003	LAV PIP	17,244	17,244
	ARTILLERY AND OTHER WEAPONS		
004	EXPEDITIONARY FIRE SUPPORT SYSTEM	626	626
005	155MM LIGHTWEIGHT TOWED HOWITZER	20,259	20,259
006	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	59,943	59,943
007	WEAPONS AND COMBAT VEHICLES UNDER $5 MILLION	19,616	19,616
	OTHER SUPPORT		
008	MODIFICATION KITS	17,778	17,778
	GUIDED MISSILES		
010	GROUND BASED AIR DEFENSE	9,432	9,432
011	JAVELIN	41,159	41,159
012	FOLLOW ON TO SMAW	25,125	25,125
013	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	51,553	51,553
	COMMAND AND CONTROL SYSTEMS		
016	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C	44,928	44,928
	REPAIR AND TEST EQUIPMENT		
017	REPAIR AND TEST EQUIPMENT	33,056	33,056
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
020	ITEMS UNDER $5 MILLION (COMM & ELEC)	17,644	17,644
021	AIR OPERATIONS C2 SYSTEMS	18,393	18,393
	RADAR + EQUIPMENT (NON-TEL)		
022	RADAR SYSTEMS	12,411	12,411
023	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	139,167	139,167
024	RQ–21 UAS	77,841	77,841
	INTELL/COMM EQUIPMENT (NON-TEL)		
025	GCSS-MC	1,990	1,990
026	FIRE SUPPORT SYSTEM	22,260	22,260
027	INTELLIGENCE SUPPORT EQUIPMENT	55,759	55,759
029	UNMANNED AIR SYSTEMS (INTEL)	10,154	10,154
030	DCGS-MC	13,462	13,462
031	UAS PAYLOADS	14,193	14,193
	OTHER SUPPORT (NON-TEL)		
035	NEXT GENERATION ENTERPRISE NETWORK (NGEN)	98,511	98,511
036	COMMON COMPUTER RESOURCES	66,894	66,894
037	COMMAND POST SYSTEMS	186,912	186,912
038	RADIO SYSTEMS	34,361	34,361

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
039	COMM SWITCHING & CONTROL SYSTEMS	54,615	54,615
040	COMM & ELEC INFRASTRUCTURE SUPPORT	44,455	44,455
	CLASSIFIED PROGRAMS		
040A	CLASSIFIED PROGRAMS	4,214	4,214
	ADMINISTRATIVE VEHICLES		
042	COMMERCIAL CARGO VEHICLES	66,951	66,951
	TACTICAL VEHICLES		
043	MOTOR TRANSPORT MODIFICATIONS	21,824	21,824
044	JOINT LIGHT TACTICAL VEHICLE	233,639	233,639
045	FAMILY OF TACTICAL TRAILERS	1,938	1,938
046	TRAILERS	10,282	10,282
	ENGINEER AND OTHER EQUIPMENT		
048	ENVIRONMENTAL CONTROL EQUIP ASSORT	1,405	1,405
050	TACTICAL FUEL SYSTEMS	1,788	1,788
051	POWER EQUIPMENT ASSORTED	9,910	9,910
052	AMPHIBIOUS SUPPORT EQUIPMENT	5,830	5,830
053	EOD SYSTEMS	27,240	27,240
	MATERIALS HANDLING EQUIPMENT		
054	PHYSICAL SECURITY EQUIPMENT	53,477	53,477
	GENERAL PROPERTY		
056	TRAINING DEVICES	76,185	85,064
	Unfunded requirement		[8,879]
058	FAMILY OF CONSTRUCTION EQUIPMENT	26,286	26,286
059	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV)	1,583	1,583
	OTHER SUPPORT		
060	ITEMS LESS THAN $5 MILLION	7,716	7,716
	SPARES AND REPAIR PARTS		
062	SPARES AND REPAIR PARTS	35,640	35,640
	TOTAL PROCUREMENT, MARINE CORPS	**2,064,825**	**2,073,704**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	TACTICAL FORCES		
001	F–35	4,544,684	5,804,684
	Additional Tooling in Support of Unfunded Priority		[60,000]
	Unfunded requirement		[1,200,000]
002	ADVANCE PROCUREMENT (CY)	780,300	780,300
	TACTICAL AIRLIFT		
003	KC–46A TANKER	2,545,674	2,945,674
	KC–46A		[400,000]
	OTHER AIRLIFT		
004	C–130J	57,708	57,708
006	HC–130J	198,502	298,502
	HC–130J		[100,000]
008	MC–130J	379,373	979,373
	MC–130J		[600,000]
009	ADVANCE PROCUREMENT (CY)	30,000	30,000
	MISSION SUPPORT AIRCRAFT		
012	CIVIL AIR PATROL A/C	2,695	2,695
	OTHER AIRCRAFT		
014	TARGET DRONES	109,841	109,841
017	MQ–9	117,141	117,141
	STRATEGIC AIRCRAFT		
018	B–2A	96,727	105,727
	B–2 Rotary Launcher assembly		[9,000]
019	B–1B	155,634	121,634
	Duplicate funding of F101 engine kits		[–34,000]
020	B–52	109,295	109,295
021	LARGE AIRCRAFT INFRARED COUNTERMEASURES	4,046	122,991
	C–130 LAIRCM		[18,900]
	C–17 LAIRCM		[76,145]
	C–5 LAIRCM		[23,900]
	TACTICAL AIRCRAFT		
022	A–10	6,010	109,010
	Unfunded Requirement		[103,000]
023	F–15	417,193	417,193
024	F–16	203,864	203,864
025	F–22A	161,630	161,630
026	ADVANCE PROCUREMENT (CY)	15,000	15,000
027	F–35 MODIFICATIONS	68,270	68,270
028	INCREMENT 3.2B	105,756	105,756
030	KC–46A TANKER	6,213	6,213
	AIRLIFT AIRCRAFT		
031	C–5	36,592	36,592
032	C–5M	6,817	6,817
033	C–17A	125,522	125,522
034	C–21	13,253	13,253
035	C–32A	79,449	79,449
036	C–37A	15,423	15,423
037	C–130J	10,727	10,727
	TRAINER AIRCRAFT		
038	GLIDER MODS	136	136
039	T–6	35,706	35,706
040	T–1	21,477	21,477

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
041	T–38	51,641	51,641
	OTHER AIRCRAFT		
042	U–2 MODS	36,406	36,406
043	KC–10A (ATCA)	4,243	4,243
044	C–12	5,846	70,846
	MC–12W upgrades for Air National Guard		[65,000]
045	VC–25A MOD	52,107	52,107
046	C–40	31,119	31,119
047	C–130	66,310	213,310
	C–130H Inflight rebalance system		[18,000]
	C–130H NP2000 Prop		[55,000]
	C–130H T56 3.5		[74,000]
048	C–130J MODS	171,230	171,230
049	C–135	69,428	69,428
050	OC–135B	23,091	23,091
051	COMPASS CALL MODS	166,541	166,541
052	COMBAT FLIGHT INSPECTION (CFIN)	495	495
053	RC–135	201,559	201,559
054	E–3	189,772	189,772
055	E–4	30,493	30,493
056	E–8	13,232	13,232
057	AIRBORNE WARNING AND CONTROL SYSTEM	164,786	164,786
058	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	24,716	24,716
059	H–1	3,730	3,730
060	H–60	75,989	92,089
	Unfunded requirement		[16,100]
061	RQ–4 MODS	43,968	62,268
	HA-ISR Payload Adapters		[18,300]
062	HC/MC–130 MODIFICATIONS	67,674	67,674
063	OTHER AIRCRAFT	59,068	59,068
065	MQ–9 MODS	264,740	269,940
	FY17 10th Pod Set Procurement Shortfall		[5,200]
066	CV–22 MODS	60,990	60,990
	AIRCRAFT SPARES AND REPAIR PARTS		
067	INITIAL SPARES/REPAIR PARTS	1,041,569	1,121,169
	Additional F–35 Initial Spares		[79,600]
	COMMON SUPPORT EQUIPMENT		
068	AIRCRAFT REPLACEMENT SUPPORT EQUIP	75,846	101,263
	Realign European Reassurance Initiative to Base		[25,417]
069	OTHER PRODUCTION CHARGES	8,524	8,524
071	T–53A TRAINER	501	501
	POST PRODUCTION SUPPORT		
072	B–2A	447	447
073	B–2A	38,509	38,509
074	B–52	199	199
075	C–17A	12,028	12,028
078	RC–135	29,700	29,700
079	F–15	20,000	20,000
080	F–15	2,524	2,524
081	F–16	18,051	5,651
	Program reduction		[–12,400]
082	F–22A	119,566	119,566
083	OTHER AIRCRAFT	85,000	85,000
085	RQ–4 POST PRODUCTION CHARGES	86,695	86,695
086	CV–22 MODS	4,500	4,500
	INDUSTRIAL PREPAREDNESS		
087	INDUSTRIAL RESPONSIVENESS	14,739	30,739
	Program increase		[16,000]
088	C–130J	102,000	102,000
	WAR CONSUMABLES		
089	WAR CONSUMABLES	37,647	37,647
	OTHER PRODUCTION CHARGES		
090	OTHER PRODUCTION CHARGES	1,339,160	1,339,160
092	OTHER AIRCRAFT	600	600
	CLASSIFIED PROGRAMS		
092A	CLASSIFIED PROGRAMS	53,212	53,212
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**15,430,849**	**18,348,011**
	MISSILE PROCUREMENT, AIR FORCE		
	MISSILE REPLACEMENT EQUIPMENT—BALLISTIC		
001	MISSILE REPLACEMENT EQ-BALLISTIC	99,098	99,098
	TACTICAL		
002	JOINT AIR-SURFACE STANDOFF MISSILE	441,367	441,367
003	LRASM0	44,728	61,728
	LRASM		[17,000]
004	SIDEWINDER (AIM–9X)	125,350	125,350
005	AMRAAM	304,327	304,327
006	PREDATOR HELLFIRE MISSILE	34,867	34,867
007	SMALL DIAMETER BOMB	266,030	266,030
	INDUSTRIAL FACILITIES		
008	INDUSTR'L PREPAREDNS/POL PREVENTION	926	926
	CLASS IV		
009	ICBM FUZE MOD	6,334	6,334

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
010	MM III MODIFICATIONS	80,109	80,109
011	AGM–65D MAVERICK	289	289
013	AIR LAUNCH CRUISE MISSILE (ALCM)	36,425	36,425
014	SMALL DIAMETER BOMB	14,086	14,086
	MISSILE SPARES AND REPAIR PARTS		
015	INITIAL SPARES/REPAIR PARTS	101,153	101,153
	SPECIAL PROGRAMS		
020	SPECIAL UPDATE PROGRAMS	32,917	32,917
	CLASSIFIED PROGRAMS		
020A	CLASSIFIED PROGRAMS	708,176	708,176
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**2,296,182**	**2,313,182**
	SPACE PROCUREMENT, AIR FORCE		
	SPACE PROGRAMS		
001	ADVANCED EHF	56,974	56,974
002	AF SATELLITE COMM SYSTEM	57,516	57,516
003	COUNTERSPACE SYSTEMS	28,798	28,798
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS	146,972	146,972
005	WIDEBAND GAPFILLER SATELLITES(SPACE)	80,849	180,849
	Long-lead procurement for protecting supply chain and schedule for WGS communications		[100,000]
006	GPS III SPACE SEGMENT	85,894	85,894
007	GLOBAL POSTIONING (SPACE)	2,198	2,198
008	SPACEBORNE EQUIP (COMSEC)	25,048	25,048
010	MILSATCOM	33,033	33,033
011	EVOLVED EXPENDABLE LAUNCH CAPABILITY	957,420	957,420
012	EVOLVED EXPENDABLE LAUNCH VEH(SPACE)	606,488	606,488
013	SBIR HIGH (SPACE)	981,009	1,057,359
	AF UPL—fully fund emerging cyber security requirement		[44,900]
	AF UPL—procure commercially available antenna		[15,450]
	AF UPL upgrades ground antenna		[16,000]
014	ADVANCE PROCUREMENT (CY)	132,420	132,420
015	NUDET DETECTION SYSTEM	6,370	6,370
016	SPACE MODS	37,203	37,203
017	SPACELIFT RANGE SYSTEM SPACE	113,874	113,874
	SSPARES		
018	INITIAL SPARES/REPAIR PARTS	18,709	18,709
	TOTAL SPACE PROCUREMENT, AIR FORCE	**3,370,775**	**3,547,125**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	147,454	147,454
	CARTRIDGES		
002	CARTRIDGES	161,744	161,744
	BOMBS		
003	PRACTICE BOMBS	28,509	28,509
004	GENERAL PURPOSE BOMBS	329,501	329,501
005	MASSIVE ORDNANCE PENETRATOR (MOP)	38,382	38,382
006	JOINT DIRECT ATTACK MUNITION	319,525	319,525
007	B61	77,068	77,068
008	ADVANCE PROCUREMENT (CY)	11,239	11,239
	OTHER ITEMS		
009	CAD/PAD	53,469	53,469
010	EXPLOSIVE ORDNANCE DISPOSAL (EOD)	5,921	5,921
011	SPARES AND REPAIR PARTS	678	678
012	MODIFICATIONS	1,409	1,409
013	ITEMS LESS THAN $5 MILLION	5,047	5,047
	FLARES		
015	FLARES	143,983	143,983
	FUZES		
016	FUZES	24,062	24,062
	SMALL ARMS		
017	SMALL ARMS	28,611	28,611
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**1,376,602**	**1,376,602**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	15,651	17,001
	Realign European Reassurance Initiative to Base		[1,350]
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE	54,607	54,607
003	CAP VEHICLES	1,011	1,011
004	CARGO AND UTILITY VEHICLES	28,670	28,670
	SPECIAL PURPOSE VEHICLES		
005	SECURITY AND TACTICAL VEHICLES	59,398	59,398
006	SPECIAL PURPOSE VEHICLES	19,784	51,605
	Realign European Reassurance Initiative to Base		[31,821]
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	14,768	37,351
	Realign European Reassurance Initiative to Base		[22,583]
	MATERIALS HANDLING EQUIPMENT		
008	MATERIALS HANDLING VEHICLES	13,561	17,587
	Realign European Reassurance Initiative to Base		[4,026]
	BASE MAINTENANCE SUPPORT		

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
009	RUNWAY SNOW REMOV & CLEANING EQUIP	3,429	12,590
	Realign European Reassurance Initiative to Base		[9,161]
010	BASE MAINTENANCE SUPPORT VEHICLES	60,075	99,767
	Realign European Reassurance Initiative to Base		[39,692]
	COMM SECURITY EQUIPMENT(COMSEC)		
011	COMSEC EQUIPMENT	115,000	123,000
	Unfunded requirement		[8,000]
	INTELLIGENCE PROGRAMS		
013	INTERNATIONAL INTEL TECH & ARCHITECTURES	22,335	22,335
014	INTELLIGENCE TRAINING EQUIPMENT	5,892	5,892
015	INTELLIGENCE COMM EQUIPMENT	34,072	34,072
	ELECTRONICS PROGRAMS		
016	AIR TRAFFIC CONTROL & LANDING SYS	66,143	66,143
017	NATIONAL AIRSPACE SYSTEM	12,641	12,641
018	BATTLE CONTROL SYSTEM—FIXED	6,415	6,415
019	THEATER AIR CONTROL SYS IMPROVEMENTS	23,233	23,233
020	WEATHER OBSERVATION FORECAST	40,116	40,116
021	STRATEGIC COMMAND AND CONTROL	72,810	72,810
022	CHEYENNE MOUNTAIN COMPLEX	9,864	9,864
023	MISSION PLANNING SYSTEMS	15,486	15,486
025	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN)	9,187	9,187
	SPCL COMM-ELECTRONICS PROJECTS		
026	GENERAL INFORMATION TECHNOLOGY	51,826	51,826
027	AF GLOBAL COMMAND & CONTROL SYS	3,634	3,634
028	MOBILITY COMMAND AND CONTROL	10,083	10,083
029	AIR FORCE PHYSICAL SECURITY SYSTEM	201,866	201,866
030	COMBAT TRAINING RANGES	115,198	115,198
031	MINIMUM ESSENTIAL EMERGENCY COMM N	292	292
032	WIDE AREA SURVEILLANCE (WAS)	62,087	62,087
033	C3 COUNTERMEASURES	37,764	37,764
034	GCSS-AF FOS	2,826	2,826
035	DEFENSE ENTERPRISE ACCOUNTING AND MGMT SYSTEM	1,514	1,514
036	THEATER BATTLE MGT C2 SYSTEM	9,646	9,646
037	AIR & SPACE OPERATIONS CTR-WPN SYS	25,533	25,533
	AIR FORCE COMMUNICATIONS		
040	BASE INFORMATION TRANSPT INFRAST (BITI) WIRED	28,159	28,159
041	AFNET	160,820	186,820
	Unfunded requirement		[26,000]
042	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE)	5,135	5,135
043	USCENTCOM	18,719	18,719
	ORGANIZATION AND BASE		
044	TACTICAL C-E EQUIPMENT	123,206	123,206
045	COMBAT SURVIVOR EVADER LOCATER	3,004	3,004
046	RADIO EQUIPMENT	15,736	15,736
047	CCTV/AUDIOVISUAL EQUIPMENT	5,480	5,480
048	BASE COMM INFRASTRUCTURE	130,539	185,539
	Realign European Reassurance Initiative to Base		[55,000]
	MODIFICATIONS		
049	COMM ELECT MODS	70,798	70,798
	PERSONAL SAFETY & RESCUE EQUIP		
051	ITEMS LESS THAN $5 MILLION	52,964	53,464
	Unfunded requirement—Instructor Training Parachutes		[500]
	DEPOT PLANT+MTRLS HANDLING EQ		
052	MECHANIZED MATERIAL HANDLING EQUIP	10,381	10,381
	BASE SUPPORT EQUIPMENT		
053	BASE PROCURED EQUIPMENT	15,038	27,538
	Program increase—Civil Engineers Construction, Surveying, and Mapping Equipment		[5,000]
	Realign European Reassurance Initiative to Base		[7,500]
054	ENGINEERING AND EOD EQUIPMENT	26,287	26,287
055	MOBILITY EQUIPMENT	8,470	8,470
056	ITEMS LESS THAN $5 MILLION	28,768	132,783
	Realign European Reassurance Initiative to Base		[104,015]
	SPECIAL SUPPORT PROJECTS		
058	DARP RC135	25,985	25,985
059	DCGS-AF	178,423	178,423
061	SPECIAL UPDATE PROGRAM	840,980	840,980
	CLASSIFIED PROGRAMS		
062A	CLASSIFIED PROGRAMS	16,601,513	16,601,513
	SPARES AND REPAIR PARTS		
064	SPARES AND REPAIR PARTS	26,675	26,675
	TOTAL OTHER PROCUREMENT, AIR FORCE	**19,603,497**	**19,918,145**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, OSD		
042	MAJOR EQUIPMENT, OSD	36,999	36,999
	MAJOR EQUIPMENT, NSA		
041	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	5,938	5,938
	MAJOR EQUIPMENT, WHS		
045	MAJOR EQUIPMENT, WHS	10,529	10,529
	MAJOR EQUIPMENT, DISA		
007	INFORMATION SYSTEMS SECURITY	24,805	24,805
008	TELEPORT PROGRAM	46,638	46,638
009	ITEMS LESS THAN $5 MILLION	15,541	15,541

SEC. 4101. PROCUREMENT
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
010	NET CENTRIC ENTERPRISE SERVICES (NCES)	1,161	1,161
011	DEFENSE INFORMATION SYSTEM NETWORK	126,345	126,345
012	CYBER SECURITY INITIATIVE	1,817	1,817
013	WHITE HOUSE COMMUNICATION AGENCY	45,243	45,243
014	SENIOR LEADERSHIP ENTERPRISE	294,139	294,139
016	JOINT REGIONAL SECURITY STACKS (JRSS)	188,483	188,483
017	JOINT SERVICE PROVIDER	100,783	100,783
	MAJOR EQUIPMENT, DLA		
019	MAJOR EQUIPMENT	2,951	2,951
	MAJOR EQUIPMENT, DSS		
023	MAJOR EQUIPMENT	1,073	1,073
	MAJOR EQUIPMENT, DCAA		
001	ITEMS LESS THAN $5 MILLION	1,475	1,475
	MAJOR EQUIPMENT, TJS		
043	MAJOR EQUIPMENT, TJS	9,341	9,341
044	MAJOR EQUIPMENT, TJS—CE2T2	903	903
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
027	THAAD	451,592	770,992
	Procure additional THAAD interceptors		[319,400]
028	AEGIS BMD	425,018	583,018
	Additional SM–3 Block 1B		[158,000]
029	ADVANCE PROCUREMENT (CY)	38,738	38,738
030	BMDS AN/TPY–2 RADARS	947	947
033	AEGIS ASHORE PHASE III	59,739	59,739
034	IRON DOME	42,000	42,000
035	AEGIS BMD HARDWARE AND SOFTWARE	160,330	160,330
	MAJOR EQUIPMENT, DHRA		
003	PERSONNEL ADMINISTRATION	14,588	14,588
	MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY		
025	VEHICLES	204	204
026	OTHER MAJOR EQUIPMENT	12,363	12,363
	MAJOR EQUIPMENT, DODEA		
021	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,910	1,910
	MAJOR EQUIPMENT, DCMA		
002	MAJOR EQUIPMENT	4,347	4,347
	MAJOR EQUIPMENT, DMACT		
020	MAJOR EQUIPMENT	13,464	13,464
	CLASSIFIED PROGRAMS		
045A	CLASSIFIED PROGRAMS	657,759	657,759
	AVIATION PROGRAMS		
049	ROTARY WING UPGRADES AND SUSTAINMENT	158,988	151,488
	Per SOCOM requested realignment		[–7,500]
050	UNMANNED ISR	13,295	13,295
051	NON-STANDARD AVIATION	4,892	4,892
052	U–28	5,769	5,769
053	MH–47 CHINOOK	87,345	87,345
055	CV–22 MODIFICATION	42,178	42,178
057	MQ–9 UNMANNED AERIAL VEHICLE	21,660	21,660
059	PRECISION STRIKE PACKAGE	229,728	229,728
060	AC/MC–130J	179,934	179,934
061	C–130 MODIFICATIONS	28,059	28,059
	SHIPBUILDING		
062	UNDERWATER SYSTEMS	92,606	79,806
	Per SOCOM requested realignment		[–12,800]
	AMMUNITION PROGRAMS		
063	ORDNANCE ITEMS <$5M	112,331	112,331
	OTHER PROCUREMENT PROGRAMS		
064	INTELLIGENCE SYSTEMS	82,538	82,538
065	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	11,042	11,042
066	OTHER ITEMS <$5M	54,592	54,592
067	COMBATANT CRAFT SYSTEMS	23,272	23,272
068	SPECIAL PROGRAMS	16,053	16,053
069	TACTICAL VEHICLES	63,304	63,304
070	WARRIOR SYSTEMS <$5M	252,070	252,070
071	COMBAT MISSION REQUIREMENTS	19,570	19,570
072	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	3,589	3,589
073	OPERATIONAL ENHANCEMENTS INTELLIGENCE	17,953	17,953
075	OPERATIONAL ENHANCEMENTS	241,429	241,429
	CBDP		
076	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS	135,031	135,031
077	CB PROTECTION & HAZARD MITIGATION	141,027	141,027
	TOTAL PROCUREMENT, DEFENSE-WIDE	**4,835,418**	**5,292,518**
	JOINT URGENT OPERATIONAL NEEDS FUND		
	JOINT URGENT OPERATIONAL NEEDS FUND		
001	JOINT URGENT OPERATIONAL NEEDS FUND	99,795	0
	Program reduction		[–99,795]
	TOTAL JOINT URGENT OPERATIONAL NEEDS FUND	**99,795**	**0**
	TOTAL PROCUREMENT	**113,983,713**	**127,861,301**

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	AIRCRAFT PROCUREMENT, ARMY		
	FIXED WING		
004	MQ–1 UAV	87,300	87,300
	ROTARY		
006	AH–64 APACHE BLOCK IIIA REMAN	39,040	78,040
	Unfunded requirement		[39,000]
	MODIFICATION OF AIRCRAFT		
015	MQ–1 PAYLOAD (MIP)	41,400	33,400
	Realign European Reassurance Initiative to Base		[–8,000]
018	MULTI SENSOR ABN RECON (MIP)	33,475	4,000
	Realign European Reassurance Initiative to Base		[–29,475]
023	EMARSS SEMA MODS (MIP)	36,000	36,000
025	UTILITY HELICOPTER MODS		34,809
	Unfunded requirement		[34,809]
027	COMMS, NAV SURVEILLANCE	4,289	4,289
	GROUND SUPPORT AVIONICS		
033	CMWS	139,742	201,542
	Unfunded requirement—B kits		[61,800]
034	COMMON INFRARED COUNTERMEASURES (CIRCM)	43,440	43,440
	OTHER SUPPORT		
037	AIRCREW INTEGRATED SYSTEMS		12,100
	Unfunded requirement		[12,100]
	TOTAL AIRCRAFT PROCUREMENT, ARMY	**424,686**	**534,920**
	MISSILE PROCUREMENT, ARMY		
	SURFACE-TO-AIR MISSILE SYSTEM		
002	MSE MISSILE		633,570
	Meet inventory requirements for COCOMS		[633,570]
	AIR-TO-SURFACE MISSILE SYSTEM		
005	HELLFIRE SYS SUMMARY	278,073	288,073
	Unfunded requirement		[10,000]
	ANTI-TANK/ASSAULT MISSILE SYS		
008	JAVELIN (AAWS-M) SYSTEM SUMMARY	8,112	147,300
	Realign European Reassurance Initiative to Base		[–8,112]
	Unfunded requirement		[147,300]
009	TOW 2 SYSTEM SUMMARY	3,907	0
	Realign European Reassurance Initiative to Base		[–3,907]
011	GUIDED MLRS ROCKET (GMLRS)	191,522	204,522
	Unfunded requirement		[13,000]
012	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)		6,330
	Unfunded requirement		[6,330]
013	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS	41,000	0
	Realign European Reassurance Initiative to Base		[–41,000]
014	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS	8,669	55,269
	Unfunded requirement		[46,600]
	MODIFICATIONS		
016	ATACMS MODS		69,400
	Unfunded requirement		[69,400]
018	STINGER MODS	28,000	0
	Realign European Reassurance Initiative to Base		[–28,000]
	TOTAL MISSILE PROCUREMENT, ARMY	**559,283**	**1,404,464**
	PROCUREMENT OF W&TCV, ARMY		
	TRACKED COMBAT VEHICLES		
001	BRADLEY PROGRAM	200,000	0
	Realign European Reassurance Initiative to Base		[–200,000]
002	ARMORED MULTI PURPOSE VEHICLE (AMPV)	253,903	0
	Realign European Reassurance Initiative to Base		[–253,903]
	MODIFICATION OF TRACKED COMBAT VEHICLES		
004	STRYKER (MOD)		177,000
	Unfunded requirement – lethality upgrades		[177,000]
006	BRADLEY PROGRAM (MOD)	30,000	0
	Realign European Reassurance Initiative to Base		[–30,000]
008	PALADIN INTEGRATED MANAGEMENT (PIM)	125,736	0
	Realign European Reassurance Initiative to Base		[–125,736]
014	M1 ABRAMS TANK (MOD)	138,700	0
	Realign European Reassurance Initiative to Base		[–138,700]
015	ABRAMS UPGRADE PROGRAM	442,800	0
	Realign European Reassurance Initiative to Base		[–442,800]
	TOTAL PROCUREMENT OF W&TCV, ARMY	**1,191,139**	**177,000**
	PROCUREMENT OF AMMUNITION, ARMY		
	SMALL/MEDIUM CAL AMMUNITION		
001	CTG, 5.56MM, ALL TYPES		7,100
	Unfunded requirement		[7,100]
002	CTG, 7.62MM, ALL TYPES		14,900
	Unfunded requirement		[14,900]
003	CTG, HANDGUN, ALL TYPES	5	90
	Realign European Reassurance Initiative to Base		[–5]
	Unfunded requirement		[90]

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
004	CTG, .50 CAL, ALL TYPES	121	8,890
	Realign European Reassurance Initiative to Base		[–121]
	Unfunded requirement		[8,890]
005	CTG, 20MM, ALL TYPES	1,605	1,605
006	CTG, 25MM, ALL TYPES		31,862
	Unfunded requirement		[31,862]
007	CTG, 30MM, ALL TYPES	35,000	12,150
	Realign European Reassurance Initiative to Base		[–25,000]
	Unfunded requirement		[2,150]
008	CTG, 40MM, ALL TYPES		17,191
	Unfunded requirement		[17,191]
	MORTAR AMMUNITION		
009	60MM MORTAR, ALL TYPES		2,500
	Unfunded requirement		[2,500]
010	81MM MORTAR, ALL TYPES		3,109
	Unfunded requirement		[3,109]
011	120MM MORTAR, ALL TYPES		18,192
	Unfunded requirement		[18,192]
	TANK AMMUNITION		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES		40,300
	Unfunded requirement		[40,300]
	ARTILLERY AMMUNITION		
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES		159,181
	Unfunded requirement		[159,181]
015	PROJ 155MM EXTENDED RANGE M982	23,234	4,189
	Realign European Reassurance Initiative to Base		[–19,045]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL	20,023	84,067
	Realign European Reassurance Initiative to Base		[–16,678]
	Unfunded requirement		[80,722]
	MINES		
017	MINES & CLEARING CHARGES, ALL TYPES	11,615	3,000
	Realign European Reassurance Initiative to Base		[–11,615]
	Unfunded requirement		[3,000]
	ROCKETS		
019	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	25,000	86,881
	Unfunded requirement		[61,881]
020	ROCKET, HYDRA 70, ALL TYPES	75,820	163,820
	Unfunded requirement		[20,000]
	Unfunded requirement—APKWS and M282 warheads		[68,000]
	OTHER AMMUNITION		
022	DEMOLITION MUNITIONS, ALL TYPES		2,261
	Unfunded requirement		[2,261]
023	GRENADES, ALL TYPES		25,361
	Unfunded requirement		[25,361]
024	SIGNALS, ALL TYPES	1,013	1,842
	Unfunded requirement		[829]
025	SIMULATORS, ALL TYPES		450
	Unfunded requirement		[450]
	MISCELLANEOUS		
027	NON-LETHAL AMMUNITION, ALL TYPES		150
	Unfunded requirement		[150]
028	ITEMS LESS THAN $5 MILLION (AMMO)		3,665
	Unfunded requirement		[3,665]
	PRODUCTION BASE SUPPORT		
033	CONVENTIONAL MUNITIONS DEMILITARIZATION		53,000
	Unfunded requirement		[53,000]
	TOTAL PROCUREMENT OF AMMUNITION, ARMY	**193,436**	**745,756**
	OTHER PROCUREMENT, ARMY		
	TACTICAL VEHICLES		
010	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	25,874	0
	Realign European Reassurance Initiative to Base		[–25,874]
012	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	38,628	0
	Realign European Reassurance Initiative to Base		[–38,628]
014	MODIFICATION OF IN SVC EQUIP	64,647	135,900
	Realign European Reassurance Initiative to Base		[–2,599]
	Unfunded requirement—route clearance and mine protected vehicles		[73,852]
015	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS	17,508	17,508
	COMM—JOINT COMMUNICATIONS		
020	SIGNAL MODERNIZATION PROGRAM	4,900	4,900
	COMM—COMBAT COMMUNICATIONS		
041	TRACTOR RIDE	1,000	1,000
	COMM—BASE COMMUNICATIONS		
062	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	2,500	0
	Realign European Reassurance Initiative to Base		[–2,500]
	ELECT EQUIP—TACT INT REL ACT (TIARA)		
068	DCGS-A (MIP)	39,515	52,515
	Unfunded requirement		[13,000]
070	TROJAN (MIP)	21,310	15,310
	Realign European Reassurance Initiative to Base		[–6,000]
071	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	2,300	2,300
072	CI HUMINT AUTO REPRTING AND COLL(CHARCS)	14,460	14,460
075	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP)	5,180	5,180

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	ELECT EQUIP—ELECTRONIC WARFARE (EW)		
079	CREW		17,500
	Unfunded requirement—EOD DR SKOs		[17,500]
080	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE	16,935	21,935
	Unfunded requirement		[5,000]
081	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES	18,874	12,974
	Realign European Reassurance Initiative to Base		[–5,900]
	ELECT EQUIP—TACTICAL SURV. (TAC SURV)		
084	NIGHT VISION DEVICES	377	377
085	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	60	2,210
	Unfunded requirement		[2,150]
086	BASE EXPEDITIARY TARGETING AND SURV SYS		29,462
	Unfunded requirement		[29,462]
087	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS	57,500	200,110
	Unfunded requirement—Air and Missile Defense (SHORAD)		[142,610]
091	JOINT BATTLE COMMAND—PLATFORM (JBC-P)		–2,300
	Realign European Reassurance Initiative to Base		[–2,300]
093	MOD OF IN-SVC EQUIP (LLDR)	3,974	0
	Realign European Reassurance Initiative to Base		[–3,974]
095	MORTAR FIRE CONTROL SYSTEM	2,947	2,872
	Realign European Reassurance Initiative to Base		[–75]
	ELECT EQUIP—TACTICAL C2 SYSTEMS		
098	AIR & MSL DEFENSE PLANNING & CONTROL SYS	9,100	0
	Realign European Reassurance Initiative to Base		[–9,100]
	CHEMICAL DEFENSIVE EQUIPMENT		
119	BASE DEFENSE SYSTEMS (BDS)	3,726	3,726
	ENGINEER (NON-CONSTRUCTION) EQUIPMENT		
126	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS)		10,800
	Unfunded requirement		[10,800]
128	HUSKY MOUNTED DETECTION SYSTEM (HMDS)		2,400
	Unfunded requirement		[2,400]
	COMBAT SERVICE SUPPORT EQUIPMENT		
136	HEATERS AND ECU'S	270	270
142	FIELD FEEDING EQUIPMENT	145	145
143	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM	1,980	1,980
	MEDICAL EQUIPMENT		
148	COMBAT SUPPORT MEDICAL	25,690	4,568
	Realign European Reassurance Initiative to Base		[–21,122]
	MAINTENANCE EQUIPMENT		
149	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	1,124	0
	Realign European Reassurance Initiative to Base		[–1,124]
	CONSTRUCTION EQUIPMENT		
153	HYDRAULIC EXCAVATOR	3,850	3,850
157	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE)	1,932	1,932
	GENERATORS		
164	GENERATORS AND ASSOCIATED EQUIP	569	569
	TRAINING EQUIPMENT		
168	TRAINING DEVICES, NONSYSTEM	2,700	0
	Realign European Reassurance Initiative to Base		[–2,700]
	TEST MEASURE AND DIG EQUIPMENT (TMD)		
173	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	7,500	0
	Realign European Reassurance Initiative to Base		[–7,500]
	OTHER SUPPORT EQUIPMENT		
176	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	8,500	13,500
	Unfunded requirement		[5,000]
	TOTAL OTHER PROCUREMENT, ARMY	**405,575**	**577,953**
	JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND		
	NETWORK ATTACK		
001	RAPID ACQUISITION AND THREAT RESPONSE	483,058	483,058
	TOTAL JOINT IMPROVISED-THREAT DEFEAT FUND	**483,058**	**483,058**
	AIRCRAFT PROCUREMENT, NAVY		
	OTHER AIRCRAFT		
027	STUASL0 UAV	3,900	3,900
	MODIFICATION OF AIRCRAFT		
033	F–18 SERIES		16,000
	Unfunded requirement -ALR–67(V)3 Retrofit A and B Kits		[16,000]
034	H–53 SERIES	950	950
035	SH–60 SERIES	15,382	15,382
037	EP–3 SERIES	7,220	7,220
047	SPECIAL PROJECT AIRCRAFT	19,855	19,855
051	COMMON ECM EQUIPMENT	75,530	75,530
062	QRC	15,150	15,150
	AIRCRAFT SPARES AND REPAIR PARTS		
064	SPARES AND REPAIR PARTS	18,850	18,850
	AIRCRAFT SUPPORT EQUIP & FACILITIES		
066	AIRCRAFT INDUSTRIAL FACILITIES	463	463
	TOTAL AIRCRAFT PROCUREMENT, NAVY	**157,300**	**173,300**
	WEAPONS PROCUREMENT, NAVY		
	STRATEGIC MISSILES		
003	TOMAHAWK	100,086	100,086

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	TACTICAL MISSILES		
004	AMRAAM		12,000
	Unfunded requirement—AIM–120 Captive Air Training Missiles Guidance sections		[12,000]
007	STANDARD MISSILE	35,208	35,208
011	HELLFIRE	8,771	8,771
012	LASER MAVERICK	5,040	5,040
	MODIFICATION OF MISSILES		
017	ESSM	1,768	1,768
	GUNS AND GUN MOUNTS		
035	SMALL ARMS AND WEAPONS	1,500	1,500
	TOTAL WEAPONS PROCUREMENT, NAVY	**152,373**	**164,373**
	PROCUREMENT OF AMMO, NAVY & MC		
	NAVY AMMUNITION		
001	GENERAL PURPOSE BOMBS	74,021	74,021
002	JDAM	106,941	106,941
003	AIRBORNE ROCKETS, ALL TYPES	1,184	1,184
007	AIR EXPENDABLE COUNTERMEASURES	15,700	15,700
008	JATOS	540	540
012	OTHER SHIP GUN AMMUNITION	13,789	13,789
013	SMALL ARMS & LANDING PARTY AMMO	1,963	1,963
014	PYROTECHNIC AND DEMOLITION	765	765
016	AMMUNITION LESS THAN $5 MILLION	866	866
	MARINE CORPS AMMUNITION		
019	60MM, ALL TYPES		11,000
	Unfunded requirement—Full range practice rounds		[11,000]
020	MORTARS	1,290	1,290
021	81MM, ALL TYPES		14,500
	Unfunded requirement—Full range practice rounds		[14,500]
023	DIRECT SUPPORT MUNITIONS	1,355	1,355
024	INFANTRY WEAPONS AMMUNITION	1,854	1,854
027	ARTILLERY, ALL TYPES		17,000
	Unfunded requirement—HE Training Rounds		[17,000]
033	ARTILLERY MUNITIONS	5,319	5,319
	TOTAL PROCUREMENT OF AMMO, NAVY & MC	**225,587**	**268,087**
	OTHER PROCUREMENT, NAVY		
	OTHER SHIPBOARD EQUIPMENT		
025	UNDERWATER EOD PROGRAMS	12,348	8,332
	Realign European Reassurance Initiative to Base		[–4,016]
	SMALL BOATS		
032	STANDARD BOATS	18,000	18,000
	SHIP SONARS		
046	SSN ACOUSTIC EQUIPMENT	43,500	0
	Realign European Reassurance Initiative to Base		[–43,500]
	AVIATION ELECTRONIC EQUIPMENT		
078	NAVAL MISSION PLANNING SYSTEMS	2,550	2,550
	OTHER SHORE ELECTRONIC EQUIPMENT		
080	TACTICAL/MOBILE C4I SYSTEMS	7,900	0
	Realign European Reassurance Initiative to Base		[–7,900]
081	DCGS-N	6,392	4,492
	Realign European Reassurance Initiative to Base		[–1,900]
	CRYPTOLOGIC EQUIPMENT		
101	CRYPTOLOGIC COMMUNICATIONS EQUIP	2,280	2,280
	AIRCRAFT SUPPORT EQUIPMENT		
119	AVIATION SUPPORT EQUIPMENT	29,245	29,245
	SHIP MISSILE SYSTEMS EQUIPMENT		
121	SHIP MISSILE SUPPORT EQUIPMENT	2,436	2,436
	OTHER ORDNANCE SUPPORT EQUIPMENT		
126	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	31,970	31,970
	CIVIL ENGINEERING SUPPORT EQUIPMENT		
132	GENERAL PURPOSE TRUCKS	496	390
	Realign European Reassurance Initiative to Base		[–106]
134	FIRE FIGHTING EQUIPMENT	2,304	2,304
135	TACTICAL VEHICLES	2,336	2,336
	SUPPLY SUPPORT EQUIPMENT		
141	SUPPLY EQUIPMENT	164	0
	Realign European Reassurance Initiative to Base		[–164]
143	FIRST DESTINATION TRANSPORTATION	420	420
	COMMAND SUPPORT EQUIPMENT		
147	COMMAND SUPPORT EQUIPMENT	21,650	21,650
152	OPERATING FORCES SUPPORT EQUIPMENT	15,800	15,800
154	ENVIRONMENTAL SUPPORT EQUIPMENT	1,000	0
	Realign European Reassurance Initiative to Base		[–1,000]
155	PHYSICAL SECURITY EQUIPMENT	15,890	15,890
	CLASSIFIED PROGRAMS		
161A	CLASSIFIED PROGRAMS	2,200	2,200
	SPARES AND REPAIR PARTS		
161	SPARES AND REPAIR PARTS	1,178	1,178
	TOTAL OTHER PROCUREMENT, NAVY	**220,059**	**161,473**
	PROCUREMENT, MARINE CORPS		
	ARTILLERY AND OTHER WEAPONS		

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
006	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	5,360	5,360
	GUIDED MISSILES		
011	JAVELIN	2,833	2,833
012	FOLLOW ON TO SMAW	49	49
013	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	5,024	5,024
	REPAIR AND TEST EQUIPMENT		
017	REPAIR AND TEST EQUIPMENT	8,241	8,241
	OTHER SUPPORT (TEL)		
019	MODIFICATION KITS	750	750
	COMMAND AND CONTROL SYSTEM (NON-TEL)		
020	ITEMS UNDER $5 MILLION (COMM & ELEC)	200	20,400
	Unfunded requirement—night optics for sniper rifles		[20,200]
	RADAR + EQUIPMENT (NON-TEL)		
023	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)		39,200
	Unfunded requirement—CEG Shelters		[1,500]
	Unfunded requirement—G/ATOR acceleration		[37,700]
024	RQ–21 UAS	8,400	8,400
	INTELL/COMM EQUIPMENT (NON-TEL)		
026	FIRE SUPPORT SYSTEM	50	50
027	INTELLIGENCE SUPPORT EQUIPMENT	3,000	3,000
029	UNMANNED AIR SYSTEMS (INTEL)		16,600
	Unfunded requirement – UUNS for long endurance small UAS		[16,600]
	OTHER SUPPORT (NON-TEL)		
037	COMMAND POST SYSTEMS	5,777	75,777
	Additional NOTM-A Systems for emerging operational requirements		[70,000]
038	RADIO SYSTEMS	4,590	4,590
	ENGINEER AND OTHER EQUIPMENT		
053	EOD SYSTEMS	21,000	21,000
	SPARES AND REPAIR PARTS		
062	SPARES AND REPAIR PARTS		3,129
	Unfunded requirement—G/ATOR spares		[3,129]
	TOTAL PROCUREMENT, MARINE CORPS	**65,274**	**214,403**
	AIRCRAFT PROCUREMENT, AIR FORCE		
	OTHER AIRCRAFT		
017	MQ–9	271,080	271,080
	AIRLIFT AIRCRAFT		
033	C–17A	26,850	26,850
	OTHER AIRCRAFT		
048	C–130J MODS	8,400	8,400
051	COMPASS CALL MODS	56,720	56,720
056	E–8	3,000	3,000
061	RQ–4 MODS		39,600
	Unfunded requirement—Tactical Field Terminal Antennaes		[39,600]
062	HC/MC–130 MODIFICATIONS	153,080	153,080
063	OTHER AIRCRAFT	10,381	10,381
065	MQ–9 MODS	56,400	56,400
	AIRCRAFT SPARES AND REPAIR PARTS		
067	INITIAL SPARES/REPAIR PARTS	129,450	129,450
	COMMON SUPPORT EQUIPMENT		
068	AIRCRAFT REPLACEMENT SUPPORT EQUIP	25,417	0
	Realign European Reassurance Initiative to Base		[–25,417]
	TOTAL AIRCRAFT PROCUREMENT, AIR FORCE	**740,778**	**754,961**
	MISSILE PROCUREMENT, AIR FORCE		
	TACTICAL		
006	PREDATOR HELLFIRE MISSILE	294,480	294,480
007	SMALL DIAMETER BOMB	90,920	90,920
	CLASS IV		
011	AGM–65D MAVERICK	10,000	10,000
	TOTAL MISSILE PROCUREMENT, AIR FORCE	**395,400**	**395,400**
	SPACE PROCUREMENT, AIR FORCE		
	SPACE PROGRAMS		
010	MILSATCOM	2,256	2,256
	TOTAL SPACE PROCUREMENT, AIR FORCE	**2,256**	**2,256**
	PROCUREMENT OF AMMUNITION, AIR FORCE		
	ROCKETS		
001	ROCKETS	49,050	49,050
	CARTRIDGES		
002	CARTRIDGES	11,384	11,384
	BOMBS		
006	JOINT DIRECT ATTACK MUNITION	390,577	390,577
	FLARES		
015	FLARES	3,498	3,498
	FUZES		
016	FUZES	47,000	47,000
	TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE	**501,509**	**501,509**
	OTHER PROCUREMENT, AIR FORCE		
	PASSENGER CARRYING VEHICLES		
001	PASSENGER CARRYING VEHICLES	3,855	8,377

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	Realign European Reassurance Initiative to Base		[–1,350]
	Unfunded requirement		[5,872]
	CARGO AND UTILITY VEHICLES		
002	MEDIUM TACTICAL VEHICLE		13,300
	Unfunded requirement		[13,300]
004	CARGO AND UTILITY VEHICLES	1,882	100,678
	Unfunded requirement		[98,796]
	SPECIAL PURPOSE VEHICLES		
005	SECURITY AND TACTICAL VEHICLES	1,100	11,064
	Unfunded requirement		[9,964]
006	SPECIAL PURPOSE VEHICLES	32,479	11,265
	Realign European Reassurance Initiative to Base		[–31,821]
	Unfunded requirement		[10,607]
	FIRE FIGHTING EQUIPMENT		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES	22,583	0
	Realign European Reassurance Initiative to Base		[–22,583]
	MATERIALS HANDLING EQUIPMENT		
008	MATERIALS HANDLING VEHICLES	5,353	80,384
	Realign European Reassurance Initiative to Base		[–4,026]
	Unfunded requirement		[79,057]
	BASE MAINTENANCE SUPPORT		
009	RUNWAY SNOW REMOV & CLEANING EQUIP	11,315	10,275
	Realign European Reassurance Initiative to Base		[–9,161]
	Unfunded requirement		[8,121]
010	BASE MAINTENANCE SUPPORT VEHICLES	40,451	13,989
	Realign European Reassurance Initiative to Base		[–39,692]
	Unfunded requirement		[13,230]
	INTELLIGENCE PROGRAMS		
013	INTERNATIONAL INTEL TECH & ARCHITECTURES	8,873	8,873
015	INTELLIGENCE COMM EQUIPMENT	2,000	2,000
	ELECTRONICS PROGRAMS		
016	AIR TRAFFIC CONTROL & LANDING SYS	56,500	95,200
	Unfunded requirement—deployable RAPCON systems		[16,500]
	Unfunded requirement—digital air traffic control radios		[6,000]
	Unfunded requirement—D-ILS		[16,200]
018	BATTLE CONTROL SYSTEM—FIXED		1,400
	Unfunded requirement		[1,400]
019	THEATER AIR CONTROL SYS IMPROVEMENTS	4,970	4,970
	SPCL COMM-ELECTRONICS PROJECTS		
029	AIR FORCE PHYSICAL SECURITY SYSTEM	3,000	37,500
	Unfunded requirement—Intrusion Detection Systems		[18,000]
	Unfunded requirement—PL2 BPSS systems		[16,500]
	ORGANIZATION AND BASE		
048	BASE COMM INFRASTRUCTURE	55,000	0
	Realign European Reassurance Initiative to Base		[–55,000]
	PERSONAL SAFETY & RESCUE EQUIP		
051	ITEMS LESS THAN $5 MILLION	8,469	71,869
	Unfunded requirement—battlefield airman combat equipment		[59,400]
	Unfunded requirements		[4,000]
	BASE SUPPORT EQUIPMENT		
053	BASE PROCURED EQUIPMENT	7,500	0
	Realign European Reassurance Initiative to Base		[–7,500]
054	ENGINEERING AND EOD EQUIPMENT	80,427	112,977
	Unfunded requirement		[32,550]
055	MOBILITY EQUIPMENT		37,000
	Unfunded requirement—Basic Expeditionary Airfield Resources		[37,000]
056	ITEMS LESS THAN $5 MILLION	110,405	6,390
	Realign European Reassurance Initiative to Base		[–104,015]
	SPECIAL SUPPORT PROJECTS		
058	DARP RC135	700	700
059	DCGS-AF	9,200	100,400
	Unfunded requirement		[91,200]
	CLASSIFIED PROGRAMS		
062A	CLASSIFIED PROGRAMS	3,542,825	3,542,825
	TOTAL OTHER PROCUREMENT, AIR FORCE	**4,008,887**	**4,271,436**
	PROCUREMENT, DEFENSE-WIDE		
	MAJOR EQUIPMENT, DISA		
008	TELEPORT PROGRAM	1,979	1,979
018	DEFENSE INFORMATION SYSTEMS NETWORK	12,000	12,000
	MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY		
034	IRON DOME		50,000
	Additional funds for Iron Dome Tamir interceptors		[50,000]
	CLASSIFIED PROGRAMS		
045A	CLASSIFIED PROGRAMS	43,653	43,653
	AVIATION PROGRAMS		
046	MANNED ISR	15,900	15,900
047	MC–12	20,000	20,000
050	UNMANNED ISR	38,933	38,933
051	NON-STANDARD AVIATION	9,600	9,600
052	U–28	8,100	8,100
053	MH–47 CHINOOK	10,270	10,270
057	MQ–9 UNMANNED AERIAL VEHICLE	19,780	19,780

SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
061	C–130 MODIFICATIONS	3,750	3,750
	AMMUNITION PROGRAMS		
063	ORDNANCE ITEMS <$5M	62,643	62,643
	OTHER PROCUREMENT PROGRAMS		
064	INTELLIGENCE SYSTEMS	12,000	12,000
069	TACTICAL VEHICLES	38,527	38,527
070	WARRIOR SYSTEMS <$5M	20,215	20,215
073	OPERATIONAL ENHANCEMENTS INTELLIGENCE	7,134	7,134
075	OPERATIONAL ENHANCEMENTS	193,542	211,067
	Unfunded requirement- Joint Task Force Platform Expansion		[15,900]
	Unfunded requirement- Publicly Available Information (PAI) Capability Acceleration		[1,625]
	TOTAL PROCUREMENT, DEFENSE-WIDE	**518,026**	**585,551**
	NATIONAL GUARD AND RESERVE EQUIPMENT		
	UNDISTRIBUTED		
007	UNDISTRIBUTED		500,000
	Program increase		[500,000]
	TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT		**500,000**
	TOTAL PROCUREMENT	**10,244,626**	**11,915,900**

SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	SHIPBUILDING AND CONVERSION, NAVY		
	OTHER WARSHIPS		
003	ADVANCE PROCUREMENT (CY)		200,000
	CVN 81 AP		[200,000]
009	DDG–51		1,896,800
	DDG		[1,862,800]
	Ship Signal Exploitation Equipment		[34,000]
010	ADVANCE PROCUREMENT (CY)		45,000
	DDG AP		[45,000]
011	LITTORAL COMBAT SHIP		1,033,000
	LCS		[1,033,000]
	AMPHIBIOUS SHIPS		
012A	AMPHIBIOUS SHIP REPLACEMENT LX(R) ADVANCE PROCUREMENT (CY)		100,000
	Program increase		[100,000]
013	LPD–17		1,786,000
	LPD–30		[1,786,000]
014	EXPEDITIONARY SEA BASE (ESB)		635,000
	ESB		[635,000]
	AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST		
025	SHIP TO SHORE CONNECTOR		312,000
	SSC		[312,000]
026	SERVICE CRAFT		39,000
	Berthing Barge		[39,000]
	TOTAL SHIPBUILDING AND CONVERSION, NAVY		**6,046,800**
	TOTAL PROCUREMENT		**6,046,800**

TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		BASIC RESEARCH		
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	12,010	12,010
002	0601102A	DEFENSE RESEARCH SCIENCES	263,590	263,590
003	0601103A	UNIVERSITY RESEARCH INITIATIVES	67,027	67,027
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	87,395	87,395
		SUBTOTAL BASIC RESEARCH	**430,022**	**430,022**
		APPLIED RESEARCH		
005	0602105A	MATERIALS TECHNOLOGY	29,640	29,640
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY	35,730	35,730
007	0602122A	TRACTOR HIP	8,627	8,627
008	0602211A	AVIATION TECHNOLOGY	66,086	66,086
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY	27,144	27,144
010	0602303A	MISSILE TECHNOLOGY	43,742	43,742

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
011	0602307A	ADVANCED WEAPONS TECHNOLOGY	22,785	22,785
012	0602308A	ADVANCED CONCEPTS AND SIMULATION	28,650	28,650
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	67,232	67,232
014	0602618A	BALLISTICS TECHNOLOGY	85,309	85,309
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	4,004	4,004
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM	5,615	5,615
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY	41,455	41,455
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES	58,352	58,352
019	0602709A	NIGHT VISION TECHNOLOGY	34,723	34,723
020	0602712A	COUNTERMINE SYSTEMS	26,190	26,190
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY	24,127	24,127
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY	21,678	21,678
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	33,123	33,123
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY	14,041	14,041
025	0602784A	MILITARY ENGINEERING TECHNOLOGY	67,720	67,720
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	20,216	20,216
027	0602786A	WARFIGHTER TECHNOLOGY	39,559	44,559
		Program increase		[5,000]
028	0602787A	MEDICAL TECHNOLOGY	83,434	83,434
		SUBTOTAL APPLIED RESEARCH	**889,182**	**894,182**
		ADVANCED TECHNOLOGY DEVELOPMENT		
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY	44,863	44,863
030	0603002A	MEDICAL ADVANCED TECHNOLOGY	67,780	67,780
031	0603003A	AVIATION ADVANCED TECHNOLOGY	160,746	160,746
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	84,079	84,079
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY	125,537	125,537
034	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY	12,231	12,231
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY	6,466	6,466
036	0603009A	TRACTOR HIKE	28,552	28,552
037	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	16,434	16,434
039	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT	26,903	26,903
040	0603130A	TRACTOR NAIL	4,880	4,880
041	0603131A	TRACTOR EGGS	4,326	4,326
042	0603270A	ELECTRONIC WARFARE TECHNOLOGY	31,296	31,296
043	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY	62,850	72,850
		Simulation upgrades for land based anti-ship missile development		[10,000]
044	0603322A	TRACTOR CAGE	12,323	12,323
045	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	182,331	182,331
046	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY	17,948	17,948
047	0603607A	JOINT SERVICE SMALL ARMS PROGRAM	5,796	5,796
048	0603710A	NIGHT VISION ADVANCED TECHNOLOGY	47,135	47,135
049	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS	10,421	10,421
050	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY	32,448	32,448
051	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	52,206	52,206
052	0603794A	C3 ADVANCED TECHNOLOGY	33,426	33,426
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**1,070,977**	**1,080,977**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
053	0603305A	ARMY MISSLE DEFENSE SYSTEMS INTEGRATION	9,634	9,634
055	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	33,949	48,949
		Realign European Reassurance Initiative to Base		[15,000]
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV	72,909	72,909
057	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	7,135	7,135
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION	41,452	43,902
		Unfunded requirement—RF countermeasures		[2,450]
059	0603645A	ARMORED SYSTEM MODERNIZATION—ADV DEV	32,739	54,739
		Unfunded requirement		[22,000]
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	10,157	10,157
061	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	27,733	29,353
		Unfunded requirement		[1,620]
062	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	12,347	12,347
063	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL	10,456	10,456
064	0603790A	NATO RESEARCH AND DEVELOPMENT	2,588	2,588
065	0603801A	AVIATION—ADV DEV	14,055	14,055
066	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	35,333	35,333
067	0603807A	MEDICAL SYSTEMS—ADV DEV	33,491	33,491
068	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	20,239	45,239
		Enhanced lightweight body armor and combat helmets technology		[25,000]
069	0604017A	ROBOTICS DEVELOPMENT	39,608	39,608
070	0604100A	ANALYSIS OF ALTERNATIVES	9,921	9,921
071	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR	76,728	76,728
072	0604115A	TECHNOLOGY MATURATION INITIATIVES	115,221	100,221
		Program Reduction		[–15,000]
073	0604117A	MANEUVER—SHORT RANGE AIR DEFENSE (M-SHORAD)	20,000	20,000
074	0604118A	TRACTOR BEAM	10,400	10,400
075	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT)	164,967	164,967
076	0604121A	SYNTHETIC TRAINING ENVIRONMENT REFINEMENT & PROTOTYPING	1,600	1,600
077	0604319A	INDIRECT FIRE PROTECTION CAPABILITY INCREMENT 2–INTERCEPT (IFPC2)	11,303	11,303
078	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT	56,492	56,492
079	1206308A	ARMY SPACE SYSTEMS INTEGRATION	20,432	20,432
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**890,889**	**941,959**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
		SYSTEM DEVELOPMENT & DEMONSTRATION		
080	0604201A	AIRCRAFT AVIONICS	30,153	30,153
081	0604270A	ELECTRONIC WARFARE DEVELOPMENT	71,671	71,671
083	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR)	10,589	10,589
084	0604321A	ALL SOURCE ANALYSIS SYSTEM	4,774	4,774
085	0604328A	TRACTOR CAGE	17,252	17,252
086	0604601A	INFANTRY SUPPORT WEAPONS	87,643	89,243
		Program increase—soldier enhancement program		[3,000]
		Program reduction- obligation delays		[–5,000]
		Unfunded requirement—air soldier system		[3,600]
087	0604604A	MEDIUM TACTICAL VEHICLES	6,039	6,039
088	0604611A	JAVELIN	21,095	21,095
089	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES	10,507	10,507
090	0604633A	AIR TRAFFIC CONTROL	3,536	3,536
092	0604642A	LIGHT TACTICAL WHEELED VEHICLES	7,000	7,000
093	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV	36,242	36,242
094	0604710A	NIGHT VISION SYSTEMS—ENG DEV	108,504	126,004
		Unfunded requirement		[17,500]
095	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	3,702	3,702
096	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV	43,575	43,575
097	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV	28,726	28,726
098	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	18,562	18,562
099	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	8,344	8,344
100	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV	11,270	11,270
101	0604768A	BRILLIANT ANTI-ARMOR SUBMUNITION (BAT)	10,000	10,000
102	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	18,566	18,566
103	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION	145,360	145,360
104	0604802A	WEAPONS AND MUNITIONS—ENG DEV	145,232	157,410
		Unfunded requirement		[8,000]
		Unfunded requirement—40mm low velocity M320 cartridge		[4,178]
105	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV	90,965	92,965
		Next generation vehicle camouflage technology		[2,000]
106	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV	9,910	9,910
107	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV	39,238	39,238
108	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV	34,684	34,684
109	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	164,409	188,409
		Unfunded requirement		[5,000]
		Unfunded requirement—Assured Communications		[19,000]
110	0604820A	RADAR DEVELOPMENT	32,968	32,968
111	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	49,554	49,554
112	0604823A	FIREFINDER	45,605	45,605
113	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL	16,127	23,127
		Program increase- soldier power development initiatives		[7,000]
114	0604852A	SUITE OF SURVIVABILITY ENHANCEMENT SYSTEMS—EMD	98,600	133,600
		Unfunded requirements		[35,000]
115	0604854A	ARTILLERY SYSTEMS—EMD	1,972	3,972
		Unfunded requirement—IT3 demonstrator		[2,000]
116	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT	81,776	81,776
117	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)	172,361	172,361
118	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV)	199,778	199,778
119	0605029A	INTEGRATED GROUND SECURITY SURVEILLANCE RESPONSE CAPABILITY (IGSSR-C)	4,418	4,418
120	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC)	15,877	15,877
121	0605031A	JOINT TACTICAL NETWORK (JTN)	44,150	44,150
122	0605032A	TRACTOR TIRE	34,670	113,570
		Unfunded requirement		[78,900]
123	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EXPEDITIONARY (GBOSS-E)	5,207	5,207
124	0605034A	TACTICAL SECURITY SYSTEM (TSS)	4,727	4,727
125	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	105,778	105,778
126	0605036A	COMBATING WEAPONS OF MASS DESTRUCTION (CWMD)	6,927	6,927
127	0605037A	EVIDENCE COLLECTION AND DETAINEE PROCESSING	214	214
128	0605038A	NUCLEAR BIOLOGICAL CHEMICAL RECONNAISSANCE VEHICLE (NBCRV) SENSOR SUITE	16,125	16,125
129	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT	55,165	55,165
130	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER)	20,076	20,076
131	0605047A	CONTRACT WRITING SYSTEM	20,322	20,322
132	0605049A	MISSILE WARNING SYSTEM MODERNIZATION (MWSM)	55,810	55,810
133	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	30,879	30,879
134	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1	175,069	175,069
135	0605053A	GROUND ROBOTICS	70,760	70,760
137	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS)	8,965	8,965
138	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM)	34,626	34,626
140	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	336,420	252,320
		Program Reduction		[–84,100]
143	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP)	6,882	9,382
		Unfunded requirement		[2,500]
144	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH	23,467	23,467
145	0605830A	AVIATION GROUND SUPPORT EQUIPMENT	6,930	6,930
146	0210609A	PALADIN INTEGRATED MANAGEMENT (PIM)	6,112	6,112
147	0303032A	TROJAN—RH12	4,431	4,431
150	0304270A	ELECTRONIC WARFARE DEVELOPMENT	14,616	14,616
151	1205117A	TRACTOR BEARS	17,928	17,928
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**3,012,840**	**3,111,418**
		RDT&E MANAGEMENT SUPPORT		

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
152	0604256A	THREAT SIMULATOR DEVELOPMENT	22,862	22,862
153	0604258A	TARGET SYSTEMS DEVELOPMENT	13,902	13,902
154	0604759A	MAJOR T&E INVESTMENT	102,901	102,901
155	0605103A	RAND ARROYO CENTER	20,140	20,140
156	0605301A	ARMY KWAJALEIN ATOLL	246,663	246,663
157	0605326A	CONCEPTS EXPERIMENTATION PROGRAM	29,820	29,820
159	0605601A	ARMY TEST RANGES AND FACILITIES	307,588	307,588
160	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	49,242	49,242
161	0605604A	SURVIVABILITY/LETHALITY ANALYSIS	41,843	41,843
162	0605606A	AIRCRAFT CERTIFICATION	4,804	4,804
163	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	7,238	7,238
164	0605706A	MATERIEL SYSTEMS ANALYSIS	21,890	21,890
165	0605709A	EXPLOITATION OF FOREIGN ITEMS	12,684	12,684
166	0605712A	SUPPORT OF OPERATIONAL TESTING	51,040	51,040
167	0605716A	ARMY EVALUATION CENTER	56,246	56,246
168	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG	1,829	1,829
169	0605801A	PROGRAMWIDE ACTIVITIES	55,060	55,060
170	0605803A	TECHNICAL INFORMATION ACTIVITIES	33,934	33,934
171	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	43,444	43,444
172	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	5,087	5,087
173	0605898A	ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA	54,679	54,679
174	0606001A	MILITARY GROUND-BASED CREW TECHNOLOGY	7,916	7,916
175	0606002A	RONALD REAGAN BALLISTIC MISSILE DEFENSE TEST SITE	61,254	61,254
176	0303260A	DEFENSE MILITARY DECEPTION INITIATIVE	1,779	1,779
		SUBTOTAL RDT&E MANAGEMENT SUPPORT	**1,253,845**	**1,253,845**
		OPERATIONAL SYSTEMS DEVELOPMENT		
178	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM	8,929	8,929
179	0603813A	TRACTOR PULL	4,014	4,014
180	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT	4,094	4,094
181	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS	15,738	15,738
182	0607133A	TRACTOR SMOKE	4,513	4,513
183	0607134A	LONG RANGE PRECISION FIRES (LRPF)	102,014	102,014
184	0607135A	APACHE PRODUCT IMPROVEMENT PROGRAM	59,977	59,977
185	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM	34,416	43,716
		Unfunded requirement—UH–60V development		[9,300]
186	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM	194,567	194,567
187	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM	9,981	9,981
188	0607139A	IMPROVED TURBINE ENGINE PROGRAM	204,304	204,304
189	0607140A	EMERGING TECHNOLOGIES FROM NIE	1,023	1,023
190	0607141A	LOGISTICS AUTOMATION	1,504	1,504
191	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT	10,064	10,064
192	0607143A	UNMANNED AIRCRAFT SYSTEM UNIVERSAL PRODUCTS	38,463	38,463
193	0607665A	FAMILY OF BIOMETRICS	6,159	6,159
194	0607865A	PATRIOT PRODUCT IMPROVEMENT	90,217	90,217
195	0202429A	AEROSTAT JOINT PROJECT—COCOM EXERCISE	6,749	6,749
196	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOCS)	33,520	33,520
197	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS	343,175	351,175
		Unfunded requirement—M88A2E1		[8,000]
198	0203740A	MANEUVER CONTROL SYSTEM	6,639	6,639
199	0203743A	155MM SELF-PROPELLED HOWITZER IMPROVEMENTS	40,784	40,784
200	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS	39,358	39,358
201	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	145	145
202	0203758A	DIGITIZATION	4,803	4,803
203	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	2,723	17,723
		Realign European Reassurance Initiative to Base		[15,000]
204	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS	5,000	5,000
205	0203808A	TRACTOR CARD	37,883	37,883
206	0205402A	INTEGRATED BASE DEFENSE—OPERATIONAL SYSTEM DEV		4,500
		Unfunded requirement—modal passive detection system		[4,500]
207	0205410A	MATERIALS HANDLING EQUIPMENT	1,582	1,582
208	0205412A	ENVIRONMENTAL QUALITY TECHNOLOGY—OPERATIONAL SYSTEM DEV	195	195
209	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM	78,926	78,926
210	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS)	102,807	102,807
213	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES	13,807	13,807
214	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM	132,438	132,438
215	0303141A	GLOBAL COMBAT SUPPORT SYSTEM	64,370	64,370
217	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM	10,475	10,475
220	0305172A	COMBINED ADVANCED APPLICATIONS	1,100	1,100
222	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	9,433	16,925
		Realign European Reassurance Initiative to Base		[7,492]
223	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	5,080	20,080
		Realign European Reassurance Initiative to Base		[15,000]
224	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	24,700	24,700
225	0305219A	MQ–1C GRAY EAGLE UAS	9,574	9,574
226	0305232A	RQ–11 UAV	2,191	2,191
227	0305233A	RQ–7 UAV	12,773	12,773
228	0307665A	BIOMETRICS ENABLED INTELLIGENCE	2,537	2,537
229	0310349A	WIN-T INCREMENT 2—INITIAL NETWORKING	4,723	4,723
230	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	60,877	65,877
		Development of improved manufacturing technology for separation, extraction, smelter, sintering, leaching, processing, beneficiation, or production of specialty metals such as lanthanide elements, yttrium or scandium.		[5,000]
231	1203142A	SATCOM GROUND ENVIRONMENT (SPACE)	11,959	11,959

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
232	1208053A	JOINT TACTICAL GROUND SYSTEM	10,228	10,228
232A	9999999999	CLASSIFIED PROGRAMS	7,154	7,154
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**1,877,685**	**1,941,977**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**9,425,440**	**9,654,380**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		BASIC RESEARCH		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES	118,130	138,130
		Defense University Research Instrumentation Program		[20,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	19,438	19,438
003	0601153N	DEFENSE RESEARCH SCIENCES	458,333	458,333
		SUBTOTAL BASIC RESEARCH	**595,901**	**615,901**
		APPLIED RESEARCH		
004	0602114N	POWER PROJECTION APPLIED RESEARCH	13,553	13,553
005	0602123N	FORCE PROTECTION APPLIED RESEARCH	125,557	125,557
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY	53,936	53,936
007	0602235N	COMMON PICTURE APPLIED RESEARCH	36,450	36,450
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	48,649	48,649
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH	79,598	79,598
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	42,411	42,411
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,425	6,425
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH	56,094	56,094
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH	156,805	156,805
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	32,733	32,733
015	0602792N	INNOVATIVE NAVAL PROTOTYPES (INP) APPLIED RESEARCH	171,146	171,146
016	0602861N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR FIELD ACITIVITIES	62,722	62,722
		SUBTOTAL APPLIED RESEARCH	**886,079**	**886,079**
		ADVANCED TECHNOLOGY DEVELOPMENT		
019	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY	26,342	26,342
020	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	9,360	9,360
021	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	154,407	154,407
022	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	13,448	13,448
023	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DEVELOPMENT	231,772	231,772
024	0603680N	MANUFACTURING TECHNOLOGY PROGRAM	57,797	67,797
		Program increase for manufacturing capability industrial partnerships for undersea vehicles		[10,000]
025	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	4,878	4,878
027	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	64,889	64,889
028	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	15,164	15,164
029	0603801N	INNOVATIVE NAVAL PROTOTYPES (INP) ADVANCED TECHNOLOGY DEVELOPMENT	108,285	132,285
		Program increase for railgun tactical demonstrator		[24,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**686,342**	**720,342**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
030	0603207N	AIR/OCEAN TACTICAL APPLICATIONS	48,365	48,365
031	0603216N	AVIATION SURVIVABILITY	5,566	5,566
033	0603251N	AIRCRAFT SYSTEMS	695	695
034	0603254N	ASW SYSTEMS DEVELOPMENT	7,661	7,661
035	0603261N	TACTICAL AIRBORNE RECONNAISSANCE	3,707	3,707
036	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY	61,381	61,381
037	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	154,117	177,117
		LDUUV		[23,000]
038	0603506N	SURFACE SHIP TORPEDO DEFENSE	14,974	14,974
039	0603512N	CARRIER SYSTEMS DEVELOPMENT	9,296	9,296
040	0603525N	PILOT FISH	132,083	132,083
041	0603527N	RETRACT LARCH	15,407	15,407
042	0603536N	RETRACT JUNIPER	122,413	122,413
043	0603542N	RADIOLOGICAL CONTROL	745	745
044	0603553N	SURFACE ASW	1,136	1,136
045	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	100,955	100,955
046	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS	13,834	13,834
047	0603563N	SHIP CONCEPT ADVANCED DESIGN	36,891	36,891
048	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	12,012	12,012
049	0603570N	ADVANCED NUCLEAR POWER SYSTEMS	329,500	329,500
050	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS	29,953	29,953
051	0603576N	CHALK EAGLE	191,610	191,610
052	0603581N	LITTORAL COMBAT SHIP (LCS)	40,991	40,991
053	0603582N	COMBAT SYSTEM INTEGRATION	24,674	24,674
054	0603595N	OHIO REPLACEMENT	776,158	776,158
055	0603596N	LCS MISSION MODULES	116,871	116,871
056	0603597N	AUTOMATED TEST AND ANALYSIS	8,052	8,052
057	0603599N	FRIGATE DEVELOPMENT	143,450	143,450
058	0603609N	CONVENTIONAL MUNITIONS	8,909	8,909
060	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	1,428	1,428
061	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	53,367	53,367
063	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	8,212	8,212
064	0603721N	ENVIRONMENTAL PROTECTION	20,214	20,214
065	0603724N	NAVY ENERGY PROGRAM	50,623	50,623
066	0603725N	FACILITIES IMPROVEMENT	2,837	2,837
067	0603734N	CHALK CORAL	245,143	245,143
068	0603739N	NAVY LOGISTIC PRODUCTIVITY	2,995	2,995

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
069	0603746N	RETRACT MAPLE	306,101	306,101
070	0603748N	LINK PLUMERIA	253,675	253,675
071	0603751N	RETRACT ELM	55,691	55,691
072	0603764N	LINK EVERGREEN	48,982	48,982
074	0603790N	NATO RESEARCH AND DEVELOPMENT	9,099	9,099
075	0603795N	LAND ATTACK TECHNOLOGY	33,568	33,568
076	0603851M	JOINT NON-LETHAL WEAPONS TESTING	29,873	29,873
077	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/VAL	106,391	106,391
078	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS	107,310	133,310
		Program increase for railgun tactical demonstrator		[26,000]
079	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80)	83,935	83,935
081	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	46,844	46,844
083	0604286M	MARINE CORPS ADDITIVE MANUFACTURING TECHNOLOGY DEVELOPMENT	6,200	6,200
085	0604320M	RAPID TECHNOLOGY CAPABILITY PROTOTYPE	7,055	7,055
086	0604454N	LX (R)	9,578	9,578
087	0604536N	ADVANCED UNDERSEA PROTOTYPING	66,543	76,543
		XLUUV		[10,000]
089	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	31,315	31,315
090	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINEERING SUPPORT	42,851	42,851
091	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT	160,694	160,694
093	0303354N	ASW SYSTEMS DEVELOPMENT—MIP	8,278	8,278
094	0304240M	ADVANCED TACTICAL UNMANNED AIRCRAFT SYSTEM	7,979	7,979
095	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP	527	527
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,218,714**	**4,277,714**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
096	0603208N	TRAINING SYSTEM AIRCRAFT	16,945	16,945
097	0604212N	OTHER HELO DEVELOPMENT	26,786	26,786
098	0604214N	AV–8B AIRCRAFT—ENG DEV	48,780	48,780
099	0604215N	STANDARDS DEVELOPMENT	2,722	2,722
100	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	5,371	5,371
101	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING	782	782
102	0604221N	P–3 MODERNIZATION PROGRAM	1,361	1,361
103	0604230N	WARFARE SUPPORT SYSTEM	14,167	14,167
104	0604231N	TACTICAL COMMAND SYSTEM	55,695	55,695
105	0604234N	ADVANCED HAWKEYE	292,535	292,535
106	0604245N	H–1 UPGRADES	61,288	61,288
107	0604261N	ACOUSTIC SEARCH SENSORS	37,167	37,167
108	0604262N	V–22A	171,386	186,386
		Unfunded requirement		[15,000]
109	0604264N	AIR CREW SYSTEMS DEVELOPMENT	13,235	23,235
		Air Crew Sensor Improvements		[10,000]
110	0604269N	EA–18	173,488	173,488
111	0604270N	ELECTRONIC WARFARE DEVELOPMENT	54,055	83,055
		Unfunded requirement—EWSA		[5,500]
		Unfunded requirement—Intrepid Tiger II (V)3 UH–1Y jettison capability		[3,000]
		Unfunded requirements—range improvements and upgrades		[20,500]
112	0604273N	EXECUTIVE HELO DEVELOPMENT	451,938	451,938
113	0604274N	NEXT GENERATION JAMMER (NGJ)	632,936	624,136
		Unjustified cost growth		[–8,800]
114	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	4,310	4,310
115	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II	66,686	66,686
116	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	390,238	390,238
117	0604311N	LPD–17 CLASS SYSTEMS INTEGRATION	689	689
118	0604329N	SMALL DIAMETER BOMB (SDB)	112,846	112,846
119	0604366N	STANDARD MISSILE IMPROVEMENTS	158,578	158,578
120	0604373N	AIRBORNE MCM	15,734	15,734
122	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING	25,445	25,445
124	0604501N	ADVANCED ABOVE WATER SENSORS	87,233	92,233
		SPY–1 Solid State Advancement		[5,000]
125	0604503N	SSN–688 AND TRIDENT MODERNIZATION	130,981	130,981
126	0604504N	AIR CONTROL	75,186	75,186
127	0604512N	SHIPBOARD AVIATION SYSTEMS	177,926	177,926
128	0604518N	COMBAT INFORMATION CENTER CONVERSION	8,062	8,062
129	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM	32,090	32,090
130	0604558N	NEW DESIGN SSN	120,087	120,087
131	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM	50,850	50,850
132	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E	67,166	87,166
		CVN 80 DFA		[20,000]
133	0604574N	NAVY TACTICAL COMPUTER RESOURCES	4,817	4,817
134	0604580N	VIRGINIA PAYLOAD MODULE (VPM)	72,861	72,861
135	0604601N	MINE DEVELOPMENT	25,635	25,635
136	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT	28,076	28,076
137	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	7,561	7,561
138	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	40,828	40,828
139	0604727N	JOINT STANDOFF WEAPON SYSTEMS	435	435
140	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL)	161,713	161,713
141	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	212,412	243,412
		OTH Weapon Development		[31,000]
142	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	103,391	103,391
143	0604761N	INTELLIGENCE ENGINEERING	34,855	34,855
144	0604771N	MEDICAL DEVELOPMENT	9,353	9,353
145	0604777N	NAVIGATION/ID SYSTEM	92,546	101,546

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
		Program increase		[9,000]
146	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD	152,934	152,934
147	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD	108,931	108,931
148	0604810M	JOINT STRIKE FIGHTER FOLLOW ON MODERNIZATION (FOM)—MARINE CORPS	144,958	144,958
149	0604810N	JOINT STRIKE FIGHTER FOLLOW ON MODERNIZATION (FOM)—NAVY	143,855	143,855
150	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT	14,865	14,865
151	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT	152,977	152,977
152	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT	3,410	3,410
153	0605212N	CH–53K RDTE	340,758	340,758
154	0605215N	MISSION PLANNING	33,430	33,430
155	0605217N	COMMON AVIONICS	58,163	58,163
156	0605220N	SHIP TO SHORE CONNECTOR (SSC)	22,410	22,410
157	0605327N	T-AO 205 CLASS	1,961	1,961
158	0605414N	UNMANNED CARRIER AVIATION (UCA)	222,208	222,208
159	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM)	15,473	15,473
160	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA)	11,795	11,795
161	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III	181,731	181,731
162	0605611M	MARINE CORPS ASSAULT VEHICLES SYSTEM DEVELOPMENT & DEMONSTRATION	178,993	178,993
163	0605813M	JOINT LIGHT TACTICAL VEHICLE (JLTV) SYSTEM DEVELOPMENT & DEMONSTRATION	20,710	20,710
164	0204202N	DDG–1000	140,500	140,500
168	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS	28,311	28,311
170	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	4,502	4,502
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**6,362,102**	**6,472,302**
		MANAGEMENT SUPPORT		
171	0604256N	THREAT SIMULATOR DEVELOPMENT	91,819	91,819
172	0604258N	TARGET SYSTEMS DEVELOPMENT	23,053	23,053
173	0604759N	MAJOR T&E INVESTMENT	52,634	59,634
		Program increase		[7,000]
174	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	141	141
175	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY	3,917	3,917
176	0605154N	CENTER FOR NAVAL ANALYSES	50,432	50,432
179	0605804N	TECHNICAL INFORMATION SERVICES	782	782
180	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	94,562	94,562
181	0605856N	STRATEGIC TECHNICAL SUPPORT	4,313	4,313
182	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT	1,104	1,104
183	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT	105,666	105,666
184	0605864N	TEST AND EVALUATION SUPPORT	373,667	413,667
		Program increase		[40,000]
185	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY	20,298	20,298
186	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	17,341	17,341
188	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT	21,751	21,751
189	0605898N	MANAGEMENT HQ—R&D	44,279	44,279
190	0606355N	WARFARE INNOVATION MANAGEMENT	28,841	28,841
191	0902498N	MANAGEMENT HEADQUARTERS (DEPARTMENTAL SUPPORT ACTIVITIES)	1,749	1,749
194	1206867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	9,408	9,408
		SUBTOTAL MANAGEMENT SUPPORT	**945,757**	**992,757**
		OPERATIONAL SYSTEMS DEVELOPMENT		
196	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC)	92,571	103,571
		CEC IFF Mode 5 Acceleration		[11,000]
197	0607700N	DEPLOYABLE JOINT COMMAND AND CONTROL	3,137	3,137
198	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	135,219	135,219
199	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM	36,242	36,242
200	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	12,053	12,053
201	0101402N	NAVY STRATEGIC COMMUNICATIONS	18,221	18,221
203	0204136N	F/A–18 SQUADRONS	224,470	213,470
		Program reduction- delayed procurement rates		[–11,000]
204	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL)	33,525	33,525
205	0204228N	SURFACE SUPPORT	24,829	24,829
206	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	133,617	142,617
		Tomahawk Modernization		[9,000]
207	0204311N	INTEGRATED SURVEILLANCE SYSTEM	38,972	50,572
		Realign European Reassurance Initiative to Base		[11,600]
208	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT)	3,940	3,940
209	0204460M	GROUND/AIR TASK ORIENTED RADAR (G/ATOR)	54,645	54,645
210	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	66,518	76,518
		Modernization of Barking Sands Tactical Underwater Range		[10,000]
211	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,155	1,155
212	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT	51,040	51,040
213	0205601N	HARM IMPROVEMENT	87,989	97,989
		Unfunded requirement—AARGM Derivative Program		[10,000]
214	0205604N	TACTICAL DATA LINKS	89,852	89,852
215	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION	29,351	29,351
216	0205632N	MK–48 ADCAP	68,553	68,553
217	0205633N	AVIATION IMPROVEMENTS	119,099	119,099
218	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS	127,445	127,445
219	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS	123,825	120,325
		Excess growth—tactical radio systems		[–3,500]
220	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S)	7,343	7,343
221	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	66,009	66,009
222	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT	25,258	25,258
223	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	30,886	30,886

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
224	0206629M	AMPHIBIOUS ASSAULT VEHICLE	58,728	58,728
225	0207161N	TACTICAL AIM MISSILES	42,884	51,884
		Unfunded requirement—AIM–9X Blk II Systems Improvement program		[9,000]
226	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	25,364	25,364
232	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES)	24,271	24,271
233	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM	50,269	50,269
236	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES	6,352	6,352
237	0305204N	TACTICAL UNMANNED AERIAL VEHICLES	7,770	7,770
238	0305205N	UAS INTEGRATION AND INTEROPERABILITY	39,736	39,736
239	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	12,867	12,867
240	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	46,150	46,150
241	0305220N	MQ–4C TRITON	84,115	84,115
242	0305231N	MQ–8 UAV	62,656	62,656
243	0305232M	RQ–11 UAV	2,022	2,022
245	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASL0)	4,835	4,835
246	0305239M	RQ–21A	8,899	8,899
247	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT	99,020	99,020
248	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP)	18,578	11,478
		Program reduction		[–7,100]
249	0305421N	RQ–4 MODERNIZATION	229,404	229,404
250	0308601N	MODELING AND SIMULATION SUPPORT	5,238	5,238
251	0702207N	DEPOT MAINTENANCE (NON-IF)	38,227	38,227
252	0708730N	MARITIME TECHNOLOGY (MARITECH)	4,808	4,808
253	1203109N	SATELLITE COMMUNICATIONS (SPACE)	37,836	37,836
253A	9999999999	CLASSIFIED PROGRAMS	1,364,347	1,364,347
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**3,980,140**	**4,019,140**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**17,675,035**	**17,984,235**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		BASIC RESEARCH		
001	0601102F	DEFENSE RESEARCH SCIENCES	342,919	342,919
002	0601103F	UNIVERSITY RESEARCH INITIATIVES	147,923	147,923
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES	14,417	14,417
		SUBTOTAL BASIC RESEARCH	**505,259**	**505,259**
		APPLIED RESEARCH		
004	0602102F	MATERIALS	124,264	124,264
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES	124,678	129,678
		Program increase		[5,000]
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH	108,784	108,784
007	0602203F	AEROSPACE PROPULSION	192,695	197,695
		Educational Partnership Agreements		[5,000]
008	0602204F	AEROSPACE SENSORS	152,782	152,782
009	0602298F	SCIENCE AND TECHNOLOGY MANAGEMENT— MAJOR HEADQUARTERS ACTIVITIES	8,353	8,353
010	0602601F	SPACE TECHNOLOGY	116,503	116,503
011	0602602F	CONVENTIONAL MUNITIONS	112,195	112,195
012	0602605F	DIRECTED ENERGY TECHNOLOGY	132,993	132,993
013	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS	167,818	167,818
014	0602890F	HIGH ENERGY LASER RESEARCH	43,049	43,049
		SUBTOTAL APPLIED RESEARCH	**1,284,114**	**1,294,114**
		ADVANCED TECHNOLOGY DEVELOPMENT		
015	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS	37,856	47,856
		Metals affordability research		[10,000]
016	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	22,811	22,811
017	0603203F	ADVANCED AEROSPACE SENSORS	40,978	40,978
018	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO	115,966	115,966
019	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY	104,499	109,499
		Program Increase for Robust Electronical Power System		[5,000]
020	0603270F	ELECTRONIC COMBAT TECHNOLOGY	60,551	60,551
021	0603401F	ADVANCED SPACECRAFT TECHNOLOGY	58,910	58,910
022	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	10,433	10,433
023	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	33,635	33,635
024	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY	167,415	167,415
025	0603605F	ADVANCED WEAPONS TECHNOLOGY	45,502	45,502
026	0603680F	MANUFACTURING TECHNOLOGY PROGRAM	46,450	46,450
027	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION	49,011	49,011
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**794,017**	**809,017**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
028	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT	5,652	8,352
		Unfunded requirement—OSINT exploitation and fusion		[1,200]
		Unfunded requirement—SIGINT Tactical Analysis Reporting Gateway		[1,500]
030	0603742F	COMBAT IDENTIFICATION TECHNOLOGY	24,397	24,397
031	0603790F	NATO RESEARCH AND DEVELOPMENT	3,851	3,851
033	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL	10,736	10,736
034	0603859F	POLLUTION PREVENTION—DEM/VAL	2	2
035	0604015F	LONG RANGE STRIKE—BOMBER	2,003,580	2,003,580
036	0604201F	INTEGRATED AVIONICS PLANNING AND DEVELOPMENT	65,458	65,458
037	0604257F	ADVANCED TECHNOLOGY AND SENSORS	68,719	94,919
		Unfunded requirement—ASARS–2B		[11,500]
		Unfunded requirement—Hyperspectral Chip Development		[14,700]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
038	0604288F	NATIONAL AIRBORNE OPS CENTER (NAOC) RECAP	7,850	7,850
039	0604317F	TECHNOLOGY TRANSFER	3,295	3,295
040	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM	17,365	17,365
041	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS	32,253	32,253
044	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D	26,222	26,222
046	0604858F	TECH TRANSITION PROGRAM	840,650	935,650
		Program Increase		[10,000]
		Unfunded Requirement		[70,000]
		Unfunded requirement—Long-Endurance Aerial Platform(LEAP) Ahead Prototyping		[15,000]
047	0605230F	GROUND BASED STRATEGIC DETERRENT	215,721	215,721
049	0207110F	NEXT GENERATION AIR DOMINANCE	294,746	421,746
		Unfunded Requirement		[127,000]
050	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR)	10,645	10,645
052	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA)	41,509	41,509
053	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	226,287	226,287
054	0306415F	ENABLED CYBER ACTIVITIES	16,687	16,687
055	0408011F	SPECIAL TACTICS / COMBAT CONTROL	4,500	4,500
056	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM	15,867	15,867
057	1203164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE)	253,939	263,939
		Demonstration of Backup and Complementary PNT Capabilities of GPS		[10,000]
058	1203710F	EO/IR WEATHER SYSTEMS	10,000	10,000
059	1206422F	WEATHER SYSTEM FOLLOW-ON	112,088	112,088
060	1206425F	SPACE SITUATION AWARENESS SYSTEMS	34,764	34,764
061	1206434F	MIDTERM POLAR MILSATCOM SYSTEM	63,092	63,092
062	1206438F	SPACE CONTROL TECHNOLOGY	7,842	7,842
063	1206730F	SPACE SECURITY AND DEFENSE PROGRAM	41,385	41,385
064	1206760F	PROTECTED TACTICAL ENTERPRISE SERVICE (PTES)	18,150	18,150
065	1206761F	PROTECTED TACTICAL SERVICE (PTS)	24,201	24,201
066	1206855F	PROTECTED SATCOM SERVICES (PSCS)—AGGREGATED	16,000	16,000
067	1206857F	OPERATIONALLY RESPONSIVE SPACE	87,577	117,577
		Responsive Launch vehicles, infrastructure, and small sats		[30,000]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**4,605,030**	**4,895,930**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
068	0604200F	FUTURE ADVANCED WEAPON ANALYSIS & PROGRAMS	5,100	5,100
069	0604201F	INTEGRATED AVIONICS PLANNING AND DEVELOPMENT	101,203	101,203
070	0604222F	NUCLEAR WEAPONS SUPPORT	3,009	3,009
071	0604270F	ELECTRONIC WARFARE DEVELOPMENT	2,241	2,241
072	0604281F	TACTICAL DATA NETWORKS ENTERPRISE	38,250	38,250
073	0604287F	PHYSICAL SECURITY EQUIPMENT	19,739	19,739
074	0604329F	SMALL DIAMETER BOMB (SDB)—EMD	38,979	38,979
078	0604429F	AIRBORNE ELECTRONIC ATTACK	7,091	7,091
080	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT	46,540	46,540
081	0604604F	SUBMUNITIONS	2,705	2,705
082	0604617F	AGILE COMBAT SUPPORT	31,240	34,240
		Joint Expeditionary Airfield Damage Repair		[3,000]
084	0604706F	LIFE SUPPORT SYSTEMS	9,060	9,060
085	0604735F	COMBAT TRAINING RANGES	87,350	87,350
086	0604800F	F–35—EMD	292,947	292,947
088	0604932F	LONG RANGE STANDOFF WEAPON	451,290	451,290
089	0604933F	ICBM FUZE MODERNIZATION	178,991	178,991
090	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC)	12,736	12,736
091	0605031F	JOINT TACTICAL NETWORK (JTN)	9,319	9,319
092	0605213F	F–22 MODERNIZATION INCREMENT 3.2B	13,600	13,600
094	0605221F	KC–46	93,845	0
		Under execution		[–93,845]
095	0605223F	ADVANCED PILOT TRAINING	105,999	105,999
096	0605229F	COMBAT RESCUE HELICOPTER	354,485	354,485
100	0605458F	AIR & SPACE OPS CENTER 10.2 RDT&E	119,745	49,745
		Program reduction		[–70,000]
101	0605931F	B–2 DEFENSIVE MANAGEMENT SYSTEM	194,570	194,570
102	0101125F	NUCLEAR WEAPONS MODERNIZATION	91,237	91,237
103	0207171F	F–15 EPAWSS	209,847	209,847
104	0207328F	STAND IN ATTACK WEAPON	3,400	3,400
105	0207701F	FULL COMBAT MISSION TRAINING	16,727	16,727
109	0307581F	JSTARS RECAP	417,201	417,201
110	0401310F	C–32 EXECUTIVE TRANSPORT RECAPITALIZATION	6,017	6,017
111	0401319F	PRESIDENTIAL AIRCRAFT RECAPITALIZATION (PAR)	434,069	434,069
112	0701212F	AUTOMATED TEST SYSTEMS	18,528	18,528
113	1203176F	COMBAT SURVIVOR EVADER LOCATOR	24,967	24,967
114	1203940F	SPACE SITUATION AWARENESS OPERATIONS	10,029	10,029
115	1206421F	COUNTERSPACE SYSTEMS	66,370	66,370
116	1206425F	SPACE SITUATION AWARENESS SYSTEMS	48,448	48,448
117	1206426F	SPACE FENCE	35,937	35,937
118	1206431F	ADVANCED EHF MILSATCOM (SPACE)	145,610	145,610
119	1206432F	POLAR MILSATCOM (SPACE)	33,644	33,644
120	1206433F	WIDEBAND GLOBAL SATCOM (SPACE)	14,263	14,263
121	1206441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	311,844	311,844
122	1206442F	EVOLVED SBIRS	71,018	71,018
123	1206853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE) – EMD	297,572	297,572
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**4,476,762**	**4,315,917**
		MANAGEMENT SUPPORT		

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
124	0604256F	THREAT SIMULATOR DEVELOPMENT	35,405	35,405
125	0604759F	MAJOR T&E INVESTMENT	82,874	87,874
		Unfunded requirement		[5,000]
126	0605101F	RAND PROJECT AIR FORCE	34,346	34,346
128	0605712F	INITIAL OPERATIONAL TEST & EVALUATION	15,523	15,523
129	0605807F	TEST AND EVALUATION SUPPORT	678,289	739,089
		Program Increase		[32,400]
		Testing, evaluation, and certification of additional suppliers for arresting gear systems for fighter aircraft		[1,000]
		Unfunded requirement		[27,400]
130	0605826F	ACQ WORKFORCE- GLOBAL POWER	219,809	219,809
131	0605827F	ACQ WORKFORCE- GLOBAL VIG & COMBAT SYS	223,179	223,179
132	0605828F	ACQ WORKFORCE- GLOBAL REACH	138,556	138,556
133	0605829F	ACQ WORKFORCE- CYBER, NETWORK, & BUS SYS	221,393	221,393
134	0605830F	ACQ WORKFORCE- GLOBAL BATTLE MGMT	152,577	152,577
135	0605831F	ACQ WORKFORCE- CAPABILITY INTEGRATION	196,561	196,561
136	0605832F	ACQ WORKFORCE- ADVANCED PRGM TECHNOLOGY	28,322	28,322
137	0605833F	ACQ WORKFORCE- NUCLEAR SYSTEMS	126,611	126,611
140	0605898F	MANAGEMENT HQ—R&D	9,154	9,154
141	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT	135,507	135,507
142	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	28,720	28,720
143	0606017F	REQUIREMENTS ANALYSIS AND MATURATION	35,453	110,453
		Unfunded requirement		[50,000]
		Unfunded requirement—Penetrating Counter air (PCA) Risk Reduction		[25,000]
146	0308602F	ENTEPRISE INFORMATION SERVICES (EIS)	29,049	29,049
147	0702806F	ACQUISITION AND MANAGEMENT SUPPORT	14,980	14,980
148	0804731F	GENERAL SKILL TRAINING	1,434	1,434
150	1001004F	INTERNATIONAL ACTIVITIES	4,569	4,569
151	1206116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT	25,773	25,773
152	1206392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE	169,887	169,887
153	1206398F	SPACE & MISSILE SYSTEMS CENTER—MHA	9,531	9,531
154	1206860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	20,975	20,975
155	1206864F	SPACE TEST PROGRAM (STP)	25,398	25,398
		SUBTOTAL MANAGEMENT SUPPORT	**2,663,875**	**2,804,675**
		OPERATIONAL SYSTEMS DEVELOPMENT		
157	0604222F	NUCLEAR WEAPONS SUPPORT	27,579	27,579
158	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	5,776	5,776
159	0604445F	WIDE AREA SURVEILLANCE	16,247	16,247
161	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS)	21,915	21,915
162	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	33,150	33,150
163	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION	66,653	66,653
164	0605278F	HC/MC–130 RECAP RDT&E	38,579	38,579
165	0606018F	NC3 INTEGRATION	12,636	12,636
166	0101113F	B–52 SQUADRONS	111,910	111,910
167	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM)	463	463
168	0101126F	B–1B SQUADRONS	62,471	62,471
169	0101127F	B–2 SQUADRONS	193,108	193,108
170	0101213F	MINUTEMAN SQUADRONS	210,845	210,845
		Increase ICBM Cryptopgraphy Upgrade II		[20,000]
		Reduce MM Ground and Communications Equipment		[–10,000]
		Reduce MM Support Equipment		[–10,000]
171	0101313F	INTEGRATED STRATEGIC PLANNING AND ANALYSIS NETWORK (ISPAN)—USSTRATCOM	25,736	25,736
173	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS	6,272	70,272
		Enhances E–4B cyber security		[64,000]
174	0101324F	INTEGRATED STRATEGIC PLANNING & ANALYSIS NETWORK	11,032	11,032
176	0102110F	UH–1N REPLACEMENT PROGRAM	108,617	108,617
177	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION PROGRAM	3,347	3,347
179	0205219F	MQ–9 UAV	201,394	201,394
182	0207131F	A–10 SQUADRONS	17,459	17,459
183	0207133F	F–16 SQUADRONS	246,578	271,578
		Unfunded requirement—MIDS-JTRS software changes		[25,000]
184	0207134F	F–15E SQUADRONS	320,271	320,271
185	0207136F	MANNED DESTRUCTIVE SUPPRESSION	15,106	35,106
		HTS pod block upgrade program		[20,000]
186	0207138F	F–22A SQUADRONS	610,942	610,942
187	0207142F	F–35 SQUADRONS	334,530	334,530
188	0207161F	TACTICAL AIM MISSILES	34,952	34,952
189	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	61,322	61,322
191	0207227F	COMBAT RESCUE—PARARESCUE	693	693
193	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT	1,714	1,714
194	0207253F	COMPASS CALL	14,040	14,040
195	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	109,243	109,243
197	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	29,932	29,932
198	0207410F	AIR & SPACE OPERATIONS CENTER (AOC)	26,956	26,956
199	0207412F	CONTROL AND REPORTING CENTER (CRC)	2,450	2,450
200	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	151,726	151,726
201	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS	3,656	3,656
203	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	13,420	13,420
204	0207444F	TACTICAL AIR CONTROL PARTY-MOD	10,623	10,623
205	0207448F	C2ISR TACTICAL DATA LINK	1,754	1,754
206	0207452F	DCAPES	17,382	17,382
207	0207573F	NATIONAL TECHNICAL NUCLEAR FORENSICS	2,307	2,307
208	0207590F	SEEK EAGLE	25,397	25,397

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
209	0207601F	USAF MODELING AND SIMULATION	10,175	10,175
210	0207605F	WARGAMING AND SIMULATION CENTERS	12,839	12,839
211	0207697F	DISTRIBUTED TRAINING AND EXERCISES	4,190	4,190
212	0208006F	MISSION PLANNING SYSTEMS	85,531	85,531
213	0208007F	TACTICAL DECEPTION	3,761	3,761
214	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	35,693	35,693
215	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS	20,964	20,964
218	0301017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN)	3,549	3,549
219	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES)	4,371	4,371
227	0301401F	AIR FORCE SPACE AND CYBER NON-TRADITIONAL ISR FOR BATTLESPACE AWARENESS	3,721	3,721
228	0302015F	E–4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	35,467	35,467
230	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	48,841	48,841
231	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM	42,973	42,973
232	0303141F	GLOBAL COMBAT SUPPORT SYSTEM	105	105
233	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE	2,147	2,147
236	0304260F	AIRBORNE SIGINT ENTERPRISE	121,948	121,948
237	0304310F	COMMERCIAL ECONOMIC ANALYSIS	3,544	3,544
240	0305020F	CCMD INTELLIGENCE INFORMATION TECHNOLOGY	1,542	1,542
241	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	4,453	4,453
243	0305111F	WEATHER SERVICE	26,654	31,654
		Commercial weather pilot program		[5,000]
244	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS)	6,306	7,806
		Unfunded requirement—ground based sense and avoid		[1,500]
245	0305116F	AERIAL TARGETS	21,295	21,295
248	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES	415	415
250	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	3,867	3,867
257	0305202F	DRAGON U–2	34,486	34,486
259	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS	4,450	17,250
		WAMI Technology Upgrades		[12,800]
260	0305207F	MANNED RECONNAISSANCE SYSTEMS	14,269	14,269
261	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	27,501	39,001
		Unfunded requierment		[11,500]
262	0305220F	RQ–4 UAV	214,849	214,849
263	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING	18,842	18,842
265	0305238F	NATO AGS	44,729	44,729
266	0305240F	SUPPORT TO DCGS ENTERPRISE	26,349	26,349
269	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES	3,491	3,491
271	0305881F	RAPID CYBER ACQUISITION	4,899	4,899
275	0305984F	PERSONNEL RECOVERY COMMAND & CTRL (PRC2)	2,445	2,445
276	0307577F	INTELLIGENCE MISSION DATA (IMD)	8,684	8,684
278	0401115F	C–130 AIRLIFT SQUADRON	10,219	10,219
279	0401119F	C–5 AIRLIFT SQUADRONS (IF)	22,758	22,758
280	0401130F	C–17 AIRCRAFT (IF)	34,287	34,287
281	0401132F	C–130J PROGRAM	26,821	26,821
282	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	5,283	5,283
283	0401218F	KC–135S	9,942	9,942
284	0401219F	KC–10S	7,933	7,933
285	0401314F	OPERATIONAL SUPPORT AIRLIFT	6,681	6,681
286	0401318F	CV–22	22,519	22,519
287	0401840F	AMC COMMAND AND CONTROL SYSTEM	3,510	3,510
288	0408011F	SPECIAL TACTICS / COMBAT CONTROL	8,090	8,090
289	0702207F	DEPOT MAINTENANCE (NON-IF)	1,528	1,528
290	0708055F	MAINTENANCE, REPAIR & OVERHAUL SYSTEM	31,677	31,677
291	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	33,344	33,344
292	0708611F	SUPPORT SYSTEMS DEVELOPMENT	9,362	9,362
293	0804743F	OTHER FLIGHT TRAINING	2,074	2,074
294	0808716F	OTHER PERSONNEL ACTIVITIES	107	107
295	0901202F	JOINT PERSONNEL RECOVERY AGENCY	2,006	2,006
296	0901218F	CIVILIAN COMPENSATION PROGRAM	3,780	3,780
297	0901220F	PERSONNEL ADMINISTRATION	7,472	7,472
298	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY	1,563	1,563
299	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	91,211	91,211
300	1201921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES	14,255	14,255
301	1202247F	AF TENCAP	31,914	31,914
302	1203001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)	32,426	32,426
303	1203110F	SATELLITE CONTROL NETWORK (SPACE)	18,808	21,308
		Program increase		[2,500]
305	1203165F	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL SEGMENTS)	10,029	10,029
306	1203173F	SPACE AND MISSILE TEST AND EVALUATION CENTER	25,051	25,051
307	1203174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT	11,390	11,390
308	1203179F	INTEGRATED BROADCAST SERVICE (IBS)	8,747	8,747
309	1203182F	SPACELIFT RANGE SYSTEM (SPACE)	10,549	10,549
310	1203265F	GPS III SPACE SEGMENT	243,435	243,435
311	1203400F	SPACE SUPERIORITY INTELLIGENCE	12,691	12,691
312	1203614F	JSPOC MISSION SYSTEM	99,455	99,455
313	1203620F	NATIONAL SPACE DEFENSE CENTER	18,052	18,052
314	1203699F	SHARED EARLY WARNING (SEW)	1,373	1,373
315	1203906F	NCMC—TW/AA SYSTEM	5,000	5,000
316	1203913F	NUDET DETECTION SYSTEM (SPACE)	31,508	31,508
317	1203940F	SPACE SITUATION AWARENESS OPERATIONS	99,984	99,984
318	1206423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT	510,938	510,938
318A	9999999999	CLASSIFIED PROGRAMS	14,938,002	14,974,002
		Program increase		[36,000]

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**20,585,302**	**20,763,602**
		UNDISTRIBUTED		
319	0901560F	UNDISTRIBUTED		–195,900
		Bomber Modernization—Excess to Need		[–195,900]
		SUBTOTAL UNDISTRIBUTED		**–195,900**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**34,914,359**	**35,192,614**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		BASIC RESEARCH		
001	0601000BR	DTRA BASIC RESEARCH	37,201	37,201
002	0601101E	DEFENSE RESEARCH SCIENCES	432,347	432,347
003	0601110D8Z	BASIC RESEARCH INITIATIVES	40,612	40,612
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE	43,126	43,126
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM	74,298	74,298
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS	25,865	35,865
		Program Increase		[10,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	43,898	43,898
		SUBTOTAL BASIC RESEARCH	**697,347**	**707,347**
		APPLIED RESEARCH		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY	19,111	19,111
009	0602115E	BIOMEDICAL TECHNOLOGY	109,360	109,360
011	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM	49,748	49,748
012	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES	49,226	49,226
013	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY	392,784	392,784
014	0602383E	BIOLOGICAL WARFARE DEFENSE	13,014	13,014
015	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	201,053	201,053
016	0602668D8Z	CYBER SECURITY RESEARCH	14,775	14,775
017	0602702E	TACTICAL TECHNOLOGY	343,776	343,776
018	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY	224,440	224,440
019	0602716E	ELECTRONICS TECHNOLOGY	295,447	295,447
020	0602718BR	COUNTER WEAPONS OF MASS DESTRUCTION APPLIED RESEARCH	157,908	157,908
021	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH	8,955	8,955
022	1160401BB	SOF TECHNOLOGY DEVELOPMENT	34,493	34,493
		SUBTOTAL APPLIED RESEARCH	**1,914,090**	**1,914,090**
		ADVANCED TECHNOLOGY DEVELOPMENT		
023	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY	25,627	25,627
024	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	76,230	81,230
		Program increase—conventional EOD equipment		[5,000]
025	0603133D8Z	FOREIGN COMPARATIVE TESTING	24,199	24,199
026	0603160BR	COUNTER WEAPONS OF MASS DESTRUCTION ADVANCED TECHNOLOGY DEVELOPMENT	268,607	268,607
027	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT	12,996	12,996
029	0603178C	WEAPONS TECHNOLOGY	5,495	60,595
		Restore funding for directed energy prioritization in DoD's BMD efforts		[55,100]
031	0603180C	ADVANCED RESEARCH	20,184	20,184
032	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	18,662	18,662
035	0603286E	ADVANCED AEROSPACE SYSTEMS	155,406	155,406
036	0603287E	SPACE PROGRAMS AND TECHNOLOGY	247,435	247,435
037	0603288D8Z	ANALYTIC ASSESSMENTS	13,154	13,154
038	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS	37,674	30,674
		Program decrease		[–7,000]
039	0603291D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS—MHA	15,000	15,000
040	0603294C	COMMON KILL VEHICLE TECHNOLOGY	252,879	252,879
041	0603342D8W	DEFENSE INNOVATION UNIT EXPERIMENTAL (DIUX)	29,594	29,594
042	0603375D8Z	TECHNOLOGY INNOVATION	59,863	24,863
		Unjustified growth		[–35,000]
043	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	145,359	145,359
044	0603527D8Z	RETRACT LARCH	171,120	171,120
045	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY	14,389	14,389
046	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	105,871	105,871
047	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES	12,661	12,661
048	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM	136,159	136,159
049	0603680S	MANUFACTURING TECHNOLOGY PROGRAM	40,511	40,511
050	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT	57,876	49,876
		SOCOM ATL effort		[–8,000]
051	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	10,611	10,611
053	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	71,832	81,832
		Environmental resiliency		[10,000]
054	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT	219,803	219,803
055	0603727D8Z	JOINT WARFIGHTING PROGRAM	6,349	6,349
056	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES	79,173	79,173
057	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	106,787	106,787
058	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY	439,386	439,386
059	0603767E	SENSOR TECHNOLOGY	210,123	210,123
060	0603769D8Z	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	11,211	11,211
062	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE	15,047	15,047
063	0603826D8Z	QUICK REACTION SPECIAL PROJECTS	69,203	69,203
064	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY	25,395	25,395
065	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY	89,586	89,586
066	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT	38,403	38,403

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
067	0303310D8Z	CWMD SYSTEMS	33,382	33,382
068	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT	72,605	72,605
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**3,445,847**	**3,465,947**
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
069	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P	32,937	32,937
070	0603600D8Z	WALKOFF	101,714	101,714
072	0603821D8Z	ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES	2,198	2,198
073	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	54,583	54,583
074	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	230,162	230,162
075	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	828,097	850,093
		Improve Discrimination Capability for GMD		[21,996]
076	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL	148,518	148,518
077	0603884C	BALLISTIC MISSILE DEFENSE SENSORS	247,345	326,207
		Funding increase to accelerate development and deployment of interim and perm MD enhancements for HI		[21,000]
		Improve Discrimination Capability for GMD		[57,862]
078	0603890C	BMD ENABLING PROGRAMS	449,442	478,884
		GMD Discrimination		[23,342]
		Improve High Fidelity Modeling and Simulation for GMD		[6,100]
079	0603891C	SPECIAL PROGRAMS—MDA	320,190	320,190
080	0603892C	AEGIS BMD	852,052	852,052
083	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI	430,115	430,115
084	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	48,954	48,954
085	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC)	53,265	53,265
086	0603906C	REGARDING TRENCH	9,113	9,113
087	0603907C	SEA BASED X-BAND RADAR (SBX)	130,695	130,695
088	0603913C	ISRAELI COOPERATIVE PROGRAMS	105,354	105,354
089	0603914C	BALLISTIC MISSILE DEFENSE TEST	305,791	305,791
090	0603915C	BALLISTIC MISSILE DEFENSE TARGETS	410,425	410,425
091	0603920D8Z	HUMANITARIAN DEMINING	10,837	10,837
092	0603923D8Z	COALITION WARFARE	10,740	10,740
093	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM	3,837	3,837
094	0604115C	TECHNOLOGY MATURATION INITIATIVES	128,406	258,406
		Acceleration of kintetic and nonkinetic boost phase BMD		[100,000]
		Program increase		[30,000]
095	0604132D8Z	MISSILE DEFEAT PROJECT	98,369	98,369
096	0604181C	HYPERSONIC DEFENSE	75,300	75,300
097	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES	1,175,832	1,153,832
		Program decrease		[–22,000]
098	0604294D8Z	TRUSTED & ASSURED MICROELECTRONICS	83,626	83,626
099	0604331D8Z	RAPID PROTOTYPING PROGRAM	100,000	100,000
101	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT	3,967	3,967
102	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA)	3,833	3,833
104	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS	23,638	23,638
105	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR)	357,659	357,659
106	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS	465,530	545,530
		C3 Booster Development		[80,000]
107	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST	36,239	36,239
108	0604878C	AEGIS BMD TEST	134,468	160,819
		To provide AAW at Aegis Ashore sites, consistent w/ FY16 and FY17 NDAAs		[26,351]
109	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST	84,239	84,239
110	0604880C	LAND-BASED SM–3 (LBSM3)	30,486	97,761
		To provide AAW at Aegis Ashore sites, consistent w/ FY16 and FY17 NDAAs		[67,275]
111	0604881C	AEGIS SM–3 BLOCK IIA CO-DEVELOPMENT	9,739	9,739
112	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST	76,757	76,757
113	0604894C	MULTI-OBJECT KILL VEHICLE	6,500	6,500
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	2,902	2,902
115	0305103C	CYBER SECURITY INITIATIVE	986	986
116	1206893C	SPACE TRACKING & SURVEILLANCE SYSTEM	34,907	34,907
117	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	16,994	16,994
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES	**7,736,741**	**8,148,667**
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
118	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD	12,536	12,536
119	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	201,749	201,749
120	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD	406,789	406,789
122	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	15,358	15,358
123	0605000BR	COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT	6,241	6,241
124	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT	12,322	12,322
125	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE	4,893	4,893
126	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM	3,162	3,162
127	0605027D8Z	OUSD(C) IT DEVELOPMENT INITIATIVES	21,353	21,353
128	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION	6,266	6,266
129	0605075D8Z	DCMO POLICY AND INTEGRATION	2,810	2,810
130	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM	24,436	24,436
131	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS)	13,475	13,475
133	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES	11,870	11,870
134	0605294D8Z	TRUSTED & ASSURED MICROELECTRONICS	61,084	61,084
135	0303141K	GLOBAL COMBAT SUPPORT SYSTEM	2,576	2,576
136	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEIM)	3,669	3,669
137	0305310D8Z	CWMD SYSTEMS: SYSTEM DEVELOPMENT AND DEMONSTRATION	8,230	8,230
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION	**818,819**	**818,819**

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
		MANAGEMENT SUPPORT		
138	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS)	6,941	6,941
139	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	4,851	4,851
140	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP)	211,325	211,325
141	0604942D8Z	ASSESSMENTS AND EVALUATIONS	30,144	50,144
		Program increase for cyber vulnerability assessments and hardening		[20,000]
142	0605001E	MISSION SUPPORT	63,769	63,769
143	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	91,057	91,057
144	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	22,386	22,386
145	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO)	36,581	36,581
147	0605142D8Z	SYSTEMS ENGINEERING	37,622	37,622
148	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD	5,200	5,200
149	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY	5,232	5,232
150	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	12,583	12,583
151	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)	31,451	31,451
152	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	104,348	104,348
161	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER	2,372	2,372
162	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS	24,365	24,365
163	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	54,145	54,145
164	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION	30,356	30,356
165	0605804D8Z	DEVELOPMENT TEST AND EVALUATION	20,571	20,571
166	0605898E	MANAGEMENT HQ—R&D	14,017	14,017
167	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	4,187	4,187
168	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS	3,992	3,992
169	0606225D8Z	ODNA TECHNOLOGY AND RESOURCE ANALYSIS	1,000	1,000
170	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI)	2,551	2,551
171	0204571J	JOINT STAFF ANALYTICAL SUPPORT	7,712	7,712
174	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	673	673
175	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO)	1,006	1,006
177	0305172K	COMBINED ADVANCED APPLICATIONS	16,998	16,998
180	0305245D8Z	INTELLIGENCE CAPABILITIES AND INNOVATION INVESTMENTS	18,992	18,992
181	0306310D8Z	CWMD SYSTEMS: RDT&E MANAGEMENT SUPPORT	1,231	1,231
183	0804767J	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—MHA	44,500	44,500
184	0901598C	MANAGEMENT HQ—MDA	29,947	29,947
187	0903235K	JOINT SERVICE PROVIDER (JSP)	5,113	5,113
187A	9999999999	CLASSIFIED PROGRAMS	63,312	63,312
		SUBTOTAL MANAGEMENT SUPPORT	**1,010,530**	**1,030,530**
		OPERATIONAL SYSTEM DEVELOPMENT		
188	0604130V	ENTERPRISE SECURITY SYSTEM (ESS)	4,565	4,565
189	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA	1,871	1,871
190	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS)	298	298
191	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT	10,882	15,882
		Program increase for increase analytical support		[5,000]
192	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT	7,222	7,222
193	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS)	14,450	14,450
194	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	45,677	45,677
195	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS)	3,037	3,037
196	0208045K	C4I INTEROPERABILITY	59,490	59,490
198	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING	6,104	6,104
202	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	1,863	1,863
203	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	21,564	21,564
204	0303126K	LONG-HAUL COMMUNICATIONS—DCS	15,428	15,428
205	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)	15,855	15,855
206	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI)	4,811	4,811
207	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI)	33,746	33,746
208	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM	9,415	19,415
		Cyber Scholarship Program		[10,000]
209	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM	227,652	235,652
		Program increase to support cyber defense education of reservists and the National Guard		[8,000]
210	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM	42,687	42,687
211	0303153K	DEFENSE SPECTRUM ORGANIZATION	8,750	8,750
214	0303228K	JOINT INFORMATION ENVIRONMENT (JIE)	4,689	4,689
216	0303430K	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY	50,000	50,000
222	0305103K	CYBER SECURITY INITIATIVE	1,686	1,686
227	0305186D8Z	POLICY R&D PROGRAMS	6,526	6,526
228	0305199D8Z	NET CENTRICITY	18,455	18,455
230	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	5,496	5,496
233	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,049	3,049
236	0305327V	INSIDER THREAT	5,365	5,365
237	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,071	2,071
243	0307577D8Z	INTELLIGENCE MISSION DATA (IMD)	13,111	13,111
245	0708012S	PACIFIC DISASTER CENTERS	1,770	1,770
246	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM	2,924	2,924
248	1105219BB	MQ–9 UAV	37,863	37,863
251	1160403BB	AVIATION SYSTEMS	259,886	267,386
		Per SOCOM requested realignment		[7,500]
252	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT	8,245	8,245
253	1160408BB	OPERATIONAL ENHANCEMENTS	79,455	79,455
254	1160431BB	WARRIOR SYSTEMS	45,935	45,935
255	1160432BB	SPECIAL PROGRAMS	1,978	1,978
256	1160434BB	UNMANNED ISR	31,766	31,766
257	1160480BB	SOF TACTICAL VEHICLES	2,578	2,578

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
258	1160483BB	MARITIME SYSTEMS	42,315	55,115
		Per SOCOM requested realignment		[12,800]
259	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES	4,661	4,661
260	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE	12,049	12,049
261	1203610K	TELEPORT PROGRAM	642	642
261A	9999999999	CLASSIFIED PROGRAMS	3,689,646	3,689,646
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	**4,867,528**	**4,910,828**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**20,490,902**	**20,996,228**
		OPERATIONAL TEST & EVAL, DEFENSE		
		MANAGEMENT SUPPORT		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION	83,503	83,503
002	0605131OTE	LIVE FIRE TEST AND EVALUATION	59,500	59,500
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES	67,897	67,897
		SUBTOTAL MANAGEMENT SUPPORT	**210,900**	**210,900**
		TOTAL OPERATIONAL TEST & EVAL, DEFENSE	**210,900**	**210,900**
		TOTAL RDT&E	**82,716,636**	**84,038,357**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY		v
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
055	0603327A	AIR AND MISSILE DEFENSE SYSTEMS ENGINEERING	15,000	0
		Realign European Reassurance Initiative to Base		[–15,000]
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION		4,000
		Unfunded requirement—JLTV lethality 30mm upgrade		[4,000]
060	0603747A	SOLDIER SUPPORT AND SURVIVABILITY	3,000	3,000
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**18,000**	**7,000**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
080	0604201A	AIRCRAFT AVIONICS		12,000
		Unfunded requirement—A-PNT measures		[12,000]
122	0605032A	TRACTOR TIRE	5,000	5,000
125	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM)	21,540	21,540
132	0605049A	MISSILE WARNING SYSTEM MODERNIZATION (MWSM)		155,000
		Unfunded requirements—LIMWS		[155,000]
133	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT	30,100	30,100
147	0303032A	TROJAN—RH12	1,200	1,200
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION	**57,840**	**224,840**
		OPERATIONAL SYSTEMS DEVELOPMENT		
183	0607134A	LONG RANGE PRECISION FIRES (LRPF)		56,731
		Unfunded requirement		[42,731]
		Unfunded requirement—CDAEM Bridging Strategy		[14,000]
191	0607142A	AVIATION ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT		8,000
		Unfunded requirement—M282 warhead qualification		[8,000]
203	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	15,000	0
		Realign European Reassurance Initiative to Base		[–15,000]
222	0305204A	TACTICAL UNMANNED AERIAL VEHICLES	7,492	0
		Realign European Reassurance Initiative to Base		[–7,492]
223	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS	15,000	0
		Realign European Reassurance Initiative to Base		[–15,000]
228	0307665A	BIOMETRICS ENABLED INTELLIGENCE	6,036	6,036
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**43,528**	**70,767**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY	**119,368**	**302,607**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
041	0603527N	RETRACT LARCH	22,000	22,000
081	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM)	5,710	5,710
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**27,710**	**27,710**
		OPERATIONAL SYSTEMS DEVELOPMENT		
207	0204311N	INTEGRATED SURVEILLANCE SYSTEM	11,600	0
		Realign European Reassurance Initiative to Base		[–11,600]
211	0204574N	CRYPTOLOGIC DIRECT SUPPORT	1,200	1,200
253A	9999999999	CLASSIFIED PROGRAMS	89,855	89,855
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**102,655**	**91,055**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY	**130,365**	**118,765**

SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
029	0603438F	SPACE CONTROL TECHNOLOGY	7,800	7,800
053	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT	5,400	5,400
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES	**13,200**	**13,200**
		OPERATIONAL SYSTEMS DEVELOPMENT		
196	0207277F	ISR INNOVATIONS	5,750	5,750
214	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS	4,000	4,000
286	0401318F	CV–22		14,000
		Unfunded requirement—common eletrical interface		[7,000]
		Unfunded requirement—intelligence broadcast system		[7,000]
318A	9999999999	CLASSIFIED PROGRAMS	112,408	112,408
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT	**122,158**	**136,158**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF	**135,358**	**149,358**
		ADVANCED TECHNOLOGY DEVELOPMENT		
024	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT	25,000	25,000
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT	**25,000**	**25,000**
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
088	0603913C	ISRAELI COOPERATIVE PROGRAMS		507,646
		Additional Cooperative funds, consistent with Title XVI authorizations		[507,646]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		**507,646**
		OPERATIONAL SYSTEM DEVELOPMENT		
253	1160408BB	OPERATIONAL ENHANCEMENTS	1,920	3,920
		Unfunded Requirement- Publicly Available Information (PAI) Capability Acceleration		[2,000]
256	1160434BB	UNMANNED ISR	3,000	3,000
261A	9999999999	CLASSIFIED PROGRAMS	196,176	196,176
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT	**201,096**	**203,096**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW	**226,096**	**735,742**
		TOTAL RDT&E	**611,187**	**1,306,472**

SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
		RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		
		ADVANCED TECHNOLOGY DEVELOPMENT		
042	0603270A	ELECTRONIC WARFARE TECHNOLOGY		3,000
		Multi-Domain Battle Exercise Capability		[3,000]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT		**3,000**
		SYSTEM DEVELOPMENT & DEMONSTRATION		
085	0604328A	TRACTOR CAGE		13,000
		Unfunded Requirement		[13,000]
117	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A)		15,000
		Unfunded Requirement		[15,000]
		SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION		**28,000**
		OPERATIONAL SYSTEMS DEVELOPMENT		
203	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM		26,000
		Unfunded requirement—Stinger PIP		[26,000]
213	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES		21,845
		Unfunded Requirement		[21,845]
214	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM		7,021
		Unfunded Requirement		[7,021]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT		**54,866**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, ARMY		**85,866**
		RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		
		APPLIED RESEARCH		
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH		15,000
		AGOR SLEP		[15,000]
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH		23,500
		MS–177A Maritime Senson		[23,500]
		SUBTOTAL APPLIED RESEARCH		**38,500**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY		**38,500**
		RESEARCH, DEVELOPMENT, TEST & EVAL, AF		
		APPLIED RESEARCH		

SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Program Element	Item	FY 2018 Request	House Authorized
007	0602203F	AEROSPACE PROPULSION		2,500
		Unfunded Requirement		[2,500]
012	0602605F	DIRECTED ENERGY TECHNOLOGY		8,300
		Unfunded Requirement		[8,300]
		SUBTOTAL APPLIED RESEARCH		**10,800**
		ADVANCED TECHNOLOGY DEVELOPMENT		
018	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO		5,700
		Unfunded requirement		[5,700]
019	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY		13,500
		Unfunded requirement		[13,500]
		SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT		**19,200**
		ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		
041	0604414F	CYBER RESILIENCY OF WEAPON SYSTEMS-ACS		10,200
		Unfunding requirement		[10,200]
062	1206438F	SPACE CONTROL TECHNOLOGY		56,900
		AF UPL		[56,900]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT & PROTOTYPES		**67,100**
		OPERATIONAL SYSTEMS DEVELOPMENT		
230	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN)		11,000
		AF UPL—support for AEHF terminals		[11,000]
302	1203001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T)		58,400
		AF UPL—FAB-T testing activities		[7,400]
		AF UPL—POTUS voice conference configuration		[31,900]
		AF UPL—spares for testing		[6,600]
		AF UPL -spares for testing		[12,500]
312	1203614F	JSPOC MISSION SYSTEM		24,250
		AF UPL—BMC2 software		[24,250]
		SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT		**93,650**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, AF		**190,750**
		RESEARCH, DEVELOPMENT, TEST & EVAL, DW		
		ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		
075	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT		351,000
		Increase GBI magazine capacity at Fort Greely		[208,000]
		Procure 3 additional EKVs		[45,000]
		Procure 7 additional boosters		[98,000]
117	1206895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS		27,500
		Initiates BMDS Global Sensors AoA reccommendations for space sensor architecture		[27,500]
		SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES		**378,500**
		SYSTEM DEVELOPMENT AND DEMONSTRATION		
137A	0604XXX	RESEARCH AND DEVELOPMENT OF MILITARY RESPONSE OPTIONS FOR RUSSIAN INF TREATY VIOLATION		50,000
		Program increase		[50,000]
		SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION		**50,000**
		MANAGEMENT SUPPORT		
151	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE)		30,000
		PROJECT Maven		[30,000]
		SUBTOTAL MANAGEMENT SUPPORT		**30,000**
		OPERATIONAL SYSTEM DEVELOPMENT		
236	0305327V	INSIDER THREAT		5,000
		Defense Insider Threat Management and Analysis Center		[5,000]
		SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT		**5,000**
		TOTAL RESEARCH, DEVELOPMENT, TEST & EVAL, DW		**463,500**
		TOTAL RDT&E		**778,616**

TITLE XLIII—OPERATION AND MAINTENANCE

SEC. 4301. OPERATION AND MAINTENANCE.

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	1,455,366	2,193,657
	Improve unit training and maintenance readiness		[54,700]
	Realign European Reassurance Initiative to Base		[683,591]
020	MODULAR SUPPORT BRIGADES	105,147	112,847
	Execute the National Military Strategy		[7,700]
030	ECHELONS ABOVE BRIGADE	604,117	692,417

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	Improve training readiness		[88,300]
040	THEATER LEVEL ASSETS	793,217	820,517
	Decisive Action training and operations		[27,300]
050	LAND FORCES OPERATIONS SUPPORT	1,169,478	1,207,178
	Combat Training Center Operations and Maintenance		[37,700]
060	AVIATION ASSETS	1,496,503	1,674,803
	Aviation and ISR Maintenance Requirements		[28,200]
	Realign European Reassurance Initiative to Base		[150,100]
070	FORCE READINESS OPERATIONS SUPPORT	3,675,901	3,767,870
	Maintenance of organizational clothing and equipment		[26,500]
	Realign European Reassurance Initiative to Base		[8,969]
	SOUTHCOM—Maritime Patrol Aircraft Expansion		[38,500]
	SOUTHCOM—Mission and Other Ship Operations		[18,000]
080	LAND FORCES SYSTEMS READINESS	466,720	466,720
090	LAND FORCES DEPOT MAINTENANCE	1,443,516	1,594,265
	Depot maintenance of hardware and munitions		[46,600]
	Realign European Reassurance Initiative to Base		[104,149]
100	BASE OPERATIONS SUPPORT	8,080,357	8,142,264
	C4I / Cyber capabilities enabling support		[13,200]
	Realign European Reassurance Initiative to Base		[48,707]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,401,155	3,433,155
	Realign European Reassurance Initiative to Base		[32,000]
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	443,790	443,790
140	ADDITIONAL ACTIVITIES		135,150
	Realign European Reassurance Initiative to Base		[126,250]
	Training, supplies, spares, and repair site support		[8,900]
180	US AFRICA COMMAND	225,382	225,382
190	US EUROPEAN COMMAND	141,352	185,602
	Realign European Reassurance Initiative to Base		[44,250]
200	US SOUTHERN COMMAND	190,811	194,311
	Mission and Other Ship Operations		[3,500]
210	US FORCES KOREA	59,578	59,578
	SUBTOTAL OPERATING FORCES	**23,752,390**	**25,349,506**
	MOBILIZATION		
220	STRATEGIC MOBILITY	346,667	347,791
	Sustainment of strategically positioned assets enabling force projection		[1,124]
230	ARMY PREPOSITIONED STOCKS	422,108	483,846
	Realign European Reassurance Initiative to Base		[56,500]
	Sustain Army War Reserve Secondary Items for deployed forces		[5,238]
240	INDUSTRIAL PREPAREDNESS	7,750	7,750
	SUBTOTAL MOBILIZATION	**776,525**	**839,387**
	TRAINING AND RECRUITING		
250	OFFICER ACQUISITION	137,556	137,556
260	RECRUIT TRAINING	58,872	58,872
270	ONE STATION UNIT TRAINING	58,035	58,035
280	SENIOR RESERVE OFFICERS TRAINING CORPS	505,089	505,089
290	SPECIALIZED SKILL TRAINING	1,015,541	1,018,685
	Leadership development and training		[3,144]
300	FLIGHT TRAINING	1,124,115	1,124,115
310	PROFESSIONAL DEVELOPMENT EDUCATION	220,688	220,688
320	TRAINING SUPPORT	618,164	621,690
	Department of the Army directed training		[3,526]
330	RECRUITING AND ADVERTISING	613,586	613,586
340	EXAMINING	171,223	171,223
350	OFF-DUTY AND VOLUNTARY EDUCATION	214,738	214,738
360	CIVILIAN EDUCATION AND TRAINING	195,099	195,099
370	JUNIOR RESERVE OFFICER TRAINING CORPS	176,116	176,116
	SUBTOTAL TRAINING AND RECRUITING	**5,108,822**	**5,115,492**
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	555,502	709,552
	Logistics associated with increased end strength		[57,900]
	Realign European Reassurance Initiative to Base		[96,150]
400	CENTRAL SUPPLY ACTIVITIES	894,208	905,657
	Realign European Reassurance Initiative to Base		[11,449]
410	LOGISTIC SUPPORT ACTIVITIES	715,462	715,462
420	AMMUNITION MANAGEMENT	446,931	446,931
430	ADMINISTRATION	493,616	493,616
440	SERVICEWIDE COMMUNICATIONS	2,084,922	2,102,822
	Annual maintenance of Enterprise License Agreements		[17,900]
450	MANPOWER MANAGEMENT	259,588	259,588
460	OTHER PERSONNEL SUPPORT	326,387	326,387

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
470	OTHER SERVICE SUPPORT	1,087,602	1,078,602
	Program decrease		[–9,000]
480	ARMY CLAIMS ACTIVITIES	210,514	210,514
490	REAL ESTATE MANAGEMENT	243,584	243,584
500	FINANCIAL MANAGEMENT AND AUDIT READINESS	284,592	292,992
	DISA migration cost and system support		[8,400]
510	INTERNATIONAL MILITARY HEADQUARTERS	415,694	415,694
520	MISC. SUPPORT OF OTHER NATIONS	46,856	46,856
565	CLASSIFIED PROGRAMS	1,242,222	1,313,047
	Army Analytics Group		[5,000]
	Realign European Reassurance Initiative to Base		[65,825]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**9,307,680**	**9,561,304**
	UNDISTRIBUTED		
570	UNDISTRIBUTED		–426,100
	Excessive standard price for fuel		[–20,600]
	Foreign Currency adjustments		[–146,400]
	Historical unobligated balances		[–259,100]
	SUBTOTAL UNDISTRIBUTED		**–426,100**
	TOTAL OPERATION & MAINTENANCE, ARMY	**38,945,417**	**40,439,589**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
010	MODULAR SUPPORT BRIGADES	11,461	11,461
020	ECHELONS ABOVE BRIGADE	577,410	577,410
030	THEATER LEVEL ASSETS	117,298	117,298
040	LAND FORCES OPERATIONS SUPPORT	552,016	552,016
050	AVIATION ASSETS	80,302	81,461
	Increase aviation readiness		[1,159]
060	FORCE READINESS OPERATIONS SUPPORT	399,035	399,258
	Pay and allowances for career development training		[223]
070	LAND FORCES SYSTEMS READINESS	102,687	102,687
080	LAND FORCES DEPOT MAINTENANCE	56,016	56,016
090	BASE OPERATIONS SUPPORT	599,947	599,947
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	273,940	273,940
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS	22,909	22,909
	SUBTOTAL OPERATING FORCES	**2,793,021**	**2,794,403**
	ADMIN & SRVWD ACTIVITIES		
120	SERVICEWIDE TRANSPORTATION	11,116	11,116
130	ADMINISTRATION	17,962	17,962
140	SERVICEWIDE COMMUNICATIONS	18,550	20,950
	Annual maintenance of Enterprise License Agreements		[2,400]
150	MANPOWER MANAGEMENT	6,166	6,166
160	RECRUITING AND ADVERTISING	60,027	60,027
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**113,821**	**116,221**
	UNDISTRIBUTED		
190	UNDISTRIBUTED		–2,500
	Excessive standard price for fuel		[–2,500]
	SUBTOTAL UNDISTRIBUTED		**–2,500**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**2,906,842**	**2,908,124**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	777,883	810,983
	Unit training and maintenance readiness		[33,100]
020	MODULAR SUPPORT BRIGADES	190,639	190,639
030	ECHELONS ABOVE BRIGADE	807,557	819,457
	Improve training readiness		[11,900]
040	THEATER LEVEL ASSETS	85,476	93,376
	Decisive Action training and operations		[7,900]
050	LAND FORCES OPERATIONS SUPPORT	36,672	38,897
	Aviation contract support for rotary wing aircraft		[2,225]
060	AVIATION ASSETS	956,381	974,581
	Increase aviation readiness		[18,200]
070	FORCE READINESS OPERATIONS SUPPORT	777,756	777,941
	Pay and allowances for career development training		[185]
080	LAND FORCES SYSTEMS READINESS	51,506	51,506
090	LAND FORCES DEPOT MAINTENANCE	244,942	244,942
100	BASE OPERATIONS SUPPORT	1,144,726	1,144,726
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	781,895	781,895

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	999,052	999,052
	SUBTOTAL OPERATING FORCES	**6,854,485**	**6,927,995**
	ADMIN & SRVWD ACTIVITIES		
130	SERVICEWIDE TRANSPORTATION	7,703	7,703
140	ADMINISTRATION	79,236	81,236
	Department of Defense State Partnership Program		[2,000]
150	SERVICEWIDE COMMUNICATIONS	85,160	94,760
	Annual maintenance of Enterprise License Agreements		[9,600]
160	MANPOWER MANAGEMENT	8,654	8,654
170	OTHER PERSONNEL SUPPORT	268,839	268,839
180	REAL ESTATE MANAGEMENT	3,093	3,093
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**452,685**	**464,285**
	UNDISTRIBUTED		
190	UNDISTRIBUTED		–10,700
	Excessive standard price for fuel		[–10,700]
	SUBTOTAL UNDISTRIBUTED		**–10,700**
	TOTAL OPERATION & MAINTENANCE, ARNG	**7,307,170**	**7,381,580**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	5,544,165	5,570,915
	Cbt logistics Mnt for TAO–187		[22,000]
	Realign European Reassurance Initiative to Base		[4,750]
020	FLEET AIR TRAINING	2,075,000	2,075,000
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	46,801	46,801
040	AIR OPERATIONS AND SAFETY SUPPORT	119,624	119,624
050	AIR SYSTEMS SUPPORT	552,536	594,536
	Fund aviation spt to max executable		[42,000]
060	AIRCRAFT DEPOT MAINTENANCE	1,088,482	1,088,482
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	40,584	40,584
080	AVIATION LOGISTICS	723,786	843,786
	Fund aviation logistics to max executable		[120,000]
090	MISSION AND OTHER SHIP OPERATIONS	4,067,334	4,071,011
	Realign European Reassurance Initiative to Base		[3,677]
100	SHIP OPERATIONS SUPPORT & TRAINING	977,701	977,701
110	SHIP DEPOT MAINTENANCE	7,165,858	7,175,358
	Western Pacific Ship Repair		[9,500]
120	SHIP DEPOT OPERATIONS SUPPORT	2,193,851	2,193,851
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	1,288,094	1,299,494
	Logistics support for legacy C41 systems		[6,000]
	Realign European Reassurance Initiative to Base		[5,400]
150	SPACE SYSTEMS AND SURVEILLANCE	206,678	211,078
	Realign European Reassurance Initiative to Base		[4,400]
160	WARFARE TACTICS	621,581	622,581
	Operational Range and Environmental Compliance		[1,000]
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	370,681	370,681
180	COMBAT SUPPORT FORCES	1,437,966	1,460,950
	Coastal Riverine Force meet operational requirements		[7,000]
	COMPACFLT C41 Upgrade		[10,000]
	Realign European Reassurance Initiative to Base		[5,984]
190	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	162,705	162,705
210	COMBATANT COMMANDERS CORE OPERATIONS	65,108	65,108
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	86,892	155,992
	Joint Training Capability and Exercise Programs		[64,100]
	No-Notice Agile Logistics Exercise		[5,000]
230	MILITARY INFORMATION SUPPORT OPERATIONS	8,427	8,427
240	CYBERSPACE ACTIVITIES	385,212	385,212
260	FLEET BALLISTIC MISSILE	1,278,456	1,278,456
280	WEAPONS MAINTENANCE	745,680	751,980
	Munitions wholeness		[5,000]
	Realign European Reassurance Initiative to Base		[1,300]
290	OTHER WEAPON SYSTEMS SUPPORT	380,016	380,016
300	ENTERPRISE INFORMATION	914,428	914,428
310	SUSTAINMENT, RESTORATION AND MODERNIZATION	1,905,679	1,905,679
320	BASE OPERATING SUPPORT	4,333,688	4,356,688
	Operational range clearance		[11,000]
	Port Operations Service Craft Maintenance		[12,000]
	SUBTOTAL OPERATING FORCES	**38,787,013**	**39,127,124**
	MOBILIZATION		
330	SHIP PREPOSITIONING AND SURGE	417,450	427,450

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	Strategic sealift management		[10,000]
360	SHIP ACTIVATIONS/INACTIVATIONS	198,341	198,341
370	EXPEDITIONARY HEALTH SERVICES SYSTEMS	66,849	66,849
390	COAST GUARD SUPPORT	21,870	21,870
	SUBTOTAL MOBILIZATION	**704,510**	**714,510**
	TRAINING AND RECRUITING		
400	OFFICER ACQUISITION	143,924	143,924
410	RECRUIT TRAINING	8,975	8,975
420	RESERVE OFFICERS TRAINING CORPS	144,708	144,708
430	SPECIALIZED SKILL TRAINING	812,708	812,708
450	PROFESSIONAL DEVELOPMENT EDUCATION	180,448	182,448
	Naval Sea Cadets		[2,000]
460	TRAINING SUPPORT	234,596	234,596
470	RECRUITING AND ADVERTISING	177,517	177,517
480	OFF-DUTY AND VOLUNTARY EDUCATION	103,154	103,154
490	CIVILIAN EDUCATION AND TRAINING	72,216	72,216
500	JUNIOR ROTC	53,262	53,262
	SUBTOTAL TRAINING AND RECRUITING	**1,931,508**	**1,933,508**
	ADMIN & SRVWD ACTIVITIES		
510	ADMINISTRATION	1,135,429	1,126,429
	Program decrease		[–9,000]
530	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	149,365	149,365
540	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	386,749	386,749
590	SERVICEWIDE TRANSPORTATION	165,301	165,301
610	PLANNING, ENGINEERING, AND PROGRAM SUPPORT	311,616	311,616
620	ACQUISITION, LOGISTICS, AND OVERSIGHT	665,580	665,580
660	INVESTIGATIVE AND SECURITY SERVICES	659,143	659,143
775	CLASSIFIED PROGRAMS	543,193	553,193
	Research and Technology Protection		[10,000]
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,016,376**	**4,017,376**
	UNDISTRIBUTED		
780	UNDISTRIBUTED		–356,800
	Excessive standard price for fuel		[–143,600]
	Foreign Currency adjustments		[–35,300]
	Historical unobligated balances		[–177,900]
	SUBTOTAL UNDISTRIBUTED		**–356,800**
	TOTAL OPERATION & MAINTENANCE, NAVY	**45,439,407**	**45,435,718**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	967,949	1,132,682
	Realign European Reassurance Initiative to Base		[164,733]
020	FIELD LOGISTICS	1,065,090	1,065,090
030	DEPOT MAINTENANCE	286,635	286,635
040	MARITIME PREPOSITIONING	85,577	85,577
050	CYBERSPACE ACTIVITIES	181,518	181,518
060	SUSTAINMENT, RESTORATION & MODERNIZATION	785,264	785,264
070	BASE OPERATING SUPPORT	2,196,252	2,196,252
	SUBTOTAL OPERATING FORCES	**5,568,285**	**5,733,018**
	TRAINING AND RECRUITING		
080	RECRUIT TRAINING	16,163	16,163
090	OFFICER ACQUISITION	1,154	1,154
100	SPECIALIZED SKILL TRAINING	100,398	100,398
110	PROFESSIONAL DEVELOPMENT EDUCATION	46,474	46,474
120	TRAINING SUPPORT	405,039	405,039
130	RECRUITING AND ADVERTISING	201,601	201,601
140	OFF-DUTY AND VOLUNTARY EDUCATION	32,045	32,045
150	JUNIOR ROTC	24,394	24,394
	SUBTOTAL TRAINING AND RECRUITING	**827,268**	**827,268**
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	28,827	28,827
170	ADMINISTRATION	378,683	375,683
	Program decrease		[–3,000]
190	ACQUISITION AND PROGRAM MANAGEMENT	77,684	77,684
215	CLASSIFIED PROGRAMS	52,661	52,661
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**537,855**	**534,855**
	UNDISTRIBUTED		

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
220	UNDISTRIBUTED		–38,000
	Excessive standard price for fuel		[–1,800]
	Foreign Currency adjustments		[–11,400]
	Historical unobligated balances		[–24,800]
	SUBTOTAL UNDISTRIBUTED		**–38,000**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**6,933,408**	**7,057,141**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	596,876	596,876
020	INTERMEDIATE MAINTENANCE	5,902	5,902
030	AIRCRAFT DEPOT MAINTENANCE	94,861	94,861
040	AIRCRAFT DEPOT OPERATIONS SUPPORT	381	381
050	AVIATION LOGISTICS	13,822	13,822
060	SHIP OPERATIONS SUPPORT & TRAINING	571	571
070	COMBAT COMMUNICATIONS	16,718	16,718
080	COMBAT SUPPORT FORCES	118,079	118,079
090	CYBERSPACE ACTIVITIES	308	308
100	ENTERPRISE INFORMATION	28,650	28,650
110	SUSTAINMENT, RESTORATION AND MODERNIZATION	86,354	86,354
120	BASE OPERATING SUPPORT	103,596	103,596
	SUBTOTAL OPERATING FORCES	**1,066,118**	**1,066,118**
	ADMIN & SRVWD ACTIVITIES		
130	ADMINISTRATION	1,371	1,371
140	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	13,289	13,289
160	ACQUISITION AND PROGRAM MANAGEMENT	3,229	3,229
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**17,889**	**17,889**
	UNDISTRIBUTED		
180	UNDISTRIBUTED		–9,800
	Excessive standard price for fuel		[–9,800]
	SUBTOTAL UNDISTRIBUTED		**–9,800**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**1,084,007**	**1,074,207**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	103,468	103,468
020	DEPOT MAINTENANCE	18,794	18,794
030	SUSTAINMENT, RESTORATION AND MODERNIZATION	32,777	32,777
040	BASE OPERATING SUPPORT	111,213	111,213
	SUBTOTAL OPERATING FORCES	**266,252**	**266,252**
	ADMIN & SRVWD ACTIVITIES		
060	ADMINISTRATION	12,585	12,585
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**12,585**	**12,585**
	UNDISTRIBUTED		
080	UNDISTRIBUTED		–300
	Excessive standard price for fuel		[–300]
	SUBTOTAL UNDISTRIBUTED		**–300**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**278,837**	**278,537**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	694,702	727,802
	Adversarial Air Training- mission qualification		[10,200]
	B–2 Replenishment spares		[9,000]
	PACAF Contingency response group		[4,200]
	Rocket system launch program		[8,000]
	Training equipment shortfalls		[1,700]
020	COMBAT ENHANCEMENT FORCES	1,392,326	1,547,048
	Battlefield airman equipment assembly		[8,300]
	Personnel recovery requirements		[500]
	Realign European Reassurance Initiative to Base		[96,522]
	TARP contractor specialist		[800]
	Training equipment shortfalls		[6,000]
	Training specialist contract		[400]
	Unified capabilities		[42,200]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	1,128,640	1,179,940
	F–35 maintenance instructors		[49,700]

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	Readiness decision support enterprise		[1,600]
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	2,755,367	2,873,088
	Aircraft depot level reparables		[92,100]
	Battlefield airman equipment		[7,100]
	Realign European Reassurance Initiative to Base		[18,521]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	3,292,553	3,315,253
	Realign European Reassurance Initiative to Base		[22,700]
060	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	6,555,186	6,756,965
	Aircraft depot level repairables		[177,700]
	E4B maintenance personnel		[1,000]
	EC–130H service life extension		[12,000]
	Realign European Reassurance Initiative to Base		[4,279]
	Sustain C–37B		[6,800]
070	FLYING HOUR PROGRAM	4,135,330	4,201,997
	Realign European Reassurance Initiative to Base		[66,667]
080	BASE SUPPORT	5,985,232	6,090,537
	Application hosting/MSO		[27,000]
	Cloud migration		[25,600]
	Enterprise svcs in FY18		[39,000]
	Realign European Reassurance Initiative to Base		[13,705]
090	GLOBAL C3I AND EARLY WARNING	847,516	977,216
	Aviation readiness shortfalls		[2,000]
	Cyber readiness shortfalls		[35,300]
	Cyber security readiness shortfalls		[57,500]
	Realign European Reassurance Initiative to Base		[2,000]
	Space based readiness shortfalls		[32,900]
100	OTHER COMBAT OPS SPT PROGRAMS	1,131,817	1,253,379
	Anti-terrorism force protection		[10,000]
	Cyber readiness shortfalls		[4,000]
	Cyber training readiness shortfalls		[11,000]
	EOD training and readiness shortfalls		[5,400]
	Installation processing nodes		[51,400]
	ISR sustainment and readiness		[9,800]
	PACAF- restore contingency response group		[10,100]
	Realign European Reassurance Initiative to Base		[19,562]
	Tailored OPIR intel products		[300]
120	LAUNCH FACILITIES	175,457	175,457
130	SPACE CONTROL SYSTEMS	353,458	541,758
	Command and Control sustainment and readiness		[47,100]
	Operationalizing commercial SSA		[15,000]
	Space based sustainment and readiness shortfalls		[126,200]
160	US NORTHCOM/NORAD	189,891	189,891
170	US STRATCOM	534,236	534,236
180	US CYBERCOM	357,830	357,830
190	US CENTCOM	168,208	168,208
200	US SOCOM	2,280	2,280
210	US TRANSCOM	533	533
215	CLASSIFIED PROGRAMS	1,091,655	1,091,655
	SUBTOTAL OPERATING FORCES	**30,792,217**	**31,985,073**
	MOBILIZATION		
220	AIRLIFT OPERATIONS	1,570,697	1,577,097
	C–37B flying hours		[1,800]
	Realign European Reassurance Initiative to Base		[4,600]
230	MOBILIZATION PREPAREDNESS	130,241	288,311
	Basic Expeditionary Airfield Resources PACOM		[22,600]
	BEAR PACOM		[22,600]
	BEAR PACOM spares		[2,900]
	PACAF Contingency response group		[10,100]
	Realign European Reassurance Initiative to Base		[99,870]
	SUBTOTAL MOBILIZATION	**1,700,938**	**1,865,408**
	TRAINING AND RECRUITING		
270	OFFICER ACQUISITION	113,722	113,722
280	RECRUIT TRAINING	24,804	24,804
290	RESERVE OFFICERS TRAINING CORPS (ROTC)	95,733	95,733
320	SPECIALIZED SKILL TRAINING	395,476	395,476
330	FLIGHT TRAINING	501,599	501,599
340	PROFESSIONAL DEVELOPMENT EDUCATION	287,500	287,500
350	TRAINING SUPPORT	91,384	91,384
370	RECRUITING AND ADVERTISING	166,795	166,795
380	EXAMINING	4,134	4,134
390	OFF-DUTY AND VOLUNTARY EDUCATION	222,691	222,691
400	CIVILIAN EDUCATION AND TRAINING	171,974	171,974

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
410	JUNIOR ROTC	60,070	60,070
	SUBTOTAL TRAINING AND RECRUITING	**2,135,882**	**2,135,882**
	ADMIN & SRVWD ACTIVITIES		
420	LOGISTICS OPERATIONS	805,453	808,453
	Realign European Reassurance Initiative to Base		[3,000]
430	TECHNICAL SUPPORT ACTIVITIES	127,379	127,379
470	ADMINISTRATION	911,283	911,283
480	SERVICEWIDE COMMUNICATIONS	432,172	422,172
	Program decrease		[–10,000]
490	OTHER SERVICEWIDE ACTIVITIES	1,175,658	1,166,658
	Program decrease		[–9,000]
500	CIVIL AIR PATROL	26,719	29,819
	Civil Air Patrol		[3,100]
530	INTERNATIONAL SUPPORT	76,878	76,878
535	CLASSIFIED PROGRAMS	1,244,653	1,244,653
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**4,800,195**	**4,787,295**
	UNDISTRIBUTED		
540	UNDISTRIBUTED		–389,600
	Excessive standard price for fuel		[–135,400]
	Foreign Currency adjustments		[–84,300]
	Historical unobligated balances		[–169,900]
	SUBTOTAL UNDISTRIBUTED		**–389,600**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**39,429,232**	**40,384,058**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	1,801,007	1,801,007
020	MISSION SUPPORT OPERATIONS	210,642	210,642
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	403,867	403,867
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	124,951	124,951
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	240,835	258,635
	C–17 CLS workload		[5,700]
	C–17 depot-level repairable		[12,100]
060	BASE SUPPORT	371,878	371,878
	SUBTOTAL OPERATING FORCES	**3,153,180**	**3,170,980**
	ADMINISTRATION AND SERVICEWIDE ACTIVITIES		
070	ADMINISTRATION	74,153	74,153
080	RECRUITING AND ADVERTISING	19,522	19,522
090	MILITARY MANPOWER AND PERS MGMT (ARPC)	12,765	12,765
100	OTHER PERS SUPPORT (DISABILITY COMP)	7,495	7,495
110	AUDIOVISUAL	392	392
	SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES	**114,327**	**114,327**
	UNDISTRIBUTED		
120	UNDISTRIBUTED		–21,900
	Excessive standard price for fuel		[–21,900]
	SUBTOTAL UNDISTRIBUTED		**–21,900**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**3,267,507**	**3,263,407**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
010	AIRCRAFT OPERATIONS	3,175,055	3,265,955
	Additional training man days		[54,900]
	Two C–130 simulators		[36,000]
020	MISSION SUPPORT OPERATIONS	746,082	801,682
	Additional training man days		[37,100]
	Restore support operations		[18,500]
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	867,063	867,063
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	325,090	325,090
050	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	1,100,829	1,152,129
	C–130 propulsion improvements		[16,100]
	Maintenance for RC–26 a/c		[28,700]
	Sustain DCGS		[6,500]
060	BASE SUPPORT	583,664	593,464
	Additional training man days		[9,800]
	SUBTOTAL OPERATING FORCES	**6,797,783**	**7,005,383**
	ADMINISTRATION AND SERVICE-WIDE ACTIVITIES		
070	ADMINISTRATION	44,955	44,955

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
080	RECRUITING AND ADVERTISING	97,230	97,230
	SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES	**142,185**	**142,185**
	UNDISTRIBUTED		
090	UNDISTRIBUTED		–43,300
	Excessive standard price for fuel		[–43,300]
	SUBTOTAL UNDISTRIBUTED		**–43,300**
	TOTAL OPERATION & MAINTENANCE, ANG	**6,939,968**	**7,104,268**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		
010	JOINT CHIEFS OF STAFF	440,853	440,853
020	JOINT CHIEFS OF STAFF—CE2T2	551,511	551,511
040	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	5,008,274	5,104,244
	Realign European Reassurance Initiative to Base		[95,970]
	SUBTOTAL OPERATING FORCES	**6,000,638**	**6,096,608**
	TRAINING AND RECRUITING		
050	DEFENSE ACQUISITION UNIVERSITY	144,970	144,970
060	JOINT CHIEFS OF STAFF	84,402	84,402
080	SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING	379,462	379,462
	SUBTOTAL TRAINING AND RECRUITING	**608,834**	**608,834**
	ADMIN & SRVWIDE ACTIVITIES		
090	CIVIL MILITARY PROGRAMS	183,000	209,500
	National Guard Youth Challenge		[1,500]
	STARBASE		[20,000]
	World War I Centennial Commission		[5,000]
110	DEFENSE CONTRACT AUDIT AGENCY	597,836	597,836
120	DEFENSE CONTRACT MANAGEMENT AGENCY	1,439,010	1,439,010
130	DEFENSE HUMAN RESOURCES ACTIVITY	807,754	807,754
140	DEFENSE INFORMATION SYSTEMS AGENCY	2,009,702	2,009,702
160	DEFENSE LEGAL SERVICES AGENCY	24,207	24,207
170	DEFENSE LOGISTICS AGENCY	400,422	414,922
	Procurement Technical Assistance Program (PTAP)		[14,500]
180	DEFENSE MEDIA ACTIVITY	217,585	215,454
	Program decrease		[–2,500]
	Realign European Reassurance Initiative to Base		[369]
190	DEFENSE PERSONNEL ACCOUNTING AGENCY	131,268	131,268
200	DEFENSE SECURITY COOPERATION AGENCY	722,496	872,496
	Realign European Reassurance Initiative to Base		[150,000]
210	DEFENSE SECURITY SERVICE	683,665	703,665
	Joint Acquisition Protection and Exploitation Cell (JAPEC)		[20,000]
230	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION	34,712	34,712
240	DEFENSE THREAT REDUCTION AGENCY	542,604	517,604
	Efficiencies from DTRA/JIDO integration		[–25,000]
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	2,794,389	2,844,389
	Impact Aid		[50,000]
270	MISSILE DEFENSE AGENCY	504,058	504,058
290	OFFICE OF ECONOMIC ADJUSTMENT	57,840	57,840
300	OFFICE OF THE SECRETARY OF DEFENSE	1,488,344	1,515,110
	Implementation of Military Housing Fall Prevention		[16,000]
	Implementation of transparency of Defense Business System Data		[25,000]
	Program decrease		[–17,234]
	Support for Commission to Assess the Threat from Electromagnetic Pulse Attacks and Events		[3,000]
310	SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES	94,273	94,273
320	WASHINGTON HEADQUARTERS SERVICES	436,776	436,776
325	CLASSIFIED PROGRAMS	14,806,404	14,861,724
	Realign European Reassurance Initiative to Base		[55,320]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**27,976,345**	**28,292,300**
	UNDISTRIBUTED		
330	UNDISTRIBUTED		–204,900
	Excessive standard price for fuel		[–6,500]
	Foreign Currency adjustments		[–19,400]
	Historical unobligated balances		[–179,000]
	SUBTOTAL UNDISTRIBUTED		**–204,900**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**34,585,817**	**34,792,842**
	MISCELLANEOUS APPROPRIATIONS		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE	14,538	14,538
020	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID	104,900	104,900

SEC. 4301. OPERATION AND MAINTENANCE
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
030	COOPERATIVE THREAT REDUCTION	324,600	324,600
050	ENVIRONMENTAL RESTORATION, ARMY	215,809	215,809
	Department of Defense Cleanup and Removal of Petroleum, Oil, and Lubricant associated with the Prinz Eugen		[6,000]
	Program decrease		[–6,000]
060	ENVIRONMENTAL RESTORATION, NAVY	281,415	323,649
	PFOA/PFOS Remediation		[30,000]
	Program increase		[12,234]
070	ENVIRONMENTAL RESTORATION, AIR FORCE	293,749	323,749
	PFOA/PFOS Remediation		[30,000]
080	ENVIRONMENTAL RESTORATION, DEFENSE	9,002	9,002
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES	208,673	208,673
	TOTAL MISCELLANEOUS APPROPRIATIONS	**1,452,686**	**1,524,920**
	TOTAL OPERATION & MAINTENANCE	**188,570,298**	**192,294,497**

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
010	MANEUVER UNITS	828,225	144,634
	Realign European Reassurance Initiative to Base		[–683,591]
030	ECHELONS ABOVE BRIGADE	25,474	25,474
040	THEATER LEVEL ASSETS	1,778,644	1,778,644
050	LAND FORCES OPERATIONS SUPPORT	260,575	260,575
060	AVIATION ASSETS	284,422	134,322
	Realign European Reassurance Initiative to Base		[–150,100]
070	FORCE READINESS OPERATIONS SUPPORT	2,784,525	2,775,556
	Realign European Reassurance Initiative to Base		[–8,969]
080	LAND FORCES SYSTEMS READINESS	502,330	502,330
090	LAND FORCES DEPOT MAINTENANCE	104,149	0
	Realign European Reassurance Initiative to Base		[–104,149]
100	BASE OPERATIONS SUPPORT	80,249	31,542
	Realign European Reassurance Initiative to Base		[–48,707]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	32,000	0
	Realign European Reassurance Initiative to Base		[–32,000]
140	ADDITIONAL ACTIVITIES	6,151,378	6,025,128
	Realign European Reassurance Initiative to Base		[–126,250]
150	COMMANDERS EMERGENCY RESPONSE PROGRAM	5,000	5,000
160	RESET	864,926	864,926
180	US AFRICA COMMAND	186,567	186,567
190	US EUROPEAN COMMAND	44,250	0
	Realign European Reassurance Initiative to Base		[–44,250]
	SUBTOTAL OPERATING FORCES	**13,932,714**	**12,734,698**
	MOBILIZATION		
230	ARMY PREPOSITIONED STOCKS	56,500	0
	Realign European Reassurance Initiative to Base		[–56,500]
	SUBTOTAL MOBILIZATION	**56,500**	**0**
	ADMIN & SRVWIDE ACTIVITIES		
390	SERVICEWIDE TRANSPORTATION	755,029	658,879
	Realign European Reassurance Initiative to Base		[–96,150]
400	CENTRAL SUPPLY ACTIVITIES	16,567	5,118
	Realign European Reassurance Initiative to Base		[–11,449]
410	LOGISTIC SUPPORT ACTIVITIES	6,000	6,000
420	AMMUNITION MANAGEMENT	5,207	5,207
460	OTHER PERSONNEL SUPPORT	107,091	107,091
490	REAL ESTATE MANAGEMENT	165,280	165,280
565	CLASSIFIED PROGRAMS	1,082,015	1,016,190
	Realign European Reassurance Initiative to Base		[–65,825]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**2,137,189**	**1,963,765**
	TOTAL OPERATION & MAINTENANCE, ARMY	**16,126,403**	**14,698,463**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
020	ECHELONS ABOVE BRIGADE	4,179	19,822
	Training and operations of USAR early deploying units		[15,643]
030	THEATER LEVEL ASSETS		4,718
	Training and operations of USAR early deploying units		[4,718]
040	LAND FORCES OPERATIONS SUPPORT	2,132	15,050
	Training and operations of USAR early deploying units		[12,918]
060	FORCE READINESS OPERATIONS SUPPORT	779	779
090	BASE OPERATIONS SUPPORT	17,609	17,609
	SUBTOTAL OPERATING FORCES	**24,699**	**57,978**
	TOTAL OPERATION & MAINTENANCE, ARMY RES	**24,699**	**57,978**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
010	MANEUVER UNITS	41,731	41,731
020	MODULAR SUPPORT BRIGADES	762	762
030	ECHELONS ABOVE BRIGADE	11,855	11,855
040	THEATER LEVEL ASSETS	204	204
060	AVIATION ASSETS	27,583	27,583
070	FORCE READINESS OPERATIONS SUPPORT	5,792	5,792
100	BASE OPERATIONS SUPPORT	18,507	18,507
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS	937	937
	SUBTOTAL OPERATING FORCES	**107,371**	**107,371**
	ADMIN & SRVWD ACTIVITIES		
150	SERVICEWIDE COMMUNICATIONS	740	740
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**740**	**740**
	TOTAL OPERATION & MAINTENANCE, ARNG	**108,111**	**108,111**
	AFGHANISTAN SECURITY FORCES FUND		
	MINISTRY OF DEFENSE		
010	SUSTAINMENT	2,660,855	2,660,855
020	INFRASTRUCTURE	21,000	21,000
030	EQUIPMENT AND TRANSPORTATION	684,786	684,786
040	TRAINING AND OPERATIONS	405,117	405,117
	SUBTOTAL MINISTRY OF DEFENSE	**3,771,758**	**3,771,758**
	MINISTRY OF INTERIOR		
050	SUSTAINMENT	955,574	955,574
060	INFRASTRUCTURE	39,595	39,595
070	EQUIPMENT AND TRANSPORTATION	75,976	75,976
080	TRAINING AND OPERATIONS	94,612	94,612
	SUBTOTAL MINISTRY OF INTERIOR	**1,165,757**	**1,165,757**
	TOTAL AFGHANISTAN SECURITY FORCES FUND	**4,937,515**	**4,937,515**
	COUNTER-ISIS TRAIN & EQUIP FUND		
	COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF)		
010	IRAQ	1,269,000	1,269,000
020	SYRIA	500,000	500,000
	SUBTOTAL COUNTER-ISIS TRAIN AND EQUIP FUND (CTEF)	**1,769,000**	**1,769,000**
	TOTAL COUNTER-ISIS TRAIN & EQUIP FUND	**1,769,000**	**1,769,000**
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
010	MISSION AND OTHER FLIGHT OPERATIONS	412,710	407,960
	Realign European Reassurance Initiative to Base		[–4,750]
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES	1,750	1,750
040	AIR OPERATIONS AND SAFETY SUPPORT	2,989	2,989
050	AIR SYSTEMS SUPPORT	144,030	144,030
060	AIRCRAFT DEPOT MAINTENANCE	211,196	211,196
070	AIRCRAFT DEPOT OPERATIONS SUPPORT	1,921	1,921
080	AVIATION LOGISTICS	102,834	102,834
090	MISSION AND OTHER SHIP OPERATIONS	855,453	851,776
	Realign European Reassurance Initiative to Base		[–3,677]
100	SHIP OPERATIONS SUPPORT & TRAINING	19,627	19,627
110	SHIP DEPOT MAINTENANCE	2,483,179	2,548,179
	Repairs related to USS Fitzgerald		[65,000]
130	COMBAT COMMUNICATIONS AND ELECTRONIC WARFARE	58,886	53,486
	Realign European Reassurance Initiative to Base		[–5,400]
150	SPACE SYSTEMS AND SURVEILLANCE	4,400	0
	Realign European Reassurance Initiative to Base		[–4,400]

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
160	WARFARE TACTICS	21,550	21,550
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	21,104	21,104
180	COMBAT SUPPORT FORCES	605,936	599,952
	Realign European Reassurance Initiative to Base		[–5,984]
190	EQUIPMENT MAINTENANCE AND DEPOT OPERATIONS SUPPORT	11,433	11,433
280	WEAPONS MAINTENANCE	325,011	323,711
	Realign European Reassurance Initiative to Base		[–1,300]
290	OTHER WEAPON SYSTEMS SUPPORT	9,598	9,598
310	SUSTAINMENT, RESTORATION AND MODERNIZATION	31,898	31,898
320	BASE OPERATING SUPPORT	228,246	228,246
	SUBTOTAL OPERATING FORCES	**5,553,751**	**5,593,240**
	MOBILIZATION		
360	SHIP ACTIVATIONS/INACTIVATIONS	1,869	1,869
370	EXPEDITIONARY HEALTH SERVICES SYSTEMS	11,905	11,905
390	COAST GUARD SUPPORT	161,885	161,885
	SUBTOTAL MOBILIZATION	**175,659**	**175,659**
	TRAINING AND RECRUITING		
430	SPECIALIZED SKILL TRAINING	43,369	43,369
	SUBTOTAL TRAINING AND RECRUITING	**43,369**	**43,369**
	ADMIN & SRVWD ACTIVITIES		
510	ADMINISTRATION	3,217	3,217
540	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	7,356	7,356
590	SERVICEWIDE TRANSPORTATION	67,938	67,938
620	ACQUISITION, LOGISTICS, AND OVERSIGHT	9,446	9,446
660	INVESTIGATIVE AND SECURITY SERVICES	1,528	1,528
775	CLASSIFIED PROGRAMS	12,751	12,751
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**102,236**	**102,236**
	TOTAL OPERATION & MAINTENANCE, NAVY	**5,875,015**	**5,914,504**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
010	OPERATIONAL FORCES	710,790	546,057
	Realign European Reassurance Initiative to Base		[–164,733]
020	FIELD LOGISTICS	242,150	242,150
030	DEPOT MAINTENANCE	52,000	52,000
070	BASE OPERATING SUPPORT	17,529	17,529
	SUBTOTAL OPERATING FORCES	**1,022,469**	**857,736**
	TRAINING AND RECRUITING		
120	TRAINING SUPPORT	29,421	29,421
	SUBTOTAL TRAINING AND RECRUITING	**29,421**	**29,421**
	ADMIN & SRVWD ACTIVITIES		
160	SERVICEWIDE TRANSPORTATION	61,600	61,600
215	CLASSIFIED PROGRAMS	3,150	3,150
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**64,750**	**64,750**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS	**1,116,640**	**951,907**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
030	AIRCRAFT DEPOT MAINTENANCE	14,964	14,964
080	COMBAT SUPPORT FORCES	9,016	9,016
	SUBTOTAL OPERATING FORCES	**23,980**	**23,980**
	TOTAL OPERATION & MAINTENANCE, NAVY RES	**23,980**	**23,980**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
010	OPERATING FORCES	2,548	2,548
040	BASE OPERATING SUPPORT	819	819
	SUBTOTAL OPERATING FORCES	**3,367**	**3,367**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE	**3,367**	**3,367**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
010	PRIMARY COMBAT FORCES	248,235	248,235
020	COMBAT ENHANCEMENT FORCES	1,394,962	1,298,440
	Realign European Reassurance Initiative to Base		[–96,522]

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS)	5,450	5,450
040	DEPOT PURCHASE EQUIPMENT MAINTENANCE	699,860	719,339
	Realign European Reassurance Initiative to Base		[–18,521]
	Restoration of Damaged U–2 Aircraft		[38,000]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	113,131	90,431
	Realign European Reassurance Initiative to Base		[–22,700]
060	CONTRACTOR LOGISTICS SUPPORT AND SYSTEM SUPPORT	2,039,551	2,035,272
	Realign European Reassurance Initiative to Base		[–4,279]
070	FLYING HOUR PROGRAM	2,059,363	1,992,696
	Realign European Reassurance Initiative to Base		[–66,667]
080	BASE SUPPORT	1,088,946	1,075,241
	Realign European Reassurance Initiative to Base		[–13,705]
090	GLOBAL C3I AND EARLY WARNING	15,274	13,274
	Realign European Reassurance Initiative to Base		[–2,000]
100	OTHER COMBAT OPS SPT PROGRAMS	198,090	178,528
	Realign European Reassurance Initiative to Base		[–19,562]
120	LAUNCH FACILITIES	385	385
130	SPACE CONTROL SYSTEMS	22,020	22,020
160	US NORTHCOM/NORAD	381	381
170	US STRATCOM	698	698
180	US CYBERCOM	35,239	35,239
190	US CENTCOM	159,520	159,520
200	US SOCOM	19,000	19,000
215	CLASSIFIED PROGRAMS	58,098	58,098
	SUBTOTAL OPERATING FORCES	**8,158,203**	**7,952,247**
	MOBILIZATION		
220	AIRLIFT OPERATIONS	1,430,316	1,425,716
	Realign European Reassurance Initiative to Base		[–4,600]
230	MOBILIZATION PREPAREDNESS	213,827	113,957
	Realign European Reassurance Initiative to Base		[–99,870]
	SUBTOTAL MOBILIZATION	**1,644,143**	**1,539,673**
	TRAINING AND RECRUITING		
270	OFFICER ACQUISITION	300	300
280	RECRUIT TRAINING	298	298
290	RESERVE OFFICERS TRAINING CORPS (ROTC)	90	90
320	SPECIALIZED SKILL TRAINING	25,675	25,675
330	FLIGHT TRAINING	879	879
340	PROFESSIONAL DEVELOPMENT EDUCATION	1,114	1,114
350	TRAINING SUPPORT	1,426	1,426
	SUBTOTAL TRAINING AND RECRUITING	**29,782**	**29,782**
	ADMIN & SRVWD ACTIVITIES		
420	LOGISTICS OPERATIONS	151,847	148,847
	Realign European Reassurance Initiative to Base		[–3,000]
430	TECHNICAL SUPPORT ACTIVITIES	8,744	8,744
470	ADMINISTRATION	6,583	6,583
480	SERVICEWIDE COMMUNICATIONS	129,508	129,508
490	OTHER SERVICEWIDE ACTIVITIES	84,110	84,110
530	INTERNATIONAL SUPPORT	120	120
535	CLASSIFIED PROGRAMS	53,255	53,255
	SUBTOTAL ADMIN & SRVWD ACTIVITIES	**434,167**	**431,167**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE	**10,266,295**	**9,952,869**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
030	DEPOT PURCHASE EQUIPMENT MAINTENANCE	52,323	52,323
060	BASE SUPPORT	6,200	6,200
	SUBTOTAL OPERATING FORCES	**58,523**	**58,523**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE	**58,523**	**58,523**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
020	MISSION SUPPORT OPERATIONS	3,468	3,468
060	BASE SUPPORT	11,932	11,932
	SUBTOTAL OPERATING FORCES	**15,400**	**15,400**
	TOTAL OPERATION & MAINTENANCE, ANG	**15,400**	**15,400**
	OPERATION AND MAINTENANCE, DEFENSE-WIDE		
	OPERATING FORCES		

SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
010	JOINT CHIEFS OF STAFF	4,841	4,841
040	SPECIAL OPERATIONS COMMAND/OPERATING FORCES	3,305,234	3,236,404
	Realign European Reassurance Initiative to Base		[–95,970]
	Unfunded Requirement- Joint Task Force Platform Expansion		[6,300]
	Unfunded Requirement- Publicly Available Information (PAI) Capability Acceleration		[20,840]
	SUBTOTAL OPERATING FORCES	**3,310,075**	**3,241,245**
	ADMIN & SRVWIDE ACTIVITIES		
110	DEFENSE CONTRACT AUDIT AGENCY	9,853	9,853
120	DEFENSE CONTRACT MANAGEMENT AGENCY	21,317	21,317
140	DEFENSE INFORMATION SYSTEMS AGENCY	64,137	64,137
160	DEFENSE LEGAL SERVICES AGENCY	115,000	115,000
180	DEFENSE MEDIA ACTIVITY	13,255	12,886
	Realign European Reassurance Initiative to Base		[–369]
200	DEFENSE SECURITY COOPERATION AGENCY	2,312,000	2,012,000
	Realign European Reassurance Initiative to Base		[–150,000]
	Transfer of funds to Ukraine Security Assistance		[–150,000]
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY	31,000	31,000
300	OFFICE OF THE SECRETARY OF DEFENSE	34,715	34,715
320	WASHINGTON HEADQUARTERS SERVICES	3,179	3,179
325	CLASSIFIED PROGRAMS	1,797,549	1,742,229
	Realign European Reassurance Initiative to Base		[–55,320]
	SUBTOTAL ADMIN & SRVWIDE ACTIVITIES	**4,402,005**	**4,046,316**
	TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE	**7,712,080**	**7,287,561**
	UKRAINE SECURITY ASSISTANCE		
	UKRAINE SECURITY ASSISTANCE		
010	UKRAINE SECURITY ASSISTANCE		150,000
	Transfer from DSCA		[150,000]
	SUBTOTAL UKRAINE SECURITY ASSISTANCE		**150,000**
	TOTAL UKRAINE SECURITY ASSISTANCE		**150,000**
	TOTAL OPERATION & MAINTENANCE	**48,037,028**	**45,929,178**

SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	OPERATION & MAINTENANCE, ARMY		
	OPERATING FORCES		
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		629,047
	Demolition of excess facilities		[50,000]
	Restore restoration and modernization shortfalls		[154,500]
	Restore sustainment shortfalls		[424,547]
	SUBTOTAL OPERATING FORCES		**629,047**
	TOTAL OPERATION & MAINTENANCE, ARMY		**629,047**
	OPERATION & MAINTENANCE, ARMY RES		
	OPERATING FORCES		
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		82,619
	Demolition of excess facilities		[25,000]
	Restore restoration and modernization shortfalls		[12,300]
	Restore sustainment shortfalls		[45,319]
	SUBTOTAL OPERATING FORCES		**82,619**
	TOTAL OPERATION & MAINTENANCE, ARMY RES		**82,619**
	OPERATION & MAINTENANCE, ARNG		
	OPERATING FORCES		
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		173,900
	Demolition of excess facilities		[25,000]
	Restore restoration and modernization shortfalls		[35,200]
	Restore sustainment shortfalls		[113,700]
	SUBTOTAL OPERATING FORCES		**173,900**
	TOTAL OPERATION & MAINTENANCE, ARNG		**173,900**

SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS
(In Thousands of Dollars)

Line	Item	FY 2018 Request	House Authorized
	OPERATION & MAINTENANCE, NAVY		
	OPERATING FORCES		
310	SUSTAINMENT, RESTORATION AND MODERNIZATION		414,200
	Demolition of excess facilities		[50,000]
	Restore restoration and modernization shortfalls		[87,200]
	Restore sustainment shortfalls		[277,000]
	SUBTOTAL OPERATING FORCES		**414,200**
	TOTAL OPERATION & MAINTENANCE, NAVY		**414,200**
	OPERATION & MAINTENANCE, MARINE CORPS		
	OPERATING FORCES		
060	SUSTAINMENT, RESTORATION & MODERNIZATION		217,487
	Demolition of excess facilities		[50,000]
	Restore restoration and modernization shortfalls		[35,300]
	Restore sustainment shortfalls		[132,187]
	SUBTOTAL OPERATING FORCES		**217,487**
	TOTAL OPERATION & MAINTENANCE, MARINE CORPS		**217,487**
	OPERATION & MAINTENANCE, NAVY RES		
	OPERATING FORCES		
110	SUSTAINMENT, RESTORATION AND MODERNIZATION		11,500
	Restore restoration and modernization shortfalls		[1,500]
	Restore sustainment shortfalls		[10,000]
	SUBTOTAL OPERATING FORCES		**11,500**
	TOTAL OPERATION & MAINTENANCE, NAVY RES		**11,500**
	OPERATION & MAINTENANCE, MC RESERVE		
	OPERATING FORCES		
030	SUSTAINMENT, RESTORATION AND MODERNIZATION		7,246
	Restore restoration and modernization shortfalls		[3,900]
	Restore sustainment shortfalls		[3,346]
	SUBTOTAL OPERATING FORCES		**7,246**
	TOTAL OPERATION & MAINTENANCE, MC RESERVE		**7,246**
	OPERATION & MAINTENANCE, AIR FORCE		
	OPERATING FORCES		
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		507,700
	Demolition of excess facilities		[50,000]
	Restore restoration and modernization shortfalls		[153,300]
	Restore sustainment shortfalls		[304,400]
	SUBTOTAL OPERATING FORCES		**507,700**
	TOTAL OPERATION & MAINTENANCE, AIR FORCE		**507,700**
	OPERATION & MAINTENANCE, AF RESERVE		
	OPERATING FORCES		
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		15,300
	Restore restoration and modernization shortfalls		[5,600]
	Restore sustainment shortfalls		[9,700]
	SUBTOTAL OPERATING FORCES		**15,300**
	TOTAL OPERATION & MAINTENANCE, AF RESERVE		**15,300**
	OPERATION & MAINTENANCE, ANG		
	OPERATING FORCES		
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION		47,600
	Restore restoration and modernization shortfalls		[14,600]
	Restore sustainment shortfalls		[33,000]
	SUBTOTAL OPERATING FORCES		**47,600**
	TOTAL OPERATION & MAINTENANCE, ANG		**47,600**
	TOTAL OPERATION & MAINTENANCE		**2,106,599**

TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL
(In Thousands of Dollars)

Item	FY 2018 Request	House Authorized
Military Personnel Appropriations	***133,881,636***	***134,066,025***
Military Personnel Pay Raise		*[206,400]*
Realign European Reassurance Initiative to Base		*[214,289]*
Freeze BAH reduction for Military Housing Privatization Initiative		*[125,000]*
Historical unobligated balances		*[–363,300]*
Department of Defense State Partnership Program		*[2,000]*
Medicare-Eligible Retiree Health Fund Contributions	***7,804,427***	***7,804,427***
Total, Military Personnel	***141,686,063***	***141,870,452***

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2018 Request	House Authorized
Military Personnel Appropriations	***4,276,276***	***4,061,987***
Realign European Reassurance Initiative to Base		*[–214,289]*

SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.
(In Thousands of Dollars)

Item	FY 2018 Request	House Authorized
Military Personnel Appropriations		***1,017,700***
Increase Active Army end strength by 10k		*[829,400]*
Increase Army National Guard end strength by 4k		*[105,500]*
Increase Army Reserve end strength by 3k		*[82,800]*
Medicare-Eligible Retiree Health Fund Contributions		***44,140***
Accrual payment associated with increased Army end strength		*[44,140]*
Total, Military Personnel		***1,061,840***

TITLE XLV—OTHER AUTHORIZATIONS

SEC. 4501. OTHER AUTHORIZATIONS.

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2018 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
INDUSTRIAL OPERATIONS	*43,140*	*43,140*
SUPPLY MANAGEMENT—ARMY	*40,636*	*90,747*
Realign European Reassurance Initiative to Base		*[50,111]*
TOTAL WORKING CAPITAL FUND, ARMY	***83,776***	***133,887***
WORKING CAPITAL FUND, AIR FORCE		
SUPPLY MANAGEMENT	*66,462*	*66,462*
TOTAL WORKING CAPITAL FUND, AIR FORCE	***66,462***	***66,462***
WORKING CAPITAL FUND, DECA		
COMMISSARY OPERATIONS	*1,389,340*	*1,344,340*
Civilian Personnel Compensation and Benefits		*[–20,000]*
Commissary operations		*[–25,000]*
TOTAL WORKING CAPITAL FUND, DECA	***1,389,340***	***1,344,340***
WORKING CAPITAL FUND, DEFENSE-WIDE		
SUPPLY CHAIN MANAGEMENT—DEFENSE	*47,018*	*47,018*

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2018 Request	House Authorized
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**47,018**	**47,018**
NATIONAL DEFENSE SEALIFT FUND		
LG MED SPD RO/RO MAINTENANCE	135,800	135,800
DOD MOBILIZATION ALTERATIONS	11,197	11,197
TAH MAINTENANCE	54,453	54,453
RESEARCH AND DEVELOPMENT	18,622	18,622
READY RESERVE FORCES	289,255	296,255
Strategic Sealift SLEP		[7,000]
TOTAL NATIONAL DEFENSE SEALIFT FUND	**509,327**	**516,327**
CHEM AGENTS & MUNITIONS DESTRUCTION		
CHEM DEMILITARIZATION—O&M	104,237	104,237
CHEM DEMILITARIZATION—RDT&E	839,414	839,414
CHEM DEMILITARIZATION—PROC	18,081	18,081
TOTAL CHEM AGENTS & MUNITIONS DESTRUCTION	**961,732**	**961,732**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	674,001	691,001
Administrative Overhead		[–2,000]
SOUTHCOM ISR		[21,000]
Travel, Infrastructure, Support		[–2,000]
DRUG DEMAND REDUCTION PROGRAM	116,813	116,813
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**790,814**	**807,814**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	334,087	334,087
RDT&E	2,800	2,800
TOTAL OFFICE OF THE INSPECTOR GENERAL	**336,887**	**336,887**
DEFENSE HEALTH PROGRAM		
OPERATION & MAINTENANCE		
IN-HOUSE CARE	9,457,768	9,475,768
Maintenance of inpatient capabilities of OCONUS MTFs		[10,000]
Pre-mobilization health care under section 12304b		[8,000]
PRIVATE SECTOR CARE	15,317,732	15,317,732
CONSOLIDATED HEALTH SUPPORT	2,193,045	2,193,045
INFORMATION MANAGEMENT	1,803,733	1,803,733
MANAGEMENT ACTIVITIES	330,752	321,752
Program decrease		[–9,000]
EDUCATION AND TRAINING	737,730	737,730
BASE OPERATIONS/COMMUNICATIONS	2,255,163	2,255,163
RDT&E		
RESEARCH	9,796	9,796
EXPLORATRY DEVELOPMENT	64,881	64,881
ADVANCED DEVELOPMENT	246,268	276,268
Program increase for hypoxia research		[5,000]
Research of chronic traumatic encephalopathy		[25,000]
DEMONSTRATION/VALIDATION	99,039	99,039
ENGINEERING DEVELOPMENT	170,602	170,602
MANAGEMENT AND SUPPORT	69,191	69,191
CAPABILITIES ENHANCEMENT	13,438	13,438
PROCUREMENT		
INITIAL OUTFITTING	26,978	26,978
REPLACEMENT & MODERNIZATION	360,831	360,831
THEATER MEDICAL INFORMATION PROGRAM		
JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM	8,326	8,326
DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION	499,193	499,193
UNDISTRIBUTED		
UNDISTRIBUTED		–149,600
Foreign Currency adjustments		[–15,500]
Historical unobligated balances		[–134,100]
TOTAL DEFENSE HEALTH PROGRAM	**33,664,466**	**33,545,866**

SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

Item	FY 2018 Request	House Authorized
TOTAL OTHER AUTHORIZATIONS	**37,849,822**	**37,760,333**

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Item	FY 2018 Request	House Authorized
WORKING CAPITAL FUND, ARMY		
INDUSTRIAL OPERATIONS		
SUPPLY MANAGEMENT—ARMY	50,111	–50,111
Realign European Reassurance Initiative to Base		[–50,111]
TOTAL WORKING CAPITAL FUND, ARMY	**50,111**	**–50,111**
WORKING CAPITAL FUND, DEFENSE-WIDE		
ENERGY MANAGEMENT—DEFENSE	70,000	70,000
SUPPLY CHAIN MANAGEMENT—DEFENSE	28,845	28,845
TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE	**98,845**	**98,845**
DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	196,300	196,300
TOTAL DRUG INTERDICTION & CTR-DRUG ACTIVITIES, DEF	**196,300**	**196,300**
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	24,692	24,692
TOTAL OFFICE OF THE INSPECTOR GENERAL	**24,692**	**24,692**
DEFENSE HEALTH PROGRAM		
OPERATION & MAINTENANCE		
IN-HOUSE CARE	61,857	61,857
PRIVATE SECTOR CARE	331,968	331,968
CONSOLIDATED HEALTH SUPPORT	1,980	1,980
TOTAL DEFENSE HEALTH PROGRAM	**395,805**	**395,805**
TOTAL OTHER AUTHORIZATIONS	**765,753**	**715,642**

TITLE XLVI—MILITARY CONSTRUCTION

SEC. 4601. MILITARY CONSTRUCTION.

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2018 Request	House Agreement
	Alabama			
Army	Fort Rucker	Training Support Facility	38,000	38,000
	Arizona			
Army	Davis-Monthan AFB	General Instruction Building	22,000	22,000
Army	Fort Huachuca	Ground Transport Equipment Building	30,000	30,000
	California			
Army	Fort Irwin	Land Acquisition	3,000	3,000
	Colorado			
Army	Fort Carson	Ammunition Supply Point	21,000	21,000
Army	Fort Carson	Battlefield Weather Facility	8,300	8,300
	Florida			
Army	Eglin AFB	Multipurpose Range Complex	18,000	18,000
	Georgia			
Army	Fort Benning	Air Traffic Control Tower	0	10,800
Army	Fort Benning	Training Support Facility	28,000	28,000
Army	Fort Gordon	Access Control Point	33,000	33,000
Army	Fort Gordon	Automation-Aided Instructional Building	18,500	18,500
	Germany			
Army	Stuttgart	Commissary	40,000	40,000
Army	Wiesbaden	Administrative Building	43,000	43,000
	Hawaii			
Army	Fort Shafter	Command and Control Facility, Incr 3	90,000	90,000
	Indiana			
Army	Crane Army Ammunition Plant	Shipping and Receiving Building	24,000	24,000
	Korea			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2018 Request	House Agreement
Army	Kunsan AB	Unmanned Aerial Vehicle Hangar	53,000	53,000
	New York			
Army	U.S. Military Academy	Cemetery	22,000	22,000
	South Carolina			
Army	Fort Jackson	Reception Barracks Complex, Ph1	60,000	60,000
Army	Shaw AFB	Mission Training Complex	25,000	25,000
	Texas			
Army	Camp Bullis	Vehicle Maintenance Shop	13,600	13,600
Army	Fort Hood	Vehicle Maintenance Shop	0	33,000
Army	Fort Hood, Texas	Battalion Headquarters Complex	37,000	37,000
	Turkey			
Army	Turkey Various	Forward Operating Site	6,400	0
	Virginia			
Army	Fort Belvoir	Secure Admin/Operations Facility, Incr 3	14,124	14,124
Army	Joint Base Langley-Eustis	Aircraft Maintenance Instructional Bldg	34,000	34,000
Army	Joint Base Myer-Henderson	Security Fence	20,000	20,000
	Washington			
Army	Joint Base Lewis-McChord	Confinement Facility	66,000	66,000
Army	Yakima	Fire Station	19,500	19,500
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	Host Nation Support	28,700	28,700
Army	Unspecified Worldwide Locations	Planning and Design	72,770	72,770
Army	Unspecified Worldwide Locations	Prior Year Savings: Unspecified Minor Construction, Army	0	–10,000
Army	Unspecified Worldwide Locations	Unspecified Minor Construction	31,500	41,500
Military Construction, Army Total			**920,394**	**957,794**
	Arizona			
Navy	Yuma	Enlisted Dining Facility & Community Bldgs	36,358	36,358
	California			
Navy	Barstow	Combat Vehicle Repair Facility	36,539	36,539
Navy	Camp Pendleton	Ammunition Supply Point Upgrade	61,139	61,139
Navy	Coronado	Undersea Rescue Command Operations Building		36,000
Navy	Lemoore	F/A 18 Avionics Repair Facility Replacement	60,828	60,828
Navy	Miramar	Aircraft Maintenance Hangar (Inc 2)	39,600	39,600
Navy	Miramar	F–35 Simulator Facility	0	47,600
Navy	Twentynine Palms	Potable Water Treatment/Blending Facility	55,099	55,099
	District of Columbia			
Navy	NSA Washington	Electronics Science and Technology Laboratory	37,882	37,882
Navy	NSA Washington	Washington Navy Yard AT/FP	60,000	14,810
	Djibouti			
Navy	Camp Lemonnier	Aircraft Parking Apron Expansion	13,390	0
	Florida			
Navy	Mayport	Advanced Wastewater Treatment Plant (AWWTP)	74,994	74,994
Navy	Mayport	Missile Magazines	9,824	9,824
	Georgia			
Navy	Albany	Combat Vehicle Warehouse	0	43,300
	Greece			
Navy	Souda Bay	Strategic Aircraft Parking Apron Expansion	22,045	22,045
	Guam			
Navy	Joint Region Marianas	Aircraft Maintenance Hangar #2	75,233	75,233
Navy	Joint Region Marianas	Corrosion Control Hangar	66,747	66,747
Navy	Joint Region Marianas	MALS Facilities	49,431	49,431
Navy	Joint Region Marianas	Navy-Commercial Tie-in Hardening	37,180	37,180
Navy	Joint Region Marianas	Water Well Field	56,088	56,088
	Hawaii			
Navy	Joint Base Pearl Harbor-Hickam	Sewer Lift Station & Relief Sewer Line	73,200	73,200
Navy	Kaneohe Bay	LHD Pad Conversions MV–22 Landing Pads	19,012	19,012
Navy	Wahiawa	Communications/Crypto Facility	65,864	65,864
	Japan			
Navy	Iwakuni	KC-130J Enlisted Aircrew Trainer Facility	21,860	21,860
	Maine			
Navy	Kittery	Paint, Blast, and Rubber Facility	61,692	61,692
	North Carolina			
Navy	Camp Lejeune	Bachelor Enlisted Quarters	37,983	37,983
Navy	Camp Lejeune	Water Treatment Plant Replacement Hadnot Pt	65,784	65,784
Navy	Marine Corps Air Station Cherry Point	F–35B Vertical Lift Fan Test Facility	15,671	15,671
	Virginia			
Navy	Dam Neck	ISR Operations Facility Expansion	29,262	29,262
Navy	Joint Expeditionary Base Little Creek—Story	ACU–4 Electrical Upgrades	2,596	2,596
Navy	Norfolk	Chambers Field Magazine Recap PH 1	34,665	34,665
Navy	Portsmouth	Ship Repair Training Facility	72,990	72,990
Navy	Yorktown	Bachelor Enlisted Quarters	36,358	36,358
	Washington			
Navy	Indian Island	Missile Magazines	44,440	44,440
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	Planning and Design	219,069	219,069
Navy	Unspecified Worldwide Locations	Prior Year Savings: Unspecified Minor Construction	0	–10,000
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction	23,842	23,842
Military Construction, Navy Total			**1,616,665**	**1,674,985**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2018 Request	House Agreement
	Alaska			
AF	Eielson AFB	F–35A ADAL Conventional Munitions Facility	2,500	2,500
AF	Eielson AFB	F–35A Age Facility / Fillstand	21,000	21,000
AF	Eielson AFB	F–35A Consolidated Munitions Admin Facility	27,000	27,000
AF	Eielson AFB	F–35A Extend Utiliduct to South Loop	48,000	48,000
AF	Eielson AFB	F–35A OSS/Weapons/Intel Facility	11,800	11,800
AF	Eielson AFB	F–35A R–11 Fuel Truck Shelter	9,600	9,600
AF	Eielson AFB	F–35A Satellite Dining Facility	8,000	8,000
AF	Eielson AFB	Repair Central Heat/Power Plant Boiler PH 4	41,000	41,000
	Australia			
AF	Darwin	APR—Bulk Fuel Storage Tanks	76,000	76,000
	California			
AF	Travis Air Force Base	KC–46A ADAL B14 Fuel Cell Hangar	0	1,400
AF	Travis Air Force Base	KC–46A Aircraft 3–Bay Maintenance Hangar	0	107,000
AF	Travis Air Force Base	KC–46A Alter B181/185/187 Squad Ops/AMU	0	6,400
AF	Travis Air Force Base	KC–46A Alter B811 Corrosion Control Hangar	0	7,700
	Colorado			
AF	Buckley Air Force Base	SBIRS Operations Facility	38,000	38,000
AF	Fort Carson, Colorado	13 ASOS Expansion	13,000	13,000
AF	U.S. Air Force Academy	Air Force Cyberworx	30,000	30,000
	Florida			
AF	Eglin AFB	F–35A Armament Research Fac Addition (B614)	8,700	8,700
AF	Eglin AFB	Long-Range Stand-Off Acquisition Fac	38,000	38,000
AF	Eglin AFB	Dormitories (288 RM)	0	44,000
AF	MacDill AFB	KC–135 Beddown OG/MXG HQ	8,100	8,100
AF	Tyndall AFB	Fire Station	0	17,000
	Georgia			
AF	Robins AFB	Commercial Vehicle Visitor Control Facility	9,800	9,800
	Italy			
AF	Aviano AB	Guardian Angel Operations Facility	27,325	0
	Kansas			
AF	McConnell AFB	Combat Arms Facility	17,500	17,500
	Mariana Islands			
AF	Tinian	APR Land Acquisition	12,900	12,900
	Maryland			
AF	Joint Base Andrews	PAR Land Acquisition	17,500	17,500
AF	Joint Base Andrews	Presidential Aircraft Recap Complex	254,000	124,000
	Massachusetts			
AF	Hanscom AFB	Vandenberg Gate Complex	11,400	11,400
	Nevada			
AF	Nellis AFB	Red Flag 5th Gen Facility Addition	23,000	23,000
AF	Nellis AFB	Virtual Warfare Center Operations Facility	38,000	38,000
	New Jersey			
AF	McGuire-Dix-Lakehurst	KC–46A ADAL B1749 for ATGL & LST Servicing	0	2,000
AF	McGuire-Dix-Lakehurst	KC–46A ADAL B1816 for Supply	0	6,900
AF	McGuire-Dix-Lakehurst	KC–46A ADAL B2319 for Boom Operator Trainer	0	6,100
AF	McGuire-Dix-Lakehurst	KC–46A ADAL B2324 Regional Mx Training Fac	0	18,000
AF	McGuire-Dix-Lakehurst	KC–46A ADAL B3209 for Fuselage Trainer	0	3,300
AF	McGuire-Dix-Lakehurst	KC–46A Add to B1837 for Body Tanks Storage	0	2,300
AF	McGuire-Dix-Lakehurst	KC–46A Aerospace Ground Equipment Storage	0	4,100
AF	McGuire-Dix-Lakehurst	KC–46A Alter Apron & Fuel Hydrants	0	17,000
AF	McGuire-Dix-Lakehurst	KC–46A Alter Bldgs for Ops and TFI AMU-AMXS	0	9,000
AF	McGuire-Dix-Lakehurst	KC–46A Alter Facilities for Maintenance	0	5,800
AF	McGuire-Dix-Lakehurst	KC–46A Two-Bay General Purpose Maintenance Hangar	0	72,000
	New Mexico			
AF	Cannon AFB	Dangerous Cargo Pad Relocate CATM	42,000	42,000
AF	Holloman AFB	RPA Fixed Ground Control Station Facility	4,250	4,250
AF	Kirtland Air Force Base	Fire Station	0	9,300
	North Dakota			
AF	Minot AFB	Indoor Firing Range	27,000	27,000
	Oklahoma			
AF	Altus AFB	KC–46A FTU Fuselage Trainer Phase 2	4,900	4,900
	Qatar			
AF	Al Udeid, Qatar	Consolidated Squadron Operations Facility	15,000	0
	Texas			
AF	Joint Base San Antonio	Air Traffic Control Tower	10,000	10,000
AF	Joint Base San Antonio	BMT Classrooms/Dining Facility 4	38,000	38,000
AF	Joint Base San Antonio	BMT Recruit Dormitory 7	90,130	90,130
AF	Joint Base San Antonio	Camp Bullis Dining Facility	18,500	18,500
	Turkey			
AF	Incirlik AB	Dormitory—216 PN	25,997	0
	United Kingdom			
AF	Royal Air Force Fairford	EIC RC–135 Infrastructure	2,150	2,150
AF	Royal Air Force Fairford	EIC RC–135 Intel and Squad Ops Facility	38,000	38,000
AF	Royal Air Force Fairford	EIC RC–135 Runway Overrun Reconfiguration	5,500	5,500
AF	Royal Air Force Lakenheath	Consolidated Corrosion Control Facility	20,000	20,000
AF	Royal Air Force Lakenheath	F–35A 6–Bay Hangar	24,000	24,000
AF	Royal Air Force Lakenheath	F–35A F–15 Parking	10,800	10,800
AF	Royal Air Force Lakenheath	F–35A Field Training Detachment Facility	12,492	12,492
AF	Royal Air Force Lakenheath	F–35A Flight Simulator Facility	22,000	22,000
AF	Royal Air Force Lakenheath	F–35A Infrastructure	6,700	6,700
AF	Royal Air Force Lakenheath	F–35A Squadron Operations and AMU	41,000	41,000
	Utah			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2018 Request	House Agreement
AF	Hill AFB	UTTR Consolidated Mission Control Center	28,000	28,000
	Worldwide			
AF	Unspecified Worldwide Locations	KC–46A Main Operating Base 4	269,000	0
	Worldwide Unspecified			
AF	Unspecified Worldwide Locations	Planning and Design	97,852	97,852
AF	Various Worldwide Locations	Unspecified Minor Construction	31,400	31,400
	Wyoming			
AF	F. E. Warren AFB	Consolidated HELO/TRF OPS//AMU and Alert Facility	62,000	62,000
Military Construction, Air Force Total			**1,738,796**	**1,610,774**
	California			
Def-Wide	Camp Pendleton	Ambulatory Care Center Replacement	26,400	26,400
Def-Wide	Camp Pendleton	SOF Marine Battalion Company/Team Facilities	9,958	9,958
Def-Wide	Camp Pendleton	SOF Motor Transport Facility Expansion	7,284	7,284
Def-Wide	Coronado	SOF Basic Training Command	96,077	96,077
Def-Wide	Coronado	SOF Logistics Support Unit One Ops Fac. #3	46,175	46,175
Def-Wide	Coronado	SOF Seal Team Ops Facility	66,218	66,218
Def-Wide	Coronado	SOF Seal Team Ops Facility	50,265	50,265
	Colorado			
Def-Wide	Schriever AFB	Ambulatory Care Center/Dental Add./Alt.	10,200	10,200
	CONUS Classified			
Def-Wide	Classified Location	Battalion Complex, PH 1	64,364	64,364
	Florida			
Def-Wide	Eglin AFB	SOF Simulator Facility	5,000	5,000
Def-Wide	Eglin AFB	Upgrade Open Storage Yard	4,100	4,100
Def-Wide	Hurlburt Field	SOF Combat Aircraft Parking Apron	34,700	34,700
Def-Wide	Hurlburt Field	SOF Simulator & Fuselage Trainer Facility	11,700	11,700
	Georgia			
Def-Wide	Fort Gordon	Blood Donor Center Replacement	10,350	10,350
	Germany			
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Incr 7	106,700	106,700
Def-Wide	Spangdahlem AB	Spangdahlem Elementary School Replacement	79,141	79,141
Def-Wide	Stuttgart	Robinson Barracks Elem. School Replacement	46,609	46,609
	Greece			
Def-Wide	Souda Bay	Construct Hydrant System	18,100	18,100
	Guam			
Def-Wide	Andersen AFB	Construct Truck Load & Unload Facility	23,900	23,900
	Hawaii			
Def-Wide	Kunia	NSAH Kunia Tunnel Entrance	5,000	5,000
	Italy			
Def-Wide	Sigonella	Construct Hydrant System	22,400	0
Def-Wide	Vicenza	Vicenza High School Replacement	62,406	62,406
	Japan			
Def-Wide	Iwakuni	Construct Bulk Storage Tanks PH 1	30,800	30,800
Def-Wide	Kadena AB	SOF Maintenance Hangar	3,972	3,972
Def-Wide	Kadena AB	SOF Special Tactics Operations Facility	27,573	27,573
Def-Wide	Okinawa	Replace Mooring System	11,900	11,900
Def-Wide	Sasebo	Upgrade Fuel Wharf	45,600	45,600
Def-Wide	Torri Commo Station	SOF Tactical Equipment Maintenance Fac	25,323	25,323
Def-Wide	Yokota AB	Airfield Apron	10,800	10,800
Def-Wide	Yokota AB	Hangar/Aircraft Maintenance Unit	12,034	12,034
Def-Wide	Yokota AB	Operations and Warehouse Facilities	8,590	8,590
Def-Wide	Yokota AB	Simulator Facility	2,189	2,189
	Maryland			
Def-Wide	Bethesda Naval Hospital	Medical Center Addition/Alteration Incr 2	123,800	123,800
Def-Wide	Fort Meade	NSAW Recapitalize Building #2 Incr 3	313,968	313,968
	Missouri			
Def-Wide	Fort Leonard Wood	Blood Processing Center Replacement	11,941	0
Def-Wide	Fort Leonard Wood	Hospital Replacement	250,000	150,000
Def-Wide	St Louis	Next NGA West (N2W) Complex	381,000	200,000
	New Mexico			
Def-Wide	Cannon AFB	SOF C–130 AGE Facility	8,228	8,228
	North Carolina			
Def-Wide	Camp Lejeune	Ambulatory Care Center Addition/Alteration	15,300	15,300
Def-Wide	Camp Lejeune	Ambulatory Care Center/Dental Clinic	21,400	21,400
Def-Wide	Camp Lejeune	Ambulatory Care Center/Dental Clinic	22,000	22,000
Def-Wide	Camp Lejeune	SOF Human Performance Training Center	10,800	10,800
Def-Wide	Camp Lejeune	SOF Motor Transport Maintenance Expansion	20,539	20,539
Def-Wide	Fort Bragg	SOF Human Performance Training Ctr	20,260	20,260
Def-Wide	Fort Bragg	SOF Support Battalion Admin Facility	13,518	13,518
Def-Wide	Fort Bragg	SOF Tactical Equipment Maintenance Facility	20,000	20,000
Def-Wide	Fort Bragg	SOF Telecomm Reliability Improvements	4,000	4,000
Def-Wide	Seymour Johnson AFB	Construct Tanker Truck Delivery System	20,000	20,000
	Puerto Rico			
Def-Wide	Punta Borinquen	Ramey Unit School Replacement	61,071	61,071
	South Carolina			
Def-Wide	Shaw AFB	Consolidate Fuel Facilities	22,900	22,900
	Texas			
Def-Wide	Fort Bliss	Blood Processing Center	8,300	0
Def-Wide	Fort Bliss	Hospital Replacement Incr 8	251,330	251,330
	United Kingdom			
Def-Wide	Menwith Hill Station	RAFMH Main Gate Rehabilitation	11,000	11,000

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2018 Request	House Agreement
	Utah			
Def-Wide	*Hill AFB*	*Replace POL Facilities*	*20,000*	*20,000*
	Virginia			
Def-Wide	*Joint Expeditionary Base Little Creek—Story*	*SOF SATEC Range Expansion*	*23,000*	*23,000*
Def-Wide	*Norfolk*	*Replace Hazardous Materials Warehouse*	*18,500*	*18,500*
Def-Wide	*Pentagon*	*Pentagon Corr 8 Pedestrian Access Control Pt*	*8,140*	*8,140*
Def-Wide	*Pentagon*	*S.E. Safety Traffic and Parking Improvements*	*28,700*	*28,700*
Def-Wide	*Pentagon*	*Security Updates*	*13,260*	*13,260*
Def-Wide	*Portsmouth*	*Replace Hazardous Materials Warehouse*	*22,500*	*22,500*
	Worldwide Unspecified			
Def-Wide	*Unspecified Worldwide Locations*	*Contingency Construction*	*10,000*	*0*
Def-Wide	*Unspecified Worldwide Locations*	*Energy Resilience and Conserv. Invest. Prog.*	*150,000*	*150,000*
Def-Wide	*Unspecified Worldwide Locations*	*ERCIP Design*	*10,000*	*10,000*
Def-Wide	*Unspecified Worldwide Locations*	*Exercise Related Minor Construction*	*11,490*	*11,490*
Def-Wide	*Unspecified Worldwide Locations*	*Planning & Design*	*23,012*	*23,012*
Def-Wide	*Unspecified Worldwide Locations*	*Planning & Design MDA East Coast Site*	*0*	*10,000*
Def-Wide	*Unspecified Worldwide Locations*	*Planning and Design*	*26,147*	*26,147*
Def-Wide	*Unspecified Worldwide Locations*	*Planning and Design*	*39,746*	*39,746*
Def-Wide	*Unspecified Worldwide Locations*	*Planning and Design*	*1,942*	*1,942*
Def-Wide	*Unspecified Worldwide Locations*	*Planning and Design*	*1,150*	*1,150*
Def-Wide	*Unspecified Worldwide Locations*	*Planning and Design*	*40,220*	*40,220*
Def-Wide	*Unspecified Worldwide Locations*	*Planning and Design*	*20,000*	*20,000*
Def-Wide	*Unspecified Worldwide Locations*	*Planning and Design*	*13,500*	*13,500*
Def-Wide	*Unspecified Worldwide Locations*	*Prior Year Savings: Defense Wide Unspecified Minor Construction*	*0*	*–27,440*
Def-Wide	*Unspecified Worldwide Locations*	*Unspecified Minor Construction*	*3,000*	*3,000*
Def-Wide	*Unspecified Worldwide Locations*	*Unspecified Minor Construction*	*7,384*	*7,384*
Def-Wide	*Unspecified Worldwide Locations*	*Unspecified Minor Construction*	*3,000*	*3,000*
Def-Wide	*Unspecified Worldwide Locations*	*Unspecified Minor Construction*	*3,000*	*3,000*
Def-Wide	*Unspecified Worldwide Locations*	*Unspecified Minor Construction*	*8,000*	*8,000*
Def-Wide	*Unspecified Worldwide Locations*	*Unspecified Minor Construction*	*2,039*	*2,039*
Def-Wide	*Unspecified Worldwide Locations*	*Unspecified Minor Construction*	*10,000*	*10,000*
Military Construction, Defense-Wide Total			***3,114,913***	***2,763,832***
	Worldwide Unspecified			
NATO	*NATO Security Investment Program*	*NATO Security Investment Program*	*154,000*	*177,932*
NATO	*NATO Security Investment Program*	*Prior Year Savings: NATO Security Investment Program*	*0*	*–25,000*
NATO Security Investment Program Total			***154,000***	***152,932***
	Delaware			
Army NG	*New Castle*	*Combined Support Maintenance Shop*	*36,000*	*36,000*
	Idaho			
Army NG	*MTC Gowen*	*Enlisted Barracks Transient Training*	*0*	*9,000*
Army NG	*Orchard Training Area*	*Digital Air/Ground Integration Range*	*22,000*	*22,000*
	Maine			
Army NG	*Presque Isle*	*National Guard Readiness Center*	*17,500*	*17,500*
	Maryland			
Army NG	*Sykesville*	*National Guard Readiness Center*	*19,000*	*19,000*
	Minnesota			
Army NG	*Arden Hills*	*National Guard Readiness Center*	*39,000*	*39,000*
	Missouri			
Army NG	*Springfield*	*Aircraft Maintenance Center*	*0*	*32,000*
	New Mexico			
Army NG	*Las Cruces*	*National Guard Readiness Center Addition*	*8,600*	*8,600*
	Virginia			
Army NG	*Fort Belvoir*	*Readiness Center Add/Alt*	*0*	*15,000*
Army NG	*Fort Pickett*	*Training Aids Center*	*4,550*	*4,550*
	Washington			
Army NG	*Turnwater*	*National Guard Readiness Center*	*31,000*	*31,000*
	Worldwide Unspecified			
Army NG	*Unspecified Worldwide Locations*	*Planning and Design*	*16,271*	*16,271*
Army NG	*Unspecified Worldwide Locations*	*Unspecified Minor Construction*	*16,731*	*16,731*
Military Construction, Army National Guard Total			***210,652***	***266,652***
	California			
Army Res	*Fallbrook*	*Army Reserve Center*	*36,000*	*36,000*
	Puerto Rico			
Army Res	*Aguadilla*	*Army Reserve Center*	*12,400*	*12,400*
Army Res	*Fort Buchanan*	*Reserve Center*	*0*	*26,000*
	Washington			
Army Res	*Lewis-McCord*	*Reserve Center*	*0*	*30,000*
	Wisconsin			
Army Res	*Fort McCoy*	*AT/MOB Dining Facility–1428 PN*	*13,000*	*13,000*
	Worldwide Unspecified			
Army Res	*Unspecified Worldwide Locations*	*Planning and Design*	*6,887*	*6,887*
Army Res	*Unspecified Worldwide Locations*	*Unspecified Minor Construction*	*5,425*	*5,425*
Military Construction, Army Reserve Total			***73,712***	***129,712***
	California			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2018 Request	House Agreement
N/MC Res	Lemoore	Naval Operational Support Center Lemoore	17,330	17,330
	Georgia			
N/MC Res	Fort Gordon	Naval Operational Support Center Fort Gordon	17,797	17,797
	New Jersey			
N/MC Res	McGuire-Dix-Lakehurst	Aircraft Apron, Taxiway & Support Facilities	11,573	11,573
	Texas			
N/MC Res	Fort Worth	KC130-J EACTS Facility	12,637	12,637
	Worldwide Unspecified			
N/MC Res	Unspecified Worldwide Locations	Planning & Design	4,430	4,430
N/MC Res	Unspecified Worldwide Locations	Unspecified Minor Construction	1,504	1,504
Military Construction, Naval Reserve Total			**65,271**	**65,271**
	California			
Air NG	March AFB	TFI Construct RPA Flight Training Unit	15,000	15,000
	Colorado			
Air NG	Peterson AFB	Space Control Facility	8,000	8,000
	Connecticut			
Air NG	Bradley IAP	Construct Base Entry Complex	7,000	7,000
	Indiana			
Air NG	Fort Wayne International Airport	Add to Building 764 for Weapons Release	0	1,900
Air NG	Hulman Regional Airport	Construct Small Arms Range	0	8,000
	Kentucky			
Air NG	Louisville IAP	Add/Alter Response Forces Facility	9,000	9,000
	Mississippi			
Air NG	Jackson International Airport	Construct Small Arms Range	0	8,000
	Missouri			
Air NG	Rosecrans Memorial Airport	Replace Communications Facility	10,000	10,000
	New York			
Air NG	Hancock Field	Add to Flight Training Unit, Building 641	6,800	6,800
	Ohio			
Air NG	Rickenbacker International Airport	Construct Small Arms Range	0	8,000
Air NG	Toledo Express Airport	NORTHCOM—Construct Alert Hangar	15,000	15,000
	Oklahoma			
Air NG	Tulsa International Airport	Construct Small Arms Range	0	8,000
	Oregon			
Air NG	Klamath Falls IAP	Construct Corrosion Control Hangar	10,500	10,500
Air NG	Klamath Falls IAP	Construct Indoor Range	8,000	8,000
	South Dakota			
Air NG	Joe Foss Field	Aircraft Maintenance Shops	12,000	12,000
	Tennessee			
Air NG	McGhee-Tyson Airport	Replace KC–135 Maintenance Hangar and Shops	25,000	25,000
	Wisconsin			
Air NG	Dane County Regional Airport/Truax Field	Construct Small Arms Range	0	8,000
	Worldwide Unspecified			
Air NG	Unspecified Worldwide Locations	Planning and Design	18,000	18,000
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction	17,191	17,191
Military Construction, Air National Guard Total			**161,491**	**203,391**
	Florida			
AF Res	Patrick AFB	Guardian Angel Facility	25,000	25,000
	Georgia			
AF Res	Robins Air Force Base	Consolidated Mission Complex Phase 2	0	32,000
	Guam			
AF Res	Joint Region Marianas	Reserve Medical Training Facility	5,200	5,200
	Hawaii			
AF Res	Joint Base Pearl Harbor-Hickam	Consolidated Training Facility	5,500	5,500
	Massachusetts			
AF Res	Westover ARB	Indoor Small Arms Range	10,000	10,000
	Minnesota			
AF Res	Minneapolis- St Paul IAP	Indoor Small Arms Range	0	9,000
	North Carolina			
AF Res	Seymour Johnson AFB	KC–46A ADAL for Alt Mission Storage	6,400	6,400
	Texas			
AF Res	NAS JRB Fort Worth	Munitions Training/Admin Facility	0	3,100
	Utah			
AF Res	Hill AFB	Add/Alter Life Support Facility	3,100	3,100
	Worldwide Unspecified			
AF Res	Unspecified Worldwide Locations	Planning & Design	4,725	4,725
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction	3,610	3,610
Military Construction, Air Force Reserve Total			**63,535**	**107,635**
	Georgia			
FH Con Army	Fort Gordon	Family Housing New Construction	6,100	6,100
	Germany			
FH Con Army	Baumholder	Construction Improvements	34,156	34,156
FH Con Army	South Camp Vilseck	Family Housing New Construction (36 Units)	22,445	22,445
	Korea			
FH Con Army	Camp Humphreys	Family Housing New Construction Incr 2	34,402	34,402
	Kwajalein			

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2018 Request	House Agreement
FH Con Army	Kwajalein Atoll	Family Housing Replacement Construction	31,000	31,000
	Massachusetts			
FH Con Army	Natick	Family Housing Replacement Construction	21,000	21,000
	Worldwide Unspecified			
FH Con Army	Unspecified Worldwide Locations	Planning & Design	33,559	33,559
FH Con Army	Unspecified Worldwide Locations	Prior Year Savings: Family Housing Construction, Army	0	–18,000
Family Housing Construction, Army Total			**182,662**	**164,662**
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings	12,816	12,816
FH Ops Army	Unspecified Worldwide Locations	Housing Privatization Support	20,893	20,893
FH Ops Army	Unspecified Worldwide Locations	Leasing	148,538	148,538
FH Ops Army	Unspecified Worldwide Locations	Maintenance	57,708	57,708
FH Ops Army	Unspecified Worldwide Locations	Management	37,089	37,089
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous	400	400
FH Ops Army	Unspecified Worldwide Locations	Services	8,930	8,930
FH Ops Army	Unspecified Worldwide Locations	Utilities	60,251	60,251
Family Housing Operation And Maintenance, Army Total			**346,625**	**346,625**
	Bahrain Island			
FH Con Navy	SW Asia	Construct on-Base GFOQ	2,138	2,138
	Mariana Islands			
FH Con Navy	Guam	Replace Andersen Housing PH II	40,875	40,875
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements	36,251	36,251
FH Con Navy	Unspecified Worldwide Locations	Planning & Design	4,418	4,418
FH Con Navy	Unspecified Worldwide Locations	Prior Year Savings: Family Housing Construction, N/MC	0	–8,000
Family Housing Construction, Navy And Marine Corps Total			**83,682**	**75,682**
	Worldwide Unspecified			
FH Ops Navy	Unspecified Worldwide Locations	Furnishings	14,529	14,529
FH Ops Navy	Unspecified Worldwide Locations	Housing Privatization Support	27,587	27,587
FH Ops Navy	Unspecified Worldwide Locations	Leasing	61,921	61,921
FH Ops Navy	Unspecified Worldwide Locations	Maintenance	95,104	95,104
FH Ops Navy	Unspecified Worldwide Locations	Management	50,989	50,989
FH Ops Navy	Unspecified Worldwide Locations	Miscellaneous	336	336
FH Ops Navy	Unspecified Worldwide Locations	Services	15,649	15,649
FH Ops Navy	Unspecified Worldwide Locations	Utilities	62,167	62,167
Family Housing Operation And Maintenance, Navy And Marine Corps Total			**328,282**	**328,282**
	Worldwide Unspecified			
FH Con AF	Unspecified Worldwide Locations	Construction Improvements	80,617	80,617
FH Con AF	Unspecified Worldwide Locations	Planning & Design	4,445	4,445
FH Con AF	Unspecified Worldwide Locations	Prior Year Savings: Family Housing Construction	0	–20,000
Family Housing Construction, Air Force Total			**85,062**	**65,062**
	Worldwide Unspecified			
FH Ops AF	Unspecified Worldwide Locations	Furnishings	29,424	29,424
FH Ops AF	Unspecified Worldwide Locations	Housing Privatization	21,569	21,569
FH Ops AF	Unspecified Worldwide Locations	Leasing	16,818	16,818
FH Ops AF	Unspecified Worldwide Locations	Maintenance	134,189	134,189
FH Ops AF	Unspecified Worldwide Locations	Management	53,464	53,464
FH Ops AF	Unspecified Worldwide Locations	Miscellaneous	1,839	1,839
FH Ops AF	Unspecified Worldwide Locations	Services	13,517	13,517
FH Ops AF	Unspecified Worldwide Locations	Utilities	47,504	47,504
Family Housing Operation And Maintenance, Air Force Total			**318,324**	**318,324**
	Worldwide Unspecified			
FH Ops DW	Unspecified Worldwide Locations	Furnishings	407	407
FH Ops DW	Unspecified Worldwide Locations	Furnishings	641	641
FH Ops DW	Unspecified Worldwide Locations	Furnishings	6	6
FH Ops DW	Unspecified Worldwide Locations	Leasing	12,390	12,390
FH Ops DW	Unspecified Worldwide Locations	Leasing	39,716	39,716
FH Ops DW	Unspecified Worldwide Locations	Maintenance	567	567
FH Ops DW	Unspecified Worldwide Locations	Maintenance	655	655
FH Ops DW	Unspecified Worldwide Locations	Management	319	319
FH Ops DW	Unspecified Worldwide Locations	Services	14	14
FH Ops DW	Unspecified Worldwide Locations	Utilities	268	268
FH Ops DW	Unspecified Worldwide Locations	Utilities	4,100	4,100
FH Ops DW	Unspecified Worldwide Locations	Utilities	86	86
Family Housing Operation And Maintenance, Defense-Wide Total			**59,169**	**59,169**
	Worldwide Unspecified			
FHIF	Unspecified Worldwide Locations	Administrative Expenses—FHIF	2,726	2,726
DOD Family Housing Improvement Fund Total			**2,726**	**2,726**

SEC. 4601. MILITARY CONSTRUCTION
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2018 Request	House Agreement
	Worldwide Unspecified			
UHIF	Unaccompanied Housing Improvement Fund	Administrative Expenses—UHIF	623	623
Unaccompanied Housing Improvement Fund Total			**623**	**623**
	Worldwide Unspecified			
BRAC	Base Realignment & Closure, Army	Base Realignment and Closure	58,000	58,000
Base Realignment and Closure—Army Total			**58,000**	**58,000**
	Worldwide Unspecified			
BRAC	Base Realignment & Closure, Navy	Base Realignment & Closure	93,474	128,474
BRAC	Unspecified Worldwide Locations	DON–100: Planning, Design and Management	8,428	8,428
BRAC	Unspecified Worldwide Locations	DON–101: Various Locations	23,753	23,753
BRAC	Unspecified Worldwide Locations	DON–138: NAS Brunswick, ME	647	647
BRAC	Unspecified Worldwide Locations	DON–157: MCSA Kansas City, MO	40	40
BRAC	Unspecified Worldwide Locations	DON–172: NWS Seal Beach, Concord, CA	5,355	5,355
BRAC	Unspecified Worldwide Locations	DON–84: JRB Willow Grove & Cambria Reg AP	4,737	4,737
BRAC	Unspecified Worldwide Locations	Undistributed	7,210	7,210
Base Realignment and Closure—Navy Total			**143,644**	**178,644**
	Worldwide Unspecified			
BRAC	Unspecified Worldwide Locations	DOD BRAC Activities—Air Force	54,223	54,223
Base Realignment and Closure—Air Force Total			**54,223**	**54,223**
Total, Military Construction			**9,782,451**	**9,585,000**

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS.

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2018 Request	House Agreement
	Cuba			
Army	Guantanamo Bay	OCO: Barracks	115,000	115,000
	Turkey			
Army	Various Locations	Forward Operating Site	0	6,400
	Worldwide Unspecified			
Army	Unspecified Worldwide Locations	ERI: Planning and Design	15,700	15,700
Army	Unspecified Worldwide Locations	OCO: Planning and Design	9,000	9,000
Military Construction, Army Total			**139,700**	**146,100**
	Djibouti			
Navy	Camp Lemonnier	Aircraft Parking Apron Expansion	0	13,390
	Worldwide Unspecified			
Navy	Unspecified Worldwide Locations	ERI: Planning and Design	18,500	18,500
Military Construction, Navy Total			**18,500**	**31,890**
	Estonia			
AF	Amari Air Base	ERI: POL Capacity Phase II	4,700	4,700
AF	Amari Air Base	ERI: Tactical Fighter Aircraft Parking Apron	9,200	9,200
	Hungary			
AF	Kecskemet AB	ERI: Airfield Upgrades	12,900	0
AF	Kecskemet AB	ERI: Construct Parallel Taxiway	30,000	0
AF	Kecskemet AB	ERI: Increase POL Storage Capacity	12,500	0
	Iceland			
AF	Keflavik	ERI: Airfield Upgrades	14,400	14,400
	Italy			
AF	Aviano AB	Guardian Angel Operations Facility	0	27,325
	Jordan			
AF	Azraq	OCO: MSAB Development	143,000	143,000
	Latvia			
AF	Lielvarde Air Base	ERI: Expand Strategic Ramp Parking	3,850	3,850
	Luxembourg			
AF	Sanem	ERI: ECAOS Deployable Airbase System Storage	67,400	67,400
	Norway			
AF	Rygge	ERI: Replace/Expand Quick Reaction Alert Pad	10,300	0
	Qatar			
AF	Al Udeid	Consolidated Squadron Operations Facility	0	15,000
	Romania			
AF	Campia Turzii	ERI: Upgrade Utilities Infrastructure	2,950	2,950
	Slovakia			
AF	Malacky	ERI: Airfield Upgrades	4,000	0
AF	Malacky	ERI: Increase POL Storage Capacity	20,000	0
AF	Sliac Airport	ERI: Airfield Upgrades	22,000	0

SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS
(In Thousands of Dollars)

Account	State/Country and Installation	Project Title	FY 2018 Request	House Agreement
	Turkey			
AF	*Incirlik AB*	*Dormitory—216PN*	*0*	*25,997*
AF	*Incirlik AB*	*OCO: Relocate Base Main Access Control Point*	*14,600*	*14,600*
AF	*Incirlik AB*	*OCO: Replace Perimeter Fence*	*8,100*	*8,100*
	Worldwide Unspecified			
AF	*Unspecified Worldwide Locations*	*ERI: Planning and Design*	*56,630*	*56,630*
AF	*Unspecified Worldwide Locations*	*OCO—Planning and Design*	*41,500*	*41,500*
Military Construction, Air Force Total			**478,030**	**434,652**
	Italy			
Def-Wide	*Sigonella*	*Construct Hydrant System*	*0*	*22,400*
	Worldwide Unspecified			
Def-Wide	*Unspecified Worldwide Locations*	*ERI: Planning and Design*	*1,900*	*1,900*
Military Construction, Defense-Wide Total			**1,900**	**24,300**
Total, Military Construction			**638,130**	**636,942**

TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2018 Request	House Authorized
Discretionary Summary By Appropriation		
Energy And Water Development, And Related Agencies		
Appropriation Summary:		
Energy Programs		
Nuclear Energy	*133,000*	*133,000*
Atomic Energy Defense Activities		
National nuclear security administration:		
Weapons activities	*10,239,344*	*10,423,544*
Defense nuclear nonproliferation	*1,793,310*	*1,873,310*
Naval reactors	*1,479,751*	*1,479,751*
Federal salaries and expenses	*418,595*	*407,595*
Total, National nuclear security administration	**13,931,000**	**14,184,200**
Environmental and other defense activities:		
Defense environmental cleanup	*5,537,186*	*5,607,186*
Other defense activities	*815,512*	*818,512*
Defense nuclear waste disposal	*30,000*	*30,000*
Total, Environmental & other defense activities	**6,382,698**	**6,455,698**
Total, Atomic Energy Defense Activities	**20,313,698**	**20,639,898**
Total, Discretionary Funding	**20,446,698**	**20,772,898**
Nuclear Energy		
Idaho sitewide safeguards and security	*133,000*	*133,000*
Total, Nuclear Energy	**133,000**	**133,000**
Weapons Activities		
Directed stockpile work		
Life extension programs		
B61 Life extension program	*788,572*	*788,572*
W76 Life extension program	*224,134*	*224,134*
W88 Alteration program	*332,292*	*332,292*
W80–4 Life extension program	*399,090*	*399,090*
Total, Life extension programs	**1,744,088**	**1,744,088**
Stockpile systems		
B61 Stockpile systems	*59,729*	*59,729*
W76 Stockpile systems	*51,400*	*51,400*
W78 Stockpile systems	*60,100*	*60,100*
W80 Stockpile systems	*80,087*	*80,087*
B83 Stockpile systems	*35,762*	*35,762*
W87 Stockpile systems	*83,200*	*83,200*
W88 Stockpile systems	*131,576*	*131,576*
Total, Stockpile systems	**501,854**	**501,854**
Weapons dismantlement and disposition		
Operations and maintenance	*52,000*	*52,000*

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2018 Request	House Authorized
Stockpile services		
Production support	470,400	470,400
Research and development support	31,150	31,150
R&D certification and safety	196,840	196,840
Management, technology, and production	285,400	285,400
Total, Stockpile services	**983,790**	**983,790**
Strategic materials		
Uranium sustainment	20,579	20,579
Plutonium sustainment	210,367	210,367
Tritium sustainment	198,152	198,152
Domestic uranium enrichment	60,000	60,000
Strategic materials sustainment	206,196	206,196
Total, Strategic materials	**695,294**	**695,294**
Total, Directed stockpile work	**3,977,026**	**3,977,026**
Research, development, test and evaluation (RDT&E)		
Science		
Advanced certification	57,710	57,710
Primary assessment technologies	89,313	89,313
Dynamic materials properties	122,347	122,347
Advanced radiography	37,600	37,600
Secondary assessment technologies	76,833	74,833
Program decrease		[–2,000]
Academic alliances and partnerships	52,963	52,963
Enhanced Capabilities for Subcritical Experiments	50,755	50,755
Total, Science	**487,521**	**485,521**
Engineering		
Enhanced surety	39,717	39,717
Weapon systems engineering assessment technology	23,029	23,029
Nuclear survivability	45,230	49,230
Program increase		[4,000]
Enhanced surveillance	45,147	45,147
Stockpile Responsiveness	40,000	40,000
Total, Engineering	**193,123**	**197,123**
Inertial confinement fusion ignition and high yield		
Ignition	79,575	76,575
Program decrease		[–3,000]
Support of other stockpile programs	23,565	23,565
Diagnostics, cryogenics and experimental support	77,915	77,915
Pulsed power inertial confinement fusion	7,596	7,596
Joint program in high energy density laboratory plasmas	9,492	9,492
Facility operations and target production	334,791	331,791
Program decrease		[–3,000]
Total, Inertial confinement fusion and high yield	**532,934**	**526,934**
Advanced simulation and computing		
Advanced simulation and computing	709,244	709,244
Construction:		
18–D–670, Exascale Class Computer Cooling Equipment, LNL	22,000	22,000
18–D–620, Exascale Computing Facility Modernization Project	3,000	3,000
Total, Construction	**25,000**	**25,000**
Total, Advanced simulation and computing	**734,244**	**734,244**
Advanced manufacturing		
Additive manufacturing	12,000	12,000
Component manufacturing development	38,644	38,644
Processing technology development	29,896	29,896
Total, Advanced manufacturing	**80,540**	**80,540**
Total, RDT&E	**2,028,362**	**2,024,362**
Infrastructure and operations (formerly RTBF)		
Operations of facilities	868,000	868,000
Safety and environmental operations	116,000	116,000
Maintenance and repair of facilities	360,000	395,000
Program increase to address high-priority preventative maintenance through FIRRP		[35,000]
Recapitalization	427,342	542,342
Program increase to address high-priority deferred maintenance through FIRRP		[115,000]
Construction:		
18–D–670, Material Staging Facility, PX	0	5,200

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2018 Request	House Authorized
Project initiation		[5,200]
18–D–660, Fire Station, Y–12	28,000	28,000
18–D–650, Tritium Production Capability, SRS	6,800	6,800
17–D–640 U1a Complex Enhancements Project, NNSS	22,100	22,100
17–D–630 Expand Electrical Distribution System, LLNL	6,000	6,000
16–D–515 Albuquerque complex project	98,000	98,000
15–D–613 Emergency Operations Center, Y–12	7,000	7,000
07–D–220 Radioactive liquid waste treatment facility upgrade project, LANL	2,100	2,100
07–D–220-04 Transuranic liquid waste facility, LANL	17,895	17,895
06–D–141 Uranium processing facility Y–12, Oak Ridge, TN	663,000	663,000
04–D–125 Chemistry and metallurgy research facility replacement project, LANL	180,900	180,900
Total, Construction	**1,031,795**	**1,036,995**
Total, Infrastructure and operations	**2,803,137**	**2,958,337**
Secure transportation asset		
Operations and equipment	219,464	219,464
Program direction	105,600	105,600
Total, Secure transportation asset	**325,064**	**325,064**
Defense nuclear security		
Operations and maintenance	686,977	719,977
Support to physical security infrastructure recapitalization and CSTART		[33,000]
Total, Defense nuclear security	**686,977**	**719,977**
Information technology and cybersecurity	186,728	186,728
Legacy contractor pensions	232,050	232,050
Total, Weapons Activities	**10,239,344**	**10,423,544**
Defense Nuclear Nonproliferation		
Defense Nuclear Nonproliferation Programs		
Global material security		
International nuclear security	46,339	46,339
Radiological security	146,340	146,340
Nuclear smuggling detection	144,429	139,429
Program decrease		[–5,000]
Total, Global material security	**337,108**	**332,108**
Material management and minimization		
HEU reactor conversion	125,500	125,500
Nuclear material removal	32,925	37,925
Acceleration of priority programs		[5,000]
Material disposition	173,669	173,669
Total, Material management & minimization	**332,094**	**337,094**
Nonproliferation and arms control	129,703	129,703
Defense nuclear nonproliferation R&D	446,095	451,095
Acceleration of low-yield detection experiments and 3D printing efforts		[5,000]
Nonproliferation Construction:		
18–D–150 Surplus Plutonium Disposition Project	9,000	9,000
99–D–143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS	270,000	340,000
Program increase		[70,000]
Total, Nonproliferation construction	**279,000**	**349,000**
Total, Defense Nuclear Nonproliferation Programs	**1,524,000**	**1,599,000**
Low Enriched Uranium R&D for Naval Reactors	0	5,000
Direct support to low-enriched uranium R&D for Naval Reactors		[5,000]
Legacy contractor pensions	40,950	40,950
Nuclear counterterrorism and incident response program	277,360	277,360
Rescission of prior year balances	–49,000	–49,000
Total, Defense Nuclear Nonproliferation	**1,793,310**	**1,873,310**
Naval Reactors		
Naval reactors development	473,267	473,267
Columbia-Class reactor systems development	156,700	156,700
S8G Prototype refueling	190,000	190,000
Naval reactors operations and infrastructure	466,884	466,884
Construction:		
15–D–904 NRF Overpack Storage Expansion 3	13,700	13,700
15–D–903 KL Fire System Upgrade	15,000	15,000
14–D–901 Spent fuel handling recapitalization project, NRF	116,000	116,000

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2018 Request	House Authorized
Total, Construction	**144,700**	**144,700**
Program direction	48,200	48,200
Total, Naval Reactors	**1,479,751**	**1,479,751**
Federal Salaries And Expenses		
Program direction	418,595	407,595
Program decrease to support maximum of 1,690 employees		[–11,000]
Total, Office Of The Administrator	**418,595**	**407,595**
Defense Environmental Cleanup		
Closure sites:		
Closure sites administration	4,889	4,889
Hanford site:		
River corridor and other cleanup operations	58,692	93,692
Acceleration of priority programs		[35,000]
Central plateau remediation	637,879	645,879
Acceleration of priority programs		[8,000]
Richland community and regulatory support	5,121	5,121
Construction:		
18–D–404 WESF Modifications and Capsule Storage	6,500	6,500
15–D–401 Containerized sludge removal annex, RL	8,000	8,000
Total, Construction	**14,500**	**14,500**
Total, Hanford site	**716,192**	**759,192**
Idaho National Laboratory:		
SNF stabilization and disposition—2012	19,975	19,975
Solid waste stabilization and disposition	170,101	170,101
Radioactive liquid tank waste stabilization and disposition	111,352	111,352
Soil and water remediation—2035	44,727	44,727
Idaho community and regulatory support	4,071	4,071
Total, Idaho National Laboratory	**350,226**	**350,226**
NNSA sites		
Lawrence Livermore National Laboratory	1,175	1,175
Separations Process Research Unit	1,800	1,800
Nevada	60,136	60,136
Sandia National Laboratories	2,600	2,600
Los Alamos National Laboratory	191,629	191,629
Total, NNSA sites and Nevada off-sites	**257,340**	**257,340**
Oak Ridge Reservation:		
OR Nuclear facility D & D		
OR-0041—D&D - Y–12	29,369	29,369
OR-0042—D&D -ORNL	48,110	48,110
Construction:		
17–D–401 On-site waste disposal facility	5,000	5,000
14–D–403 Outfall 200 Mercury Treatment facility	17,100	17,100
Total, OR Nuclear facility D & D	**82,479**	**82,479**
U233 Disposition Program	33,784	33,784
OR cleanup and disposition	66,632	66,632
OR reservation community and regulatory support	4,605	4,605
OR Solid waste stabilization and disposition technology development	3,000	3,000
Total, Oak Ridge Reservation	**207,600**	**207,600**
Office of River Protection:		
Waste treatment and immobilization plant		
Construction:		
01–D–416 A-D WTP Subprojects A-D	655,000	655,000
01–D–416 E—Pretreatment Facility	35,000	35,000
Total, 01–D–416 Construction	**690,000**	**690,000**
WTP Commissioning	8,000	8,000
Total, Waste treatment and immobilization plant	**698,000**	**698,000**
Tank farm activities		
Rad liquid tank waste stabilization and disposition	713,311	713,311
Construction:		
15–D–409 Low activity waste pretreatment system, ORP	93,000	93,000
Total, Tank farm activities	**806,311**	**806,311**
Total, Office of River protection	**1,504,311**	**1,504,311**

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2018 Request	House Authorized
Savannah River Sites:		
Nuclear Material Management	*323,482*	*350,482*
Acceleration of priority programs		*[27,000]*
Environmental Cleanup		
Environmental Cleanup	*159,478*	*159,478*
Construction:		
08–D–402, Emergency Operations Center	*500*	*500*
Total, Environmental Cleanup	***159,978***	***159,978***
SR community and regulatory support	*11,249*	*11,249*
Radioactive liquid tank waste:		
Radioactive liquid tank waste stabilization and disposition	*597,258*	*597,258*
Construction:		
18–D–401, SDU #8/9	*500*	*500*
17–D–402—Saltstone Disposal Unit #7	*40,000*	*40,000*
05–D–405 Salt waste processing facility, Savannah River Site	*150,000*	*150,000*
Total, Construction	***190,500***	***190,500***
Total, Radioactive liquid tank waste	***787,758***	***787,758***
Total, Savannah River site	***1,282,467***	***1,309,467***
Waste Isolation Pilot Plant		
Operations and maintenance	*206,617*	*206,617*
Central characterization project	*22,500*	*22,500*
Transportation	*21,854*	*21,854*
Construction:		
15–D–411 Safety significant confinement ventilation system, WIPP	*46,000*	*46,000*
15–D–412 Exhaust shaft, WIPP	*19,600*	*19,600*
Total, Construction	***65,600***	***65,600***
Total, Waste Isolation Pilot Plant	***316,571***	***316,571***
Program direction	*300,000*	*300,000*
Program support	*6,979*	*6,979*
WCF Mission Related Activities	*22,109*	*22,109*
Minority Serving Institution Partnership	*6,000*	*6,000*
Safeguards and Security		
Oak Ridge Reservation	*16,500*	*16,500*
Paducah	*14,049*	*14,049*
Portsmouth	*12,713*	*12,713*
Richland/Hanford Site	*75,600*	*75,600*
Savannah River Site	*142,314*	*142,314*
Waste Isolation Pilot Project	*5,200*	*5,200*
West Valley	*2,784*	*2,784*
Total, Safeguards and Security	***269,160***	***269,160***
Cyber Security	*43,342*	*43,342*
Technology development	*25,000*	*25,000*
HQEF-0040—Excess Facilities	*225,000*	*225,000*
Total, Defense Environmental Cleanup	***5,537,186***	***5,607,186***
Other Defense Activities		
Environment, health, safety and security		
Environment, health, safety and security	*130,693*	*130,693*
Program direction	*68,765*	*68,765*
Total, Environment, Health, safety and security	***199,458***	***199,458***
Independent enterprise assessments		
Independent enterprise assessments	*24,068*	*24,068*
Program direction	*50,863*	*50,863*
Total, Independent enterprise assessments	***74,931***	***74,931***
Specialized security activities	*237,912*	*240,912*
Classified topic		*[3,000]*
Office of Legacy Management		
Legacy management	*137,674*	*137,674*
Program direction	*16,932*	*16,932*
Total, Office of Legacy Management	***154,606***	***154,606***
Defense-related activities		
Defense related administrative support		

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

Program	FY 2018 Request	House Authorized
Chief financial officer	*48,484*	*48,484*
Chief information officer	*91,443*	*91,443*
Project management oversight and assessments	*3,073*	*3,073*
Total, Defense related administrative support	***143,000***	***143,000***
Office of hearings and appeals	*5,605*	*5,605*
Subtotal, Other defense activities	***815,512***	***818,512***
Total, Other Defense Activities	***815,512***	***818,512***
Defense Nuclear Waste Disposal		
Yucca mountain and interim storage	*30,000*	*30,000*
Total, Defense Nuclear Waste Disposal	***30,000***	***30,000***

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part B of House Report 115–212 and amendments en bloc described in section 3 of House Resolution 431.

Each further amendment printed in part B of the report shall be considered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

□ 2030

Pursuant to the order of the House of today, amendment No. 88 may be considered out of sequence.

It shall be in order at any time for the chair of the Committee on Armed Services or his designee to offer amendments en bloc consisting of amendments printed in part B of the report not earlier disposed of. Amendments en bloc 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 designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. THORNBERRY

The CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 115–212.

Mr. THORNBERRY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 155, line 19, strike ''$30,000,000'' and insert ''$50,000,000''.

Page 258, beginning on line 23, strike subsection (b).

Page 322, line 8, insert ''(1)'' after ''(b)''.

Page 351, beginning on line 22, strike subsection (d).

Page 376, beginning on line 11, strike paragraph (3).

Page 381, after line 6, insert the following:

(A) in subsection (b)(3), by striking ''section 377'' and inserting ''section 277'';

Page 381, line 7, strike ''(A)'' and insert ''(B)''.

Page 381, line 7, strike ''and''.

Page 381, line 8, strike ''(B)'' and insert ''(C)''.

Page 381, line 9, strike the period and insert ''; and''.

Page 381, after line 9, insert the following:

(D) in subsection (e), as so redesignated, by ''striking sections 375 and 376'' and inserting ''sections 275 and 276''.

Page 381, line 16, strike ''designating'' and insert ''redesignating''.

Page 396, after line 4, insert the following:

(5) REPORT ON PROCUREMENT OF CONTRACT SERVICES.—By inserting after paragraph (64), as added by paragraph (4), the following new paragraph:

''(65) Section 235.''.

Page 410, beginning on line 3, strike paragraph (5) and insert the following:

(5) Section 129a(b) is amended by striking ''(as identified pursuant to section 118b of this title)''.

Page 412, line 22, strike ''Section 1552(h)'' and insert ''Subsection (i) of section 1522, as redesignated by section 511(a)(1) of this Act,''.

Page 415, beginning on line 14, strike paragraph (42).

Page 567, line 13, strike the second period.

Page 569, line 12, strike ''section 1501(2)'' and insert ''section 1501(a)(2)''.

The CHAIR. Pursuant to House Resolution 431, the gentleman from Texas (Mr. THORNBERRY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is a manager's amendment that contains technical and conforming edits to the bill. I do not know of any controversy.

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

Mr. SMITH of Washington. Mr. Chair, I claim the time in opposition, although I am not opposed.

The CHAIR. Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. SMITH of Washington. Mr. Chair, I am not going to take that much time. I agree with the chairman. This is uncontroversial and should be adopted.

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

Mr. THORNBERRY. Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. THORNBERRY).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. CONAWAY

The CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 115–212.

Mr. CONAWAY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of subtitle B of title III the following:

SEC. 316. PROHIBITION ON CONTRACTS OR AWARDS FOR DROP-IN BIOFUELS OR BIOREFINERIES DURING SEQUESTRATION.

(a) IN GENERAL.—The Department of Defense may not, during fiscal year 2018 through 2021, enter into any new contracts or make any new award, and no funds may be obligated or expended, with respect to drop-in biofuels or biorefineries.

(b) DEFINITIONS.—For purposes of this section:

(1) DROP-IN BIOFUEL.—The term ''drop-in biofuel'' means a neat of blended liquid hydrocarbon fuel designed as a direct replacement for a traditional fuel with comparable performance characteristics and compatible with existing infrastructure and equipment.

(2) BIOREFINERY.—The term ''biorefinery'' means—

(A) a facility that converts or proposes to convert renewable biomass into advanced biofuels (as such term is defined under section 9001 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8101)); and

(B) a facility (including equipment and processes) that converts renewable biomass into biofuels and biobased products (as such terms are defined, respectively, under section 9001 of the Farm Security and Rural Investment Act of 2002).

SEC. 317. CALCULATION OF THE COST OF DROP-IN FUELS.

Section 2922h of title 10, United States Code, is amended—

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

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

''(c) INCLUSION OF FINANCIAL CONTRIBUTIONS FROM OTHER FEDERAL DEPARTMENTS AND AGENCIES.—For purposes of calculating the fully burdened cost of drop-in fuel under subsection (a), for a proposed purchase to be made on or after the beginning of fiscal year 2022, the Secretary of Defense shall include in such calculation any financial contributions made by other Federal departments and agencies.''.

The CHAIR. Pursuant to House Resolution 431, the gentleman from Texas (Mr. CONAWAY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CONAWAY. Mr. Chairman, this amendment is a pretty straightforward amendment. It does two things. One, it saves and conserves valuable taxpayer dollars to be used on higher priority issues, and it holds the Department of Defense accountable for current law.

Mr. Chairman, we currently have in place a variety of agreements with folks who buy biofuels at costs ranging up to $28 a gallon. The Army actually bought some at $40 a gallon. At a time when you have heard, for over an hour now, the need for conserving resources, for reprioritizing resources, having those kind of contracts, new contracts come in existence makes no sense whatsoever.

This amendment would simply say that while sequestration is going on, while we are under the draconian measures of sequestration, the Army, Department of Defense, Navy, Air Force will not enter into new contracts. Existing contracts, wherever they may be, however costly they might be, would continue forward, we would honor those and the amendments made in that regard.

But as long as we are under sequestration and we are under this budgeting process that you have heard ad nauseam over the last hour or so, these would prevent this problem from going forward.

Then if sequestration goes away on its own or we somehow lift it ourselves, then this restriction would be lifted and then new contracts could be entered into, but those contracts would then have an accounting clause in it, or the accounting department at the Pentagon would have an accounting process in which the cost of the fuels would have to take into account all of the other agencies who have been contributing to this fund.

Early on, there was a $510 million pot of money created by the Department of Defense, the Department of Energy, and the Department of Agriculture, using the Commodities Credit Corporation to fund this $510 million. None of us know where that money went. It was supposed to do a refinery, but we don't know that. We can't prove that.

We do know that they bought jet fuel at $28 a gallon under this program. Normally, at that same timeframe, they also bought jet fuel for $3.35 a gallon. So 25 bucks a gallon differential, 2 million gallons bought at the higher prices, that is $51 million of taxpayer dollars that were, I believe, misapplied and misprioritized in these tough times.

This program came into existence, in no small part, because of America's reliance on overseas sources of oil. This all predates the last 6 years of effort that has gone on in order to create the energy independence that we see on the horizon, given shale drilling and all of the opportunity to use these cheaper fuels.

So I ask my colleagues to support the amendment. This makes sense. It does not squander taxpayer resources. It does not affect existing contracts. It would only be for new contracts. The industry itself, of course, is going to be for it because they are selling a commodity at $28 a gallon versus $3 a gallon, and you would expect them to be against my amendment. But my amendment is for the servicemen and -women and for the taxpayers.

Mr. Chair, I encourage a ''yes'' vote, and I reserve the balance of my time.

Mr. CARBAJAL. Mr. Chair, I rise in opposition to this amendment.

The CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. CARBAJAL. Mr. Chair, before I proceed, I wanted to take a quick few seconds to thank and recognize Chairman THORNBERRY and Ranking Member SMITH as a freshman member of the 115th Congress. It has been refreshing to see such bipartisan tone in leadership, so I just wanted to recognize them for those qualities and skills.

With the Department of Defense struggling to rein in spending while keeping our military strong and our country protected, it is amendments like Mr. CONAWAY's that are unnecessarily impeding cost competition and reductions that come with public-private partnerships.

This amendment limits competition between alternative fuel sources and may even force DOD to pay more by explicitly prohibiting purchases of cheaper fuel. That is not only inefficient, it is irresponsible.

The Department of Defense is the single largest energy consumer in the world. We should be incentivizing the diversification of liquid fuels as an option to bring down costs and reduce regulatory burden.

Not only does this amendment risk increased costs for DOD procurement, but it also stunts potential economic growth in the rapidly expanding biofuel field, a billion-dollar industry worldwide.

Yet another troubling result of this amendment, if passed, is its potential to impede military operations where an alternative fuel may be the only option available.

It is unethical to endanger our men and women in uniform with this ban, and, at the very least, a waiver should be included for national security matters.

Military leaders and experts have told Armed Services Committee members time and time again about the direct threat that climate change, particularly sea level rise, poses to our military operations and installations both at home in places like Norfolk and abroad.

My colleague, Mr. LANGEVIN, included language in this year's NDAA that specifically acknowledges this threat. It directs the Defense Department to study the impact of climate change and prepare an effective strategy to address its effects.

We have long known that carbon pollution and fossil fuels are heavily contributing to a changing climate and the extreme weather patterns that accompany this phenomenon. It is irresponsible for this Congress to ignore this reality and not even consider cost-effective and more clean energy sources for our military.

Finally, I would like to point out that this amendment is completely unnecessary. Current law already prohibits DOD from purchasing alternative fuel in large quantities unless it is cost-competitive with traditional fuel. I urge my colleagues to oppose this misguided amendment that does far more harm than good to our Defense Department and to our servicemembers.

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

Mr. CONAWAY. Mr. Chair, how much time do I have?

The CHAIR. The gentleman from Texas has 2 minutes remaining.

Mr. CONAWAY. Mr. Chair, the gentleman is incorrect in the sense that this does not, over the next year or 2 or 3, however long sequestration is going to be in place, measurably affect climate change one way or the other. The small amounts of fuel that are allowed to be purchased in excess of competitive costs are 2 million gallons at 28 bucks a gallon.

The Department of Defense buys 107 billion gallons of fuel, so any number up to some multimillion dollar number, million gallon amount could be hidden under this amount. We also don't have a good accounting process to understand exactly what those costs are when they enter into these contracts, and asking the Department of Agriculture to subsidize this process doesn't make any sense either.

In order to hide from the program, the issue is the Department of Defense buys the fuel, they send a bill to the Commodities Credit Corporation to actually pay for it. So it is not even on the Department of Defense's books and records to get the proper accounting to make sure. This is straightforward stuff.

You can't, on the one hand, argue that we need to provide all that needs to be provided for our men and women to fight and spend an extra $51 billion, plus $510 million that we don't know where that went on a product that can be brought for $3.35 a gallon.

I would argue there is nowhere in the world today where we need drop-in jet fuel that can be provided somewhere else. That argument is specious and it makes no sense whatsoever. That may be some future issue, but that is not today.

Giving the shale drilling and the opportunity to provide fossil fuels for our military and their direct mission of fighting, not doing the other things to try to support this issue, makes no

sense. So I ask my colleagues to vote for this commonsense amendment. It does not affect the existing contracts, and it is a better use of taxpayer dollars, and it is better for the members of the service to put a hiatus on new contracts while we are under sequestration and all of the things that have been talked about.

So I encourage my colleagues to support the amendment. And with that, I yield to the chairman for any comments he might have.

The CHAIR. The time of the gentleman from Texas has expired.

Mr. CARBAJAL. Mr. Chair, I will point out that those figures are incorrect as stated by my colleague.

In 2015, the DOD paid $2.03 for 77,660 gallons of fuel at a 10 percent blend. I just wanted to correct the record because those are the accurate figures, and I think those figures speak volumes.

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

The CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. CONAWAY).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. CARBAJAL. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

It is now in order to consider amendment No. 3 printed in part B of House report 115–212.

AMENDMENT NO. 4 OFFERED BY MR. POLIS

The CHAIR. It is now in order to consider amendment No. 4 printed in part B of House Report 115–212.

Mr. POLIS. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title X in division A, add the following new section:

SEC. _____. REDUCTION OF AUTHORIZATION OF APPROPRIATIONS.

(a) REDUCTION.—Notwithstanding any other provision of this Act, but subject to subsection (b), the President, in consultation with the Secretary of Defense, the Secretary of Energy, and the Administrator for Nuclear Security, shall make such reductions in the amounts authorized to be appropriated under this Act in such manner as the President considers appropriate to achieve an aggregate reduction of 1 percent of the total amount of funds authorized to be appropriated under this Act. Such reduction shall be in addition to any other reduction of funds required by law.

(b) EXCLUSIONS.—In carrying out subsection (a), the President shall not reduce the amount of funds for the following accounts:

(1) Military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense.

(2) The Defense Health Program account.

The CHAIR. Pursuant to House Resolution 431, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chair, I yield myself such time as I might consume.

Mr. Chairman, at a time when we need to balance our budget and prevent a legacy of debt from being left to the next generation, it is really time to ask ourselves: Not only should we blast through the budget caps, but can't we afford to at least make a small and important step towards protecting our fiscal security as a nation, which is a critical part of our national security?

By spending beyond our means, we make ourselves economically beholden to other nations like China and Saudi Arabia. That makes America less secure rather than more secure.

As structured, the NDAA is fiscally irresponsible. We have had a number of discussions about that, that outside of the context of a full budget discussion, it is hard to talk about exceeding the Budget Control Act by 72.5 billion, an additional $10 billion of base spending. It is a broader discussion about the budget that needs to be had.

What my amendment would do, very simply, Mr. Chairman, is give authority to the President of the United States and the Secretary of Defense and the Secretary of Energy to reduce the overall amount of money authorized in this bill by 1 percent.

It excludes personnel and health accounts from being included in these reductions. A 1 percent reduction still leaves us well above the original Defense cap spending levels that I actually support.

□ 2045

If I had my way, I would keep those budget numbers for defense spending, but I think this 1 percent is a very reasonable compromise for those of us who believe that we need to at least show a symbolic gesture towards fiscal responsibility as we head into the budget negotiations.

In this bill, there are many overfunded accounts. Accounts are funded at levels above and beyond what our own military requested. A 1 percent reduction in that context is extremely reasonable. It is $6.2 billion out of this bill. I have no doubt that there are many ways to find the excess money in the bill that we would leave up to the military to reach that spending level.

We can consider numerous programs. This doesn't have to be across the board. We can consider programs where the bill authorizes procurement levels that exceed the President's request and the military's request. My colleague from Massachusetts pointed this out during the bill's markup when he introduced an amendment to reduce the number of littoral combat ships from three to the Navy's own request of one. We are effectively blocking the Navy from making a fiscally reasonable decision.

There are dozens more—helicopters, aircraft, and missiles—than the President even requested in his budget. So we are not going to cut every one of those items. Many of them have found their way onto the unfunded priority list which the Pentagon provides the Congress.

In a perfect world, if we had all the money in the world, we could have included all those items. But at some point, we have to make some decisions about the direction of our military budget, and we can't allow ourselves to be convinced that somehow we can sustain this level of spending. We can't.

Frankly, even with this 1 percent cut, the level of spending is unsustainable and plunges us further into debt; but I think, hopefully, that is the least that Democrats and Republicans in Congress can come together around as a simple first step.

My amendment is a very small first step. We don't have to choose between protecting the homeland and fiscal restraint. When Congress is imposing spending that the military itself doesn't even want, here is a vehicle to hand the military the ability to rein in some of that unnecessary spending that reduces our national security rather than improves it.

I encourage my colleagues to vote ''yes'' on my amendment and take this modest step towards fiscal responsibility.

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

Mr. THORNBERRY. Mr. Chairman, I claim the time in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. TURNER), chair of the Subcommittee on Tactical Air and Land Forces.

Mr. TURNER. Mr. Chairman, this amendment is not about fiscal security. It is arbitrary. It is arbitrary cuts without any reference whatsoever to our security risks, without any assessments to the needs of our military, and it is incorrectly stated that we are giving things to our military that they do not want. In fact, they needed more.

There is a whole category called unfunded requirements that they put before the House Armed Services Committee. And I want to say that again: unfunded requirements. It is not unfunded wishes, unfunded needs—unfunded requirements. And they are based on the mission that we have assigned the military and their inability to do so as a result of that gap, and many of which we were unable to fund in this bill.

What would some of those relate to? We could take a tour around the world and we know the risks that we are facing: China, Russia, North Korea, Syria, Iraq, Afghanistan, Libya, ISIS, terrorism. These are not issues that you take up lightly and then say we can undertake an arbitrary cut.

By the way, if this was really about fiscal security, it would be a 1 percent cut across all spending, but it is only

going to apply to the military. This doesn't apply to the IRS. It doesn't apply to the EPA. This is only saying that the military should be cut as a result of some concept of fiscal savings.

But the savings that we have taken have damaged our military already. The Air Force Vice Chief of Staff, General Stephen Wilson, at HASC, testified in February of this year, '' . . . we have become one of the smallest, oldest equipped, and least ready forces across the full spectrum of operations in our service history,'' the entire history of the Air Force.

In 1991, we went to Desert Storm. Our Air Force was 500,000 people and 134 fighter squadrons. Today we find ourselves at 317 in our active force, with 55 fighter squadrons.

The Navy is the same. It is the smallest since World War II. Deployments continue to increase, and training and maintenance periods have been shortened, eliminated, or deferred.

The number of Marine Corps infantry battalions have been reduced by four since 2010, going from 28 to 24.

Admiral William Moran, the Vice Chief of Naval Operations, has also indicated that of the Navy aircraft, 60 percent are unable to operate.

The CHAIR. The time of the gentleman has expired.

Mr. THORNBERRY. Mr. Chairman, I yield an additional 30 seconds to the gentleman.

Mr. TURNER. At the end of this amendment, it incorrectly states that there should be no cuts to military personnel, and it incorrectly states that because the rest of the cuts actually apply to our military personnel. It applies to what we ask them to do and what we give them to do the job.

Our military should be honored. It should not be faced with additional cuts. We should honor what is in this bill. We should satisfy their requirements, and we should support our men and women in uniform.

Mr. POLIS. Mr. Chair, the gentleman asked why aren't there cuts for other agencies. That is not the bill we have before us. We have the National Defense Authorization bill before us. I have supported similar cuts in various agencies when we have had those appropriations bills on the floor.

This is the biggest bill on the authorization side, and then, of course, the companion appropriations bill. This is over 40 percent of our discretionary expenditures, and the authorization for 40 percent of our discretionary expenditures is in this bill. So a 1 percent cut is very meaningful in this bill.

That doesn't mean that 1 percent cuts in other areas aren't meaningful, too. They are.

There is no single other area that is as important, fiscally, as this area, and I think it would set a positive tone for reining in out-of-control spending.

There are many accounts that are funded at levels above President Trump's request. So if the gentleman is saying somehow that this cut would leave anybody unprepared, he is basically saying that President Trump's budget would leave the military unprepared or leave people poorly equipped.

The truth is there are many of us who support vastly lower spending levels and believe that those are sufficient for national defense. That is not even what this amendment does. It simply reduces spending just over $6.2 billion. It still blasts through the budget cap.

Mr. Chair, the ranking member has indicated that he supports this bill, and I deeply respect his expertise in military preparedness. I encourage my colleagues to unanimously adopt my amendment.

I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield 30 seconds to the gentleman from Georgia (Mr. JODY B. HICE).

Mr. JODY B. HICE of Georgia. Mr. Chairman, I rise in strong opposition to this amendment.

As we all know, over the past 8 years, the world certainly has become a more dangerous place, and we face a variety of threats that, quite frankly, we are not keeping pace with, and we simply cannot continue a pattern of underfunding our military.

Yes, we must keep our financial house in order, but we absolutely cannot afford to allow the quality of our national defense to decline by further defense budget cuts.

Mr. Chair, I urge my colleagues to oppose this amendment.

Mr. THORNBERRY. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I oppose this amendment. I am concerned about a growing notion that we can thank servicemembers for their service but then somehow not provide them everything they need to do their job, that we can continue to allow them to have airplanes that don't fly, ships that can't sail, not having the readiness they need to prepare for the missions we send them on. As the gentleman from Ohio said, that hurts people, and, unfortunately, that is what has happened in recent years.

Mr. Chairman, defense spending this year is still 18 percent below what it was in 2010. So what has happened is we have cut the defense budget while the threats that we send our military out to keep us safe from have grown. And remember, 2010 was before Russia invaded Crimea, before China started building islands in the South China Sea, before ISIS even existed.

This budget that is before us does not fix all our problems. It is a start, and I think it is about as much as we can do in a single year. But even if this bill passes, we are not up to 2010 levels; we have not made up the ground that we have lost.

I believe that the men and women who serve deserve our best. This bill, I believe, comes close to providing our best to them this year. It should be supported, and this amendment should be rejected.

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

The CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. JAYAPAL

The CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 115–212.

Ms. JAYAPAL. Mr. Chairman, I rise as the designee of the gentleman from Wisconsin, and I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 451, after line 6, insert the following:

SEC. 1073. SENSE OF CONGRESS REGARDING INVESTING IN THE HOMELAND TO ADVANCE NATIONAL SECURITY.

(a) FINDINGS.—Congress makes the following findings:

(1) A strong and safe homeland rests on the health and wellbeing of America's communities.

(2) Federal non-defense discretionary spending provides health care for our veterans, research to tackle cancer, safe highways, airports and waterways, economic security for families in need, and robust law enforcement.

(b) SENSE OF CONGRESS.—It is the sense of Congress that any increase to the combined amount authorized to be appropriated for National Defense Budget (Function 50) and Overseas Contingency Operations should be matched—dollar for dollar—with increases in the annual amounts authorized to be appropriated for the Federal non-defense discretionary budget, which makes investments that are essential to the national security of the United States.

The CHAIR. Pursuant to House Resolution 431, the gentlewoman from Washington (Ms. JAYAPAL) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Washington.

Ms. JAYAPAL. Mr. Chairman, the reality is that our economic security is part and parcel of our national security, and so it is in line with these values today that we introduce Amendment 334 to the National Defense Authorization Act, which states a sense of Congress that any appropriated increase to the combined national defense budget and the overseas contingency operations budget are matched dollar for dollar by nondefense discretionary spending increases.

For years now, these spending increases have occurred concurrently and equally, keeping important parity between defense and nondefense discretionary spending. Because genuine national security depends on the health, vibrancy, and safety of our communities, we must ensure that the spending parity continues and that this Democratic Party principle carries on into fiscal year 2018.

Nondefense discretionary spending includes a host of funds that are crucial to the American people, from education to research, to veterans' healthcare, to transportation and even homeland security. NDD funding is absolutely essential to moving our country forward.

Mr. Chairman, as vice ranking member of the Budget Committee, I echo the comments made earlier by our ranking member, Mr. SMITH, about the dysfunction that we have, as we have yet to consider a fiscal year 2018 budget resolution, and we have only 23 legislative days before the new fiscal year begins.

The effort to push through $696 billion in defense spending will trigger sequestration under the Budget Control Act, and our communities will pay the price in cuts to vital programs. This is senseless brinksmanship, and we must reject it.

Sequestration would, further, hinder job creation and stall economic growth by cutting $2 trillion in discretionary spending for infrastructure that makes our communities thrive: roads, bridges, transit, railroad systems, broadband, ports, airports, waterways, schools, and safe, clean water systems. It will erode our investments in education, worker training, public health, and community development that strengthen the middle class and working families; and these shortfalls, Mr. Chairman, will hurt the American people and our economy and make us less secure as a nation.

Budgetary gimmicks don't make our Nation safer either, and that is why in the People's Budget, which we introduced in the Progressive Caucus, the overseas contingency operations budget is actually zeroed out, as it is essentially a zero accountability slush fund used to avoid the restrictions imposed by the Budget Control Act.

Some have pointed out that $10 billion of the $631.5 billion for the military base budget needs is actually labeled OCO purely as a technicality to evade the Budget Control Act caps. This is in addition to the clearly marked $65 billion of OCO funds.

By including OCO funding one-to-one match in our amendment, we are sending a message that we will not accept these efforts to undermine the best interests of our country and its people.

Increasing opaque funding sources comes at the expense of our Nation's infrastructure programs, education, and all the other things that I mentioned earlier. So to the extent that Congress provides relief from the post-sequestration funding levels for our military, responsible Members of this body should be united in insisting that the same relief would apply to domestic discretionary spending. This amendment underscores the reality that economic security is national security.

For these reasons, and to support the continuation of this important principle, we urge support of this amendment.

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

Mr. THORNBERRY. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. THORNBERRY. I yield myself 2 minutes.

Mr. Chairman, in some ways, I think this may be one of the most important debates we have in the next 3 days because the question is whether our support for the men and women who serve in the military is conditional or not. Will we only repair the planes they fly, will we only fix the ships they sail if, and only if, exactly an equal amount will be added to domestic spending programs.

□ 2100

Will we only provide for military spouses for their needs? Will we only take care of wounded warriors for their increased needs if, and only if, an exact amount, the exact dollar for dollar, is added to domestic programs?

That holds the military hostage to a domestic political agenda, and I think that is fundamentally wrong at every level. These men and women go out and risk their lives to keep us safe, yet they not only have to worry about North Korea up on the DMZ, they not only have to worry about ISIS in Syria, they have to worry about whether we will pass some domestic program if we are going to adequately provide for them.

The Constitution says it is Congress' responsibility to provide for the military without condition. This sort of approach, saying, ''We will only do this for the military if, and only if, we get what we want on domestic programs'' breaks faith with the men and women who serve. It is wrong at every level.

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

Ms. JAYAPAL. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentlewoman from Washington has 1½ minutes remaining.

Ms. JAYAPAL. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Washington (Mr. SMITH).

Mr. SMITH of Washington. Mr. Chairman, there is nothing political about a domestic agenda, and this isn't conditional on additional money being spent. In fact, the chairman has got it exactly flip-flop.

The money that we are providing for the armed services at this point, the extra money, is conditioned on cutting it from everything else. As we saw in President Trump's budget, $54 billion-plus up for defense and $54 billion taken away from the domestic agenda.

And it is beyond insulting to say that if you support any sort of domestic spending, you don't care about the troops. That being concerned about transportation and infrastructure, which, by the way, bridges have collapsed and killed people in this country because of the problems with our transportation and infrastructure.

The Department of Homeland Security is part of nondefense discretionary spending. Does it not protect us? We have heard from the President it does.

The State Department is also part of nondefense discretionary spending, where we have heard from the Secretary of Defense that it saves lives.

So for our committee—the Armed Services Committee to say, ''We are all that matters, to hell with everything else; and if you care at all about transportation or domestic agenda, you don't care about the troops,'' that is what is an incredibly disingenuous argument.

Mr. THORNBERRY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I think all of us care about domestic spending programs. I certainly do. And I am not for the cuts that were proposed by the administration. That is what we are here to do and decide.

What I am opposed to is the sense of Congress that every dollar we increase in defense has to be matched by an increased dollar on the domestic side. That makes it conditional. That makes it tied to a domestic political agenda on the EPA, the IRS, education, transportation, whatever it is.

My point is that all of those things need to stand on their own merits. Defense needs to stand on its own merits, support for our military needs to stand on its own merits, having planes that fly and ships that sail and adequate funding for our troops and their families stand on their own merits.

It cannot be conditional upon whether or not this Congress or this President agrees on other spending items. They need to stand on their own two feet, too. But it is absolutely wrong to say we will only support these military folks if we get what we want on the domestic side.

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

Ms. JAYAPAL. Mr. Chairman, I have to say that this is conditional because we still don't have a budget resolution. So in the absence of a budget resolution, the reality is we are looking at a budget that could potentially raise $676 billion for defense, but at the expense of all of the other programs that we have mentioned.

And the reality is that families in the armed services also care about education, about healthcare, about roads, and about everything else that is funded in domestic spending. So we have to make sure that these two things are interconnected. And, yes, we have got to make sure that the State Department is funded and that we continue to push for a budget that keeps parity between defense and nondefense discretionary.

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

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Tennessee (Mr. DESJARLAIS), a valuable member of our committee.

Mr. DESJARLAIS. Mr. Chairman, no one can deny we have a readiness issue within our military due to funding shortfalls. This comes at a time when we are facing unprecedented threats all over the globe. Our Constitution makes it clear that our top priority and duty is to provide for the common defense.

In World War II, Americans willingly rationed whatever was necessary to support the war effort and our troops. It would have been unthinkable—unimaginable—for someone to suggest that our military could not have the resources necessary to defeat our enemies, unless we had equal spending for everything else. Simply put, we would have lost the war and our freedom.

We cannot lose sight or take for granted our Nation's safety and security. Without it, the rest of the discretionary budget really doesn't matter so much.

I fear America has lost its way if we live in a culture that would suggest that we can't support our most vital obligation without equal financial representation of our other government expenditures.

I urge my colleagues to give our full support to the men and women in uniform, support the underlying bill, but oppose this amendment that adds unnecessarily to our debt and further threatens our ability to keep our Nation safe for the remaining threats we face.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Washington (Ms. JAYAPAL).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. JAYAPAL. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Washington will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. NADLER

The CHAIR. It is now in order to consider amendment No. 6 printed in part B of House Report 115–212.

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In division A, strike section 1022 (relating to prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba to the United States).

The CHAIR. Pursuant to House Resolution 431, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, my amendment will strike section 1022 of the bill that prohibits the transfer or release of prisoners from Guantanamo Bay, Cuba, to the United States.

We are currently imprisoning 41 people at Guantanamo, 26 of whom are being detained indefinitely without charge or trial, with no proceedings, no hearings, and no opportunity to plea their case, essentially forever.

Beyond existing as an affront to fundamental American values, Guantanamo is a dangerous counterproductive relic of the past. National security experts and our own military commanders agree that Guantanamo harms our national security by serving as a recruiting tool for terrorists and damaging our relationships with allies.

Furthermore, it is increasingly difficult to justify the annual cost of holding each Guantanamo detainee, which is now climbing to an incredible $10 million a year per detainee. Guantanamo is now the most expensive prison on Earth, costing U.S. taxpayers approximately $445 million per year. This is especially disappointing when you consider that each prisoner in Federal maximum security penitentiaries costs only $78,000 a year. Not only does our refusal to close Guantanamo diminish our legal and ethical reputation throughout the world, it also costs American citizens astronomical sums of money for no purpose.

We have made excellent progress towards reducing the numbers of prisoners, and we should continue to do so. About 35 percent of released prisoners were confirmed or suspected of returning to the battlefield during the Bush administration. But the Obama administration developed a robust framework to ensure released detainees were more closely supervised to reduce the likelihood of a return to the battlefield.

The Bush administration struck diplomatic bills to repatriate large batches of prisoners to countries like Saudi Arabia and Afghanistan in bulk, and many recidivists came from those batches.

By contrast, the Obama administration developed an individualized review process by six agencies to determine whether to recommend transferring a detainee. Over time, it also developed more careful diplomatic and monitoring plans with receiving countries to ease a prisoner's reintegration into that country's society.

When the first detainees arrived at Guantanamo in January 2002, America was still reeling from the 9/11 attacks, and the war in Afghanistan had only just begun. Yet, 15 years later, it is clear that the war on terror has dragged on for too long, as we have expanded our involvement in costly clashes in Yemen, Somalia, and Syria. In doing so, we have embroiled ourselves in needless, endless conflict, without an exit strategy or a clear strategy for success.

The recent vote for Congresswoman BARBARA LEE's amendment to repeal the 2001 Authorization for Use of Military Force in the House Appropriations Committee demonstrated that Congress is finally realizing a blank check for perpetual war must be reevaluated and reconsidered.

Similarly, as we reconsider the 2001 AUMF, I look forward to working together in a bipartisan manner to close the Guantanamo prison, reevaluate our approach to these detainees, and close another dark and sad chapter that has damaged our national honor.

Guantanamo's continued operation provides a momentous challenge to the founding principles of the United States, that no person may be deprived of liberty without due process of law, and certainly may not be deprived of liberty indefinitely without due process of law, and for each day that its doors remain open, it becomes increasingly difficult for our Nation to claim the moral and ethical high ground.

We must close the detention facility at Guantanamo now, and this amendment will help us achieve that goal.

Mr. Chairman, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I claim the time in opposition to the Nadler amendment.

The CHAIR. The gentleman from Ohio is recognized for 5 minutes.

Mr. WENSTRUP. Mr. Chairman, the Nadler amendment would allow detainees currently housed at GTMO to be transferred to the United States. As in previous conflicts, it is appropriate and lawful to hold detainees that we engage in our armed conflicts.

Guantanamo is the safest and most appropriate location to house these detainees. Members can visit there. It is secure and relatively distant from the United States.

Moving to the U.S. puts our homeland and citizens at risk. Our enemies have, when able, attacked and, on occasion, freed detainees, even committing suicide to do it. I have seen the attempts. I have served in Iraq at a detention facility.

And as far as Guantanamo being a recruitment tool, it might just be a recruitment tool, and here is why. Because if you are caught trying to kill Americans and committing acts of terrorism, you get to go to a Caribbean island that provides humane conditions for the detainees. Go visit there and you will see that. They have appropriate access to healthcare, the same healthcare that our troops get. They have recreational activities, and they have cultural and religious materials.

But, more important than anything else, our troops, and the detainees that they hold there, are all safer in Cuba. It is very difficult to sneak up and attack Guantanamo Bay.

The recent terrorist attacks in Europe should remind us all that there is significant risk, and that we face significant risk in this world. Yes, we wish the war on terror was over. But guess what. It is not.

This would only increase the risk right here in our own backyards. Congress has passed, and the President has

signed into law, restrictions on Guantanamo detainee transfers to the U.S. every year since fiscal year 2010. To house these terrorists, these enemies of freedom on our own land is dangerous. I ask for your support in defeating this amendment.

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

Mr. NADLER. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman from New York has 1¼ minutes remaining.

Mr. NADLER. Mr. Chairman, I yield myself 15 seconds.

I will simply observe that this amendment prohibits the President from transferring prisoners.

Do you really think that Donald Trump, the current President, needs the prohibition that he would transfer prisoners to maximum security prisons in the United States if it weren't safe to do so?

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

Mr. WENSTRUP. Mr. Chairman, I yield 1 minute to the gentleman from Nebraska (Mr. BACON), my friend and colleague.

Mr. BACON. Mr. Chairman, I rise today in strong opposition to this amendment.

I can attest unequivocally, based on firsthand knowledge, that this latest attempt to transfer detainees at Guantanamo Bay is strategically unwise and, I believe, morally wrong. None of the arguments in favor of transferring these prisoners are defensible militarily, legally, or financially.

We are in a war and these prisoners were captured on the battlefield. There is no hard evidence to support the argument that Guantanamo is a decisive recruiting tool, and is extremely naive to believe that closing it would somehow magically change the hearts and minds of our enemies. We could disarm and renounce every interest we have and they would just invent another reason to attack us.

The truth is that many of these prisoners are the worst of the worst, yet they are treated better than many of our own veterans. And here is the key point: prisoners released from Guantanamo have killed Americans in the past and, if given the chance, will gladly do so again, a fact openly conceded by officials in the Obama administration itself.

We do not want the blood of Americans killed by these terrorists in custody today on our hands.

Mr. NADLER. Mr. Chairman, it costs the American taxpayer $10 million a year per detainee to keep a detainee in Guantanamo. To keep that same detainee in a Federal maximum security penitentiary in the United States would cost $78,000. That is a ridiculous waste of our military budget. Nobody has ever escaped from a Federal maximum security prison.

□ 2115

Transferring these prisoners to Federal maximum security prisons in the United States would pose no danger to anybody.

And yes, some of these prisoners may be the worst of the worst. Many are not. They were not all caught on the battlefield. Some of them were sold for bounties by people in different tribes or groups in Afghanistan. Some of them were not captured on battlefields at all. Some of them are innocent; some are not.

But to keep them in Guantanamo for $10 million each per year with no possibility of getting out is an affront to our values. It is an affront to our liberties. It is an affront to our military budget and to our pocketbooks, and it is, frankly, plain foolish.

I yield back the balance of my time.

Mr. WENSTRUP. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Ms. STEFANIK), my friend and colleague.

Ms. STEFANIK. Mr. Chairman, I rise in opposition to Mr. NADLER's amendment, which strikes language that prohibits the use of funds to transfer or release Guantanamo Bay detainees to the United States.

As we are all aware here today, GTMO holds some of the world's most dangerous and heinous terrorists, individuals who are responsible for and are ideologically committed to killing Americans at home and abroad. They are responsible for killing our men and women in uniform.

Transferring these terrorists to the United States, where constitutional protections and immigration law may apply, puts our national security at risk and hinders our intelligence-gathering ability.

Today, we remain in a war against al-Qaida and all associated forces. It is the responsibility of Congress to do everything in our power to provide the resources and authorities to win that war, and transferring Guantanamo Bay detainees to the United States undermines these efforts. Therefore, I strongly urge my colleagues to oppose this amendment.

Mr. WENSTRUP. Mr. Chairman, I yield 1 minute to the gentleman from Alabama (Mr. BYRNE), my friend and colleague.

Mr. BYRNE. Mr. Chairman, I oppose the gentleman's amendment. We have debated this issue for years now, and every year we successfully maintain the prohibition on transferring dangerous detainees out of GTMO.

It is important to remember that most of the 41 remaining prisoners are very dangerous. The language in the underlying bill is required to keep the American people and our allies safe.

One of the main goals of Guantanamo Bay is to keep these terrorists from returning to the battlefield. Sadly, it has become clear that some of the detainees released have returned to the field to fight the United States.

We ask our servicemembers to put their lives on the line each and every day in order to keep the American people safe. How can we ask them to do that, while knowing that we are releasing cruel, brutal terrorists back to the battlefield? It would be reprehensible.

I urge my colleagues to oppose the amendment and protect our servicemembers and the American people.

Mr. WENSTRUP. Mr. Chairman, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. NADLER. Mr. Chairman, I demand a recorded vote.

The 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. 7 OFFERED BY MR. NADLER

The CHAIR. It is now in order to consider amendment No. 7 printed in part B of House Report 115–212.

Mr. NADLER. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In division A, strike section 1023 (prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba).

The CHAIR. Pursuant to House Resolution 431, the gentleman from New York (Mr. NADLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. NADLER. Mr. Chairman, I will not take 5 minutes. This amendment will strike section 1023 of the bill that prohibits the use of funds to construct or modify facilities in the United States for Guantanamo detainees. The provision is simply designed to further delay the transferred detainees out of Guantanamo and is unnecessary and counterproductive.

The arguments for this amendment and against it are essentially the arguments for and against the previous amendment that we just went through. That amendment prohibited the use of funds to transfer prisoners. This amendment prohibits the use of funds—this provision, rather, prohibits the use of funds to construct facilities in the United States to receive such transferees. It is essentially the same pros and cons.

I just want to mention, though, that yes, some of those detainees may be the worst of the worst, but they will still be detained. But some of them are not. They are people who were caught up in bounty situations where they were sold for money because we were giving a bounty if someone claimed that so and so had been in combat against us, but we didn't really know.

We now know mistakes were made. We may choose to say some of these people can go home, and others can stay in the United States. It is simply, again, a question that we shouldn't be

spending $10 million a person, instead of $78,000 a person, to hold them in secure facilities.

The other thing that Ms. STEFANIK of New York said I must comment on, she said we are holding people in Guantanamo because if we transfer them to the United States they will enjoy the constitutional rights of prisoners in the United States, and that we don't want to do, for whatever reason. She didn't say.

But the fact of the matter is, Guantanamo was built for that purpose because it was thought by the Bush administration initially that people held outside of the Continental United States, in Guantanamo, which is in Cuba, not the United States, would not enjoy constitutional rights, could not use the writ of habeas corpus and other things.

However, a series of Supreme Court decisions said that was wrong. The prisoners held in Guantanamo Bay have the same constitutional rights as prisoners held in prisons in the Continental United States, so there is no difference on that whatsoever. You can look up the Supreme Court decisions. They are not secret.

And what it comes down to is a prejudice against holding people here because of a ridiculous fear that people will escape from maximum security prisons, which no one has ever done in the United States, and we can't hold dangerous terrorists here, and we shouldn't release terrorists.

But nobody is talking about releasing terrorists. And you can hold dangerous terrorists and dangerous mobsters, dangerous all kinds of people, in maximum security facilities in the United States.

There are really two things we should do: bring them to maximum security facilities in the United States because it saves a lot of money and because it removes a major recruiting tool for our enemies abroad. And, within constitutional rights, people should have the opportunity to have a hearing.

What is most offensive is not that they are at Guantanamo, as opposed to some prison in the United States, what is most offensive is that we are holding some people without any hearing, without any due process, essentially forever.

And yes, we have held people as prisoners of war during the pendency of a war. But we don't claim these people are prisoners of war. We don't give them the rights of prisoners of war. We are just holding them. I am not sure how we are holding them, but we are holding them with no claim of any kind of due process, with no finding that they have, in fact, been terrorists in an individual case; and that is just against all American values.

I reserve the balance of my time.

Mrs. HARTZLER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentlewoman from Missouri is recognized for 5 minutes.

Mrs. HARTZLER. Mr. Chairman, I rise in strong opposition to this irresponsible amendment that allows the construction of facilities in the U.S. to house detainees, and I urge my colleagues to vote ''no.'' We are still at war with terrorism, and the law of war affirms that detainees can properly be held off the battlefield for the duration of the hostilities.

Both Republican and Democrats have repeatedly rejected bringing terrorists detained at Guantanamo Bay to the United States. It would be a negligent act to transfer highly dangerous terrorists, such as mastermind of 9/11, to U.S. soil to be housed near our neighborhoods and near our families.

The gentleman said that these, they are not the worst of the worst, that some people are just, you know, caught up perhaps, and they are there. That is not true. I have been there multiple times. At this point, we only have 41 left, and they are the worst of the worst. There is no one left who you might even claim was just caught up and accidentally arrested. That is false.

Like I said, I have visited multiple times to see firsthand the threats facing our country, and the detention procedures carried out at that facility.

It does not make sense to build a new facility to spend our precious defense dollars here to house terrorists when we already have adequate, very safe facilities at Guantanamo where they are being treated humanely. It is legal and transparent. It is a remote location. It is away from the battlefield and away from our loved ones.

So I urge my colleagues to vote ''no,'' and I reserve the balance of my time.

Mr. NADLER. Mr. Chairman, I reserve the balance of my time.

Mrs. HARTZLER. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. YOHO).

Mr. YOHO. Mr. Chairman, you will hear, and you have already heard, in favor of the Nadler amendment, such as GTMO is contrary to American values; detainees can be held safely at less cost in the U.S. prisons, and GTMO is a recruiting tool for terrorists.

Points against the Nadler amendment: the number one task of the Federal Government is to provide for the common defense and security of the United States of America and American citizens.

Americans are safer with detainees in Guantanamo versus the homeland.

GTMO is the safest and most appropriate location to hold detainees. It is appropriate and lawful to hold detainees until all al-Qaida and associate forces are defeated.

The law for war detainees, including GTMO detainees, states that they cannot be commingled with Federal prisoners, thus requiring separate facilities costing hundreds of millions of dollars.

Evidence of the use of Guantanamo as a recruiting or propaganda tool is conjecture, subjective, and inconclusive.

Terrorists will continue to attack whether GTMO exists or not. Terrorists will invent any excuse to attract new recruits.

I will not support this.

Mr. NADLER. I reserve the balance of my time.

Mrs. HARTZLER. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi (Mr. KELLY), my friend and colleague.

Mr. KELLY of Mississippi. Mr. Chairman, I rise in opposition to this amendment. Earlier this year, I had the opportunity to travel with Chairwoman HARTZLER to Guantanamo Bay to see firsthand the important work our military men and women stationed there are doing for our national security.

As representatives of the people, we have been given a duty by the American people to provide for our common defense, and that includes appropriately detaining suspected terrorists.

According to the March 2017 Director of National Intelligence report, it estimated 29 percent of former GTMO detainees are confirmed, 17 percent of those, or suspected, 12 percent, of reengaging in terrorist or insurgent activities. The ones we hold now are the 41 worst of the worst, including KSM, and we cannot allow them back onto the battlefields.

These people do not need to be housed on U.S. soil. GTMO is the most appropriate and safest place to hold these detainees.

They live better than I lived both of my tours in Iraq in 2005 and 2009 and 2010.

I urge my colleagues to oppose this amendment.

Mr. NADLER. Mr. Chairman, I reserve the balance of my time.

Mrs. HARTZLER. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Chairman, I thank Congresswoman HARTZLER for her leadership, and I thank her for this opportunity to speak on this misguided amendment.

I have visited Guantanamo Bay twice, and I know firsthand the detainees at Guantanamo Bay are the worst of the worst, terrorists who are conspirators of Osama bin Laden, trained mass murderers, and extremists who have a sole intention of killing Americans.

We have also seen that releasing terrorists from Guantanamo puts American families at risk. In a report last year, the Director of National Intelligence from the prior administration was clear that at least 116 detainees, nearly one-third, released from Guantanamo have returned to the battlefield to kill American families.

As we have seen from the proliferation of terrorists around the world, from Algeria and North Africa, through the Middle East, across to South Asia and the Philippines, the deterrence of incarceration at Guantanamo Bay has never been more important. I urge all of my colleagues to reject this amendment.

Mrs. HARTZLER. Mr. Chairman, I have no additional speakers, and I reserve the balance of my time to close.

Mr. NADLER. Mr. Chairman, how much time do I have remaining?

The CHAIR. The gentleman from New York has 1 minute remaining.

Mr. NADLER. Mr. Speaker, first of all, no one is proposing to release these people, although some probably should be released, but no one is proposing that, so take that red herring off the table.

Second of all, I, too, have visited Guantanamo, and I don't know how you tell by visiting Guantanamo that these prisoners are the worst of the worst, or not, just by looking at them.

Thirdly, again, they have the same constitutional rights there as here, so you are not changing anything. And bringing them to maximum security facilities in the United States, while it may cost some money if you had to increase the facilities first, instead of spending $445 million, or $10 million a detainee, you would be spending $78,000 a detainee, which would free up your military budget, part of it, for other things.

There is simply no rational reason for keeping these people in a military base in Guantanamo which simply serves as a recruiting tool and a measuring rod for our enemies abroad. So again, I urge the adoption of this amendment.

I yield back the balance of my time.

□ 2130

Mrs. HARTZLER. Mr. Chairman, how much time do I have?

The CHAIR. The gentlewoman has 1 minute remaining.

Mrs. HARTZLER. Mr. Chair, I urge my colleagues to vote ''no'' on this amendment. It is not a wise use of our tax dollars to build new facilities here like the gentleman wants to do to detain terrorists when we already have adequate facilities that are doing a great job right now at Guantanamo Bay. We need to keep our terrorists there, away from our families, away from our communities.

Mr. Chair, I urge my colleagues to reject this amendment and to vote ''no,'' and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. NADLER).

The amendment was rejected.

AMENDMENT NO. 8 OFFERED BY MR. BLUMENAUER

The CHAIR. It is now in order to consider amendment No. 8 printed in part B of House Report 115–212.

Mr. BLUMENAUER. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 505, line 21, strike ''The'' and insert ''Subject to the limitation in subsection (c), the''.

Page 506, after line 14, insert the following new subsection:

(c) LIMITATION.—The program of record in subsection (a) shall not be established, and none of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for this section may be obligated or expended, until—

(1) the Secretary of Defense certifies to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives that—

(A) a Nuclear Posture Review has been completed after January 20, 2017;

(B) a ground-launched intermediate-range missile is the preferred military system, in terms of cost, capability, and command, control, and communications arrangements, for ensuring that the North Atlantic Treaty Organization's overall deterrence and defense posture remains credible, flexible, resilient, and adaptable in the face of a deployed Russian ground-launched intermediate-range missile; and

(C) a ground-launched intermediate-range missile is the preferred military system for maintaining strategic stability with the Russian Federation at reasonable cost, while hedging against potential technical problems or vulnerabilities; and

(2) the Secretary of State certifies to the congressional defense committees, the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives that—

(A) the program of record established in subsection (a), and the expenditure of funds to research or develop such a ground-launched intermediate-range missile, is necessary to the Secretary of State's efforts to verifiably return Russia to full compliance with the INF Treaty;

(B) at least one NATO Member State government, within a range appropriate to provide counterforce capabilities to prevent intermediate-range ground-launched missile attacks against any NATO Party or to provide countervailing strike capabilities to enhance the forces of the United States or allies of the United States, has completed the necessary legal and constitutional requirements for an agreement to host a ground-launched intermediate-range missile; and

(C) the North Atlantic Council has endorsed the deployment of a ground-launched intermediate-range missile.

The CHAIR. Pursuant to House Resolution 431, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chair, my amendment deletes language in this bill that would mandate a program of record, green lighting this proposal for road-mobile, ground-launched cruise missiles with ranges that, if tested or deployed, would violate the United States' obligations under the Intermediate-Range Nuclear Forces Treaty.

For more than four decades, the United States and Russia have worked through bilateral agreements to reduce their nuclear weapons stockpiles, saving money, and making the world safer.

Presidents Ronald Reagan and George H. W. Bush were at the forefront of this effort with the START 1 and START II treaties.

There is a longstanding precedent of carefully negotiating these treaties in a bipartisan fashion because these leaders knew that a world with less of these weapons meant a safer world for all of us.

Yet over the last several years, our nuclear weapons proliferation has continued on autopilot. Right now we are on track to spend $1.2 trillion on unneeded nuclear weapons. In fact, the Pentagon has concluded that already the United States' security needs could be met with one-third fewer strategic warheads deployed than New START limits of 1,550.

We can and should safely right-size the arsenal as envisioned by Ronald Reagan and the first President Bush. That is why these treaties are so important. They hold us and our adversaries accountable.

We see some confusing signals from the administration, at times appearing to favor nuclear escalation, but at the same time being deeply concerned about managing costs.

President Trump has demonstrated a lack of clear understanding of these treaties, but even his administration is fearful that the language undermining the treaty in this bill ''unhelpfully ties them to a specific missile system.''

Congress should be playing a lead role in getting us back on track with smarter defense spending, not working to abandon this nuclear nonproliferation legacy that Ronald Reagan and Bush, Sr., fought so hard for.

We can't simply fund every weapons program on the list while fulfilling other critical obligations like providing for our military personnel, ensuring we have adequate cybersecurity protections, strengthening our command and control infrastructure, not to mention our non-Defense Department programs like foreign assistance and diplomacy.

We have a poor track record when it comes to carefully managing and budgeting implementation of our weapons programs.

The House continues this poor record now. Why would we establish a program of record for something that our military, our diplomats, and our NATO allies haven't asked for?

Rather than rushing to adopt this program and abandoning a key international treaty in the process, let's think this through. Let's do our homework to make sure our allies, the Departments of Defense and State are all on the same page, and develop a coherent approach to bring Russia back into compliance, rather than throw money at yet another unnecessary weapons program and undercut that regime.

This takes our eye off the ball and could have unintended and, I think in some instances, devastating consequences.

Mr. Chair, I strongly urge my colleagues to vote in support of this amendment for smarter defense spending and the protection of a landmark treaty that is part of the legacy of Ronald Reagan and George H. W. Bush.

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

Mr. ROGERS of Alabama. Mr. Chair, I claim the time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Chair, I thank the gentleman, Mr. BLUMENAUER, for his amendment, although I urge its defeat.

I start off with pointing out that both the Obama administration and the Trump administration have decided the fact that Russia is in violation of the INF Treaty, and neither of those administrations have indicated any belief that Russia will come back into compliance.

But having said that, I want to say I am troubled that the gentleman would want to provide a veto on the development of a system that hasn't been developed, much less deployed. The gentleman is worried about deployment of a system that we still don't have developed yet. And hopefully it won't be deployed when it is completed.

That is really the function of whether Russia comes back into compliance. General Selva, the vice chairman of the Joint Chiefs of Staff, testified before the HASC in March: ''They do not intend to return to compliance absent some pressure from the international community and the United States as a cosigner of that same agreement. There is no trajectory in what they are doing that would indicate otherwise.''

The development of this system that we are talking about here today is that very pressure that General Selva was referencing. This kind of development got the Russians to the table on the INF Treaty anyway, but they are violating the treaty. And that doesn't just matter to Europe. It matters to Asia, which is completely ignored by the gentleman's amendment. And Asia matters on INF. Why? Because 95 percent of China's missiles are in INF range.

The commander of PACOM has testified that he has requirements for intermediate-range missile capability in Asia, ''the aspects of the INF Treaty that limit our ability to counter Chinese and other countries' land-based missiles, I think is problematic. ''

We didn't conjure the idea of a ground-launched cruise missile out of thin air. The U.S. Army reported that introducing intermediate-range ground-launched missiles into the land domain provides military value across the range of the joint military operations and provides a land-based counter to our adversaries' anti-access area denial capabilities.

This report was required by the HASC last year as a part of our multiyear oversight on how to respond to Russia's violations of the INF Treaty, which the prior administration did nothing to challenge.

I appreciate the gentleman's interest. I will gladly work with him on ways to counter Russia's violations of the treaty, but I must urge defeat of this well-intentioned but poorly conceived amendment.

Mr. Chair, I urge support of the bipartisan approach taken by the House Armed Services Committee in sections 1244 and 1245, and I urge a vote ''no'' on the Blumenauer amendment.

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

Mr. BLUMENAUER. Mr. Chair, may I inquire as to the amount of time I have remaining?

The CHAIR. The gentleman from Oregon has 1 minute remaining.

Mr. BLUMENAUER. Mr. Chair, the question is how to get Russia into compliance. Walking away from our obligations? I think not.

The amendment allows going ahead if the Department of Defense certifies to Congress that it has completed a new nuclear posture review to make sure this program fits in the overall strategy; that it certifies that it prefers this program to ensure that NATO's overall deterrence and defense posture remains credible; that the Department of Defense certified it prefers this missile for maintaining strategic stability; that State certifies the program of record is necessary to help verifiably return Russia to compliance; that at least one NATO member state has proven it is serious about hosting the missile; and State certifies that the full Atlantic Council has endorsed deployment of this missile.

Those are the conditions in the amendment, and I would think they are reasonable conditions that the gentleman should not object to. If he truly believes in the merit of his argument, there is no reason that that cannot be complied with. And if not, it should not proceed.

The CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Alabama. Mr. Chair, again, I want to remind the gentleman that nobody has indicated that Russia has any intention—they see no signs that Russia has any intention of coming back into compliance.

I think this is poorly thought out. We need to go forward and not be giving vetoes to other people about what weapon systems we can start developing.

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

The CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. BLUMENAUER. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oregon will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. WILSON OF SOUTH CAROLINA

The CHAIR. It is now in order to consider amendment No. 9 printed in part B of House Report 115–212.

Mr. WILSON of South Carolina. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

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

SEC. 12__. RESTRICTION ON FUNDING FOR THE PREPARATORY COMMISSION FOR THE COMPREHENSIVE NUCLEAR-TEST-BAN TREATY ORGANIZATION.

(a) STATEMENT OF POLICY.—Congress declares that United Nations Security Council Resolution 2310 (September 23, 2016) does not obligate the United States nor does it impose an obligation on the United States to refrain from actions that would run counter to the object and purpose of the Comprehensive Nuclear-Test-Ban Treaty.

(b) RESTRICTION ON FUNDING.—

(1) IN GENERAL.—No United States funds may be made available to the Preparatory Commission for the Comprehensive Nuclear-Test-Ban Treaty Organization.

(2) EXCEPTION.—The restriction under paragraph (1) shall not apply with respect to the availability of United States funds for the Comprehensive Nuclear-Test-Ban Treaty Organization's International Monitoring System.

The CHAIR. Pursuant to House Resolution 431, the gentleman from South Carolina (Mr. WILSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from South Carolina.

Mr. WILSON of South Carolina. Mr. Chairman, I yield myself such time as I may consume.

I thank the Chair for the opportunity to speak on the amendment to restrict the funding from the Comprehensive Nuclear-Test-Ban Treaty Organization while still providing funds for the international monitoring system.

The purpose is simple. Congress never ratified the Comprehensive Nuclear-Test-Ban Treaty. It is irresponsible to the taxpayer and contradictory for the United States to financially support an organization that the United States has never officially joined or contributed funds for a treaty that was never enacted.

The amendment clearly continues to fund the international monitoring system to improve our global and nuclear detection capability, and returns us to the longstanding responsible policies from President George W. Bush's administration.

This amendment makes it clear that protecting American families is the job of Congress, not an unaccountable international body. As we see a rise in threats around the world, our nuclear deterrence capability is crucial to promote our ability to preserve peace. It is also important that the United States does not require adherence to this treaty in order to continue our self-imposed moratorium on testing nuclear weapons of any size or of any kind.

However, as we live in a world of increasing threats, we should not bind the United States to an agreement that other nuclear powers like China and Russia do not adhere to.

The Comprehensive Nuclear-Test-Ban Treaty has never been enacted so there is no change in policy or outcome by supporting this amendment, just a saving of taxpayers' dollars.

Mr. Chair, I urge passage of this amendment, and I reserve the balance of my time.

Mr. FOSTER. Mr. Chairman, I rise in opposition to this amendment.

The CHAIR. The gentleman from Illinois is recognized for 5 minutes.

Mr. FOSTER. Mr. Chairman, I yield myself such time as I may consume.

As the only physicist in the U.S. Congress, I feel a special responsibility to speak out on the importance of strengthening our global nuclear security architecture. At a time when it is more important than ever for the security of the United States to reinforce international norms against nuclear testing, we are here debating an amendment that would restrict the ability of a key international institution to monitor nuclear weapons, and, in fact, is designed to undercut prospects for either eventual ratification or even continued adherence to the Comprehensive Nuclear-Test-Ban Treaty.

The Comprehensive Nuclear-Test-Ban Treaty Organization Preparatory Commission is tasked with establishing a verification regime to monitor compliance with the comprehensive ban on nuclear explosive testing.

If enacted, this amendment would send the wrong signal to the world, deliberately risking an opening for the resumption of unrestricted nuclear testing by many nations on Earth, which would be a national security disaster for the United States.

□ 2145

During the debate on the Iran nuclear agreement, I received more than a dozen classified briefings, many of them individual classified briefings by our weapons experts who supported the negotiating team. At that time, I spent a lot of time putting myself in the place of a terrorist or proliferating nation, and I came to understand the overwhelming technical advantage that the United States possesses today over both other nuclear states, and any potential proliferation state, because we conducted more than 1,000 nuclear tests from 1945 to 1992, more than all other countries on Earth combined.

Many of those tests were extensively instrumented and have provided us with the ability to accurately computer model and evaluate the performance of nuclear weapons without the risk to safety and to the environment. This is why no official of the Department of Energy, Department of Defense, or any other of our nuclear laboratories have ever called for a resumption of nuclear testing or an unsigning or deprecation of the CTBT, because the moment that other nations begin or resume testing, we lose that crucial advantage.

It seems very odd to me that my Republican colleagues would want other nuclear or nonnuclear states to obtain intellectual property and parity in this matter. Although under this amendment the direct funding for the international monitoring system would nominally remain unscathed, it is difficult to imagine that a significant reduction in U.S. technical and financial support to the CTBTO would not adversely affect the organization's ability to maintain and operate any nuclear monitoring system.

The proposed amendment also seeks to undermine the United States' obligation as a signatory not to conduct nuclear test explosions. If the United States unilaterally declares itself exempt, then other countries are very likely to do the same. In addition, contrary to what the amendment implies, U.N. Security Council Resolution 2310, does not impose any new obligations on the United States. Nothing is mandatory in the U.N. resolution. But repudiating support for the resolution could trigger bad faith in other nations around the world and reduce U.S. legitimacy and leverage that ensures other countries do not test nuclear weapons.

So we should not signal any intention that the United States encourages a return to a more hostile nuclear environment, an environment in which the United States does not condemn nuclear weapons testing but, rather, gives away our position as a country that seeks peace and prosperity for our future.

We have an opportunity to turn political rhetoric into concrete action to curb the global proliferation of nuclear weapons and secure the safety of future generations. From a national security point of view, we must acknowledge that the CTBT locks in an enormous competitive advantage for the United States, one that would be a huge mistake to begin throwing away.

Although the CTBT failed to be ratified by a handful of votes the first time it came up in 1999, as George Shultz, the Secretary of State under President Reagan said: ''You can say that a Senator might have been right to vote against the CTBT when it was first put forward''—in 1999—''and right to vote for it now. Why? Because things have changed.''

And what he meant by that is that stockpiled stewardship works, and that the detection system, both that is maintained by the United States and by the world communities by the CTBTO works as well. Short of ratification, the U.S. support for the CTBTO Preparatory Commission remains essential.

I urge my colleagues to vote ''no'' on the Wilson amendment, and I yield back the balance of my time.

Mr. WILSON of South Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Alabama (Mr. ROGERS).

Mr. ROGERS of Alabama. Mr. Chair, I thank the gentleman for yielding and for offering this important amendment.

This is a simple and straightforward amendment that would help us set priorities in spending taxpayer dollars in a small but meaningful way. The U.S. signed the Comprehensive Nuclear-Test-Ban Treaty, back in 1996, but the Senate voted against that ratification in 1999.

We are talking about two decades ago. In the meantime, the U.S. has abided by a unilateral pledge to refrain from nuclear explosive tests of any size or kind, but other nations, including Russia and China, have not. They continue to conduct very low-yield nuclear tests that the U.S. does not. Why? Two reasons: one, the CTBT has not entered into force, and the CTBT doesn't even define what it bans.

So while we keep a very stringent policy against testing, other nuclear powers do not. Twenty years later, it is time to ask ourselves why we continue to fund the organization for a treaty that is not going anywhere. This amendment wisely funds the International Monitoring System which provides us some benefits but prohibits the approximately $2 million in payments to the CTBT organization itself that is included in the FY18 budget request for the State Department.

Let's set this small commonsense priority and let's reinforce the Obama administration's own position that the U.N. resolution from last year is not legally binding on the United States.

Mr. Chair, I urge my colleagues to vote ''yes'' on this amendment.

Mr. WILSON of South Carolina. Mr. Chairman, to me, this is, again, clearly an amendment which is in coordination with the Senate initiative by Senator TOM COTTON of Arkansas that clearly continues the funding of the International Monitoring System to improve our global nuclear detection capability and returns us to the longstanding policies from President George W. Bush's administration.

The amendment is clear. Protecting American families is the job of Congress, not an unaccountable, international body. As we see a rise—as I have stated in the past—in threats around the world, our nuclear deterrence capability is crucial to promote our ability to preserve peace.

Mr. Chair, I urge the approval of the amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from South Carolina (Mr. WILSON).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MR. AGUILAR

The CHAIR. It is now in order to consider amendment No. 10 printed in part B of House Report 115–212.

Mr. AGUILAR. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title XVI, add the following new section:

SEC. 1673. MODIFICATION TO CONGRESSIONAL BUDGET OFFICE REVIEW OF COST ESTIMATES FOR NUCLEAR WEAPONS.

Paragraph (1)(A) of section 1043(b) of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576), as most recently amended by section 1643 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act

for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3650), is further amended by striking ''10-year period'' and inserting ''30-year period''.

The CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. AGUILAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. AGUILAR. Mr. Chair, for decades, our Nation's nuclear weapons and triad have provided us with strategic deterrence against nuclear war and the existential threat it represents. And as is often said, it is essential that these weapons and delivery systems be safe, secure, and reliable.

However, the age of our forces is a major concern. Currently, our nuclear-capable bomber fleet contains 76 B–52s with the first models entering service over 50 years ago and continuing to fly only after numerous modernization efforts.

Our *Ohio* class submarines' lifespan, which were originally 30 years, have been extended to 42 years with the end of the 42-year lifespan approaching in 2027. The first Minuteman III ICBMs were deployed 40 years ago.

With the provocative actions of North Korea and the increase in nuclear weapon activities taking place around the world, a credible nuclear deterrent is vital to national security of the United States. But, over the past few years, there has been a good amount of debate as to how much this modernization process will cost.

Over the next 30 years, not only will all three legs of our nuclear triad, our bombers, ICBMs, and missile submarines have to be replaced, a sustainment and modernization program for our nuclear bombs and warheads will be taking place at the same time as well.

The Congressional Budget Office currently produces a projected cost of nuclear weapons report annually. However, it only covers 10 fiscal years into the future. My concern is that the CBO's current 10-year timeframe does not encompass the later out-year costs, including the late 2020s, and early 2030s, when costs are projected by many to increase significantly.

My amendment would modify section 1643 of the fiscal year 2015 NDAA, the CBO review of cost estimates of nuclear weapons and nuclear weapon delivery systems, to make the timeframe 30 years instead of 10 years, Mr. Chairman.

I brought this issue up last year when I served on the House Armed Services Committee, and earlier this year Ranking Member SMITH and Ranking Member VISCLOSKY wrote a letter to the CBO expressing their interest in an assessment of the sustainment and modernization costs associated with the triad for the next 30 years. The New York Times reports that the CBO 30-year estimate, which is due to be released later this year, will put costs at more than $1.2 trillion.

With a resurgent Russia, a rising China, and destabilized Middle East, there is little evidence that the demands of our conventional forces will decrease. That is why it is imperative that we have proper accounting for our 30-year nuclear modernization process if we are to adequately plan for future conventional and nuclear investments and provide proper oversight.

Now, some of my colleagues will say that a 30-year cost estimate isn't worth the paper that it is written on; that they would depict a time period far too much into the future to obtain a realistic estimate. But that isn't the case. Why do we have an FY17 Annual Long-range Plan for the Construction of Naval Vessels, which not only contains an estimated 30-year funding requirement spanning the 30-year timeframe, but also this was produced by DOD for a cost of $395,000 to produce. We have a 30-year cost estimate for the Navy, but not for our strategic deterrence.

I will close by mentioning, one of our nuclear gravity bombs is an example of why we need a permanent 30-year estimate. According to GAO, one cost estimate produced by NNSA's Office of Cost Estimating points out that it could cost $2.6 billion more than previous estimates to complete the B61–12 Life Extension Program. But the original baseline was from NNSA's fiscal year 2017 Stockpile Stewardship and Management Plan.

If Congress hopes to provide proper oversight of these modernization efforts, we must have up-to-date estimates that accurately reflect any updates and changes that impact our nuclear bombs, warheads, and delivery systems. That is why I wish to make the time period for CBO's estimate 30 years instead of 10 years.

These are important investments to make in our national security and a responsible way to better understand the cost.

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

Mr. ROGERS of Alabama. Mr. Chair, I claim the time in opposition.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Chair, my friend from California is correct about one thing: I will say a 30-year cost estimate is not worth the paper it is written on.

I oppose this amendment, just as I opposed a similar amendment by my friend from California, number 12. I submitted amendment No. 88 that we will consider shortly. My amendment was a hopeful compromise with my colleagues from California, who are offering amendment Nos. 10 and 12 on this same issue. Unfortunately, we have not been able to reach a compromise, so we will put them all before our colleagues here on the floor for consideration.

The bottom line is that my colleagues are asking DOD and CBO to create a 25- and 30-year cost estimate for how much our nuclear forces cost. That would triple the current requirement of 10-year cost estimates. Unfortunately, these type of multidecade cost estimates won't be worth the paper they are written on.

As evidence for that, Assistant Secretary of Defense Tom Hopkins, who would be responsible for creating the DOD report, has called a 25-year report on this ''burdensome.'' He explained it to us this way during a hearing: ''Right now we submit a 10-year report that does have programs and cost on it. . . . As you would expect, looking out that far, 25 years, the credibility of the numbers would be very, very suspect. . . .

''Forecasting DOD costs over a 25-year period with any useful accuracy is extremely difficult given the challenges of predicting developments in the international security environment and ongoing technological advancements.''

The Armed Services Committee and this House have considered these types of 30-year cost estimate amendments for DOD or CBO in the NDAAs for the last 5 years.

Each time, for 5 years in a row, these amendments have been defeated. That is because these types of amendments would not result in good, effective oversight and transparency.

It would result in false and unreliable data entering the public debate. If any of my colleagues are interested in a reasonable, commonsense way to try and shed a little more light on these very long-term plans and costs, I encourage them to vote for my amendment No. 88. My amendment allows the Secretary of Defense to provide for information beyond 10 years if he thinks it is accurate and would be useful in understanding the nuclear modernization programs.

I urge my colleagues to vote ''no'' on this current amendment and ''yes'' on my amendment No. 88, and I reserve the balance of my time.

Mr. AGUILAR. Mr. Chairman, if anything, my former chairman, when I was on Armed Services, is consistent. He is right. He has continued to oppose this amendment in the past.

But what I ask is: Why not have a 30-year estimate? We have one for the Navy. We have one for other programs. If these reports truly aren't worth the paper that they are written on, then why commission this report? It is almost $400,000 in taxpayer costs.

□ 2200

The taxpayers deserve, and we deserve, to provide oversight over these costs. If Congress hopes to provide the oversight for modernizing these efforts, we need these up-to-date reports that accurately reflect these updates and changes to bombs, warheads, and delivery systems. I hope that the chairman would agree with me there.

I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Chairman, I would say that the Navy provides 30-year cost estimates because Congress made them, and the Navy

doesn't want to do it, and they don't think they are reliable.

I urge a ''no'' vote on this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. AGUILAR).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. AGUILAR. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

The CHAIR. It is now in order to consider amendment No. 11 printed in part B of House Report 115–212.

AMENDMENT NO. 12 OFFERED BY MR. GARAMENDI

The CHAIR. It is now in order to consider amendment No. 12 printed in part B of House Report 115–212.

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle E of title XVI, add the following new section:

SEC. 1673. IMPROVEMENT TO ANNUAL REPORT ON THE PLAN FOR THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, NUCLEAR WEAPONS DELIVERY SYSTEMS, AND NUCLEAR WEAPONS COMMAND AND CONTROL SYSTEM.

Subsection (a)(2) of section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576), as most recently amended by section 1643 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3650), is further amended—

(1) by redesignating subparagraphs (F) and (G) as subparagraphs (G) and (H), respectively;

(2) by inserting after subparagraph (E) the following new subparagraph (F):

''(F) A detailed description of the plan, as applicable, to sustain, life-extend, modernize, or replace the nuclear weapons and bombs in the nuclear weapons stockpile.''; and

(3) in subparagraph (G), as redesignated by paragraph (1)—

(A) by striking ''subparagraphs (A) through (E)'' and inserting ''subparagraphs (A) through (F)'';

(B) by striking ''10-year'' and inserting ''25-year'';

(C) by striking ''military construction,'' and inserting ''construction''; and

(D) by inserting ''and the Department of Energy'' before the period at the end.

The CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, every year Congress receives a very important and very helpful report regarding our nuclear weapons enterprise. It is sometimes referred to as the 1043 Report because it is mandated by section 1043 of the NDAA for Fiscal Year 2012.

It requires the Department of Defense, in cooperation with the Department of Energy, to submit a detailed 10-year plan and budget estimate for our nuclear weapons enterprise, that is, the bombs, the weapons themselves, the command and control, the national lab infrastructure, the delivery systems, et cetera, et cetera. That report is then reviewed by the Government Accountability Office for completeness and accuracy. Finally, the Congressional Budget Office then reviews it and submits an independent report.

Terrific, all good, we all agree that it is a good thing. I know that the chairman of the subcommittee wanted that to happen, and indeed we do have it.

This amendment simply deals with the reality that this is not a 10-year program. This is a program that will go on for at least the next 25, probably the next 30 years, with extraordinary costs that actually occur beyond the 10-year time horizon. Therefore, it is important that the United States, as we get into this long-term effort to recapitalize our entire nuclear arsenal, that we encounter today and take into account today the most expensive years that will occur beyond the 10-year horizon.

This amendment that I am proposing simply requires that the Department of Defense and the Department of Energy consider a 25-year time horizon for the 1043 Report. We really do need to know, and, in fact, we have some of that information today.

The Department of Energy, that is in the National Nuclear Security Administration, does do a 25-year report, and they apparently think it is accurate enough to present to the committees here. The Department of Defense provides the equipment, the means for delivering the bombs, that is the submarines, the various ballistic and intercontinental ballistic missiles, the ground-based ballistic missiles, the new bombers, and, quite possibly, new long-range strike LRSO.

So let's find out. Let's consider that. The reason we need to consider it is that it is a pile of money, well over $1 trillion that we will be spending in the next 25 years. This is not just my words but if one were to consider the people who deal with this on a regular basis; for example, the Under Secretary of Defense for Acquisition, Technology, and Logistics, Mr. Kendall, on April 14, 2015, said that we have a problem with recapitalizing the strategic deterrent. We do have a huge affordability problem with that basket of systems. So it is a problem that we are going to have to face up to.

Well, who is we? We is us. We are going to have to figure out how to pay for all this, and we are going to have to make some tough choices. So this is simply a matter of trying to figure out how we can get detailed information.

I know that our esteemed chairman for whom I have tremendous regard has a little different view, and when he picks up his amendment, I will speak to that.

In the meantime, I would ask everybody to support this wise amendment so that we actually have good information upon which to make some decisions today that will then be paid for in the next 15 to 25 years. That is what this amendment is.

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

Mr. ROGERS of Alabama. Mr. Chairman, I claim the time in opposition to this amendment.

The Acting CHAIR (Mr. LAMALFA). The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I reluctantly oppose this amendment from my friend and colleague from California. He is a very serious, thoughtful, and clearly articulate Member, but it is for the same reasons that I just outlined with Mr. AGUILAR's amendment.

I will keep this brief because we just talked about this. But going down this path for a 25- or 30-year cost estimate for nuclear weapons is a bad idea and would result in bad data. The Acting Assistant Secretary of Defense in the Obama administration who is still in the Trump administration doesn't think it is a good idea either.

The HASC and the House have considered this 30-year cost estimate for the last 5 years in a row, and each time it has been rejected. This amendment would not result in good, effective oversight and transparency.

Mr. Chairman, I urge my colleagues to consider voting for my reasonable, commonsense amendment when we get to it, amendment No. 88. I urge my colleagues to vote ''no'' on this amendment and ''yes'' on Rogers 88.

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

Mr. GARAMENDI. Mr. Chairman, may I ask how much time I have remaining.

The Acting CHAIR. The gentleman from California has 1½ minutes remaining.

Mr. GARAMENDI. Mr. Chairman, this is a commonsense amendment. I have great esteem for the chairman, but I really don't think we ought to be mushrooms. I don't think we ought to be kept in the dark. We really are in the process here of making decisions today to spend a vast amount of money not just in the next 10 years—and we do have estimates of what that would cost—but in the out-years.

Those out-years, we know from information that has been delivered to us, that it will be a bow wave—to use the military term—of extraordinary dollars, well into the hundreds of billions of dollars that would be spent in the out-years beyond the 10 years.

We need to know today because that will bite into the money that we have available for all of the other things that we must do for our national defense.

Mr. Chairman, I would ask for an ''aye'' vote on this commonsense amendment, and I yield back the balance of my time.

Mr. ROGERS of Alabama. Mr. Chairman, I agree with the gentleman. We don't want to be mushrooms, but we also don't want bad data. So I would urge a ''no'' vote on this and urge people to support Rogers amendment No. 88, which will allow the Secretary to go beyond 10 years to 25 or 30 if the Secretary believes it would yield valuable data.

Mr. Chairman, I urge a ''no'' vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Chairman, 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 California will be postponed.

AMENDMENT NO. 13 OFFERED BY MR. BLUMENAUER

The Acting CHAIR. It is now in order to consider amendment No. 13 printed in part B of House Report 115–212.

Mr. BLUMENAUER. Mr. Chairman, 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 G of title XVI, add the following new section:

SEC. 16___. LIMITATION ON USE OF FUNDS FOR LONG-RANGE STANDOFF WEAPON.

(a) IN GENERAL.—Notwithstanding any other provision of law, in any fiscal year, the Secretary of Defense may not obligate or expend more than $95,600,000 on development of the long-range standoff weapon or any other nuclear-capable air-launched cruise missile, and the Secretary of Energy may not obligate or expend more than $220,253,000 on the life extension program for the W80-4 warhead, until the Secretary of Defense, in consultation with the heads of other relevant Federal agencies, submits to the appropriate congressional committees a Nuclear Posture Review that includes a detailed and specific assessment of the following:

(1) The anticipated capabilities of the long-range standoff weapon to hold targets at risk beyond other already existing and planned nuclear-capable delivery systems.

(2) The anticipated ability of the long-range standoff weapon to elude adversary integrated air and missile defenses compared to the B-21 bomber.

(3) The anticipated effect of the long-range standoff weapon on strategic stability relative to other nuclear-armed countries.

(4) The anticipated effect of the long-range standoff weapon on the offensive nuclear weapons capabilities and programs of other nuclear-armed countries.

(5) The anticipated effect of the long-range standoff weapon on the response of other nuclear-armed countries to proposals to decrease or halt the growth of their nuclear stockpiles.

(6) The anticipated effect of the long-range standoff weapon on the threshold for the use of nuclear weapons.

(b) FORM.—The Nuclear Posture Review required by subsection (a) shall be submitted in unclassified form but may include a classified annex.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, it is time to insert fiscal sanity into our nuclear weapons planning. We are set to spend $400 billion over the next decade and $1.2 trillion over the next 30 years to recapitalize our entire nuclear arsenal. This nuclear escalation will build a force far exceeding what the Pentagon and security experts have said is necessary to deter a nuclear threat.

A stronger nuclear program is not going to help us deal with the strategic challenges we face today, like the fight the against Islamic State, but it will result in having to crowd out Army, Navy, and Air Force conventional priorities.

We need to revisit the strategy. We are here in Congress to make hard decisions about how to spend taxpayer dollars. The Pentagon should provide long-term cost reports and tell us what certain weapons will actually add to our existing capacity.

My amendment deals with one particular outrageous piece of this unsustainable escalation: the long-range standoff weapon, or the LRSO. Now, this weapon is projected to cost $20 billion to $30 billion.

This amendment would lock the LRSO funding at fiscal year 2017 levels until the administration submits a Nuclear Posture Review to Congress that includes a detailed assessment of why we need this weapon. It wouldn't prevent it. It would just keep the funding at the current level until they can tell us why we need it.

Until the administration carefully examines the utility of the LRSO, why should we rush its development? After all, the father of this device, former Secretary of Defense Bill Perry, has argued there is scant justification for spending tens of billions of dollars on that weapon. General Mattis has stated numerous times that he is not sold on the LRSO.

We shouldn't risk making tens of billions of dollars in commitments like this with potential failure to follow through all while forfeiting other critical priorities. Before we continue this nuclear escalation on autopilot, let's make sure.

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

Mr. ROGERS of Alabama. Mr. Chairman, I claim the time in opposition to this amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I strongly oppose this amendment, but it is not just me. The Armed Services Committee considered nearly the same amendment during markup, and it was soundly defeated.

It is not just the committee that opposed this amendment. It is also our country's senior-most military officers. They repeatedly described the urgent need for the LRSO and the declining reliability of the NACMs.

They have testified before our committee in March on this exact issue. Here is the Nation's second highest ranking military officer, the Vice Chairman of the Joint Chiefs of Staff, General Selva:

> ALCMs were designed and built in the 1970s with a 10-year lifespan. We know today they remain relevant, but we can't continue to maintain them. A decade from now, those weapons will not be able to penetrate Russian air defenses, and therefore there is an urgency for their replacement.

In the same year, STRATCOM Commander General Hyten said:

> The LRSO is the first missile system developed in unison with a nuclear warhead in mind for many decades. Limiting resources or funding of either component will disrupt the entire concept-to-capability timeline.

Here is President Obama's Assistant Secretary of Defense, Bob Scher, testifying before my committee last year:

> The Obama administration's decision to field a modern ALCM replacement is essential to maintain the ALCM's unique contribution to stable and effective deterrence.

Finally, let me briefly address this nonsense argument that LRSO is destabilizing. Here is President Obama's Under Secretary of State for Arms Control Rose Gottemoeller testifying before the Senate last year:

> First, the LRSO is consistent with our arms control commitments and President Obama's Prague agenda. Second, the LRSO supports strategic stability and does not undermine it. Third, it is important in the eyes of our allies. There is no evidence that the LRSO or our nuclear modernization program are prompting an action-reaction cycle or catalyzing these arms races. The LRSO is valuable in maintaining strategic stability.

Mr. Chairman, I urge a ''no'' vote on this amendment, and I reserve the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Washington (Mr. Smith), who is the ranking member.

Mr. SMITH of Washington. Mr. Chairman, I just want to make two quick points, first to the point Mr. BLUMENAUER made about how we are planning on recapitalizing our entire nuclear arsenal.

Now, we have had a robust debate about how much that is going to cost over 10, 25, 30 years. I have some sympathy for the argument that Mr. ROGERS made. It is going to be very difficult to estimate how much it is going to cost over 25 or 30 years.

But I do know that if we are talking about recapitalizing our entire nuclear arsenal, all of the submarines, all of the ICBMs, a new bomber, it is going to cost a lot. I don't know if it is $1.2 trillion or $2 trillion. Whatever it is, it is going to be enormously expensive.

□ 2215

At a time when we face a multiplicity of threats from Russia, North Korea, and where missile defense is critical, I do not believe this is the best investment of our money to get caught up in the Cold War, in the battle against Russia and their nuclear weapons, and making sure we can counter every possible scenario. It is not an efficient use of money.

This amendment is but one piece of it to say let's take a step back and see if this is the best place to spend the money. Maybe it would be better to spend it on cybersecurity. Maybe it would be better to spend it on missile defense.

There are a whole lot of other places I think that are better than trapping ourselves in these nuclear scenarios that require us to build an unbelievably expensive nuclear arsenal.

Secondly, I will disagree with Mr. ROGERS on one point: the more you build nuclear weapons, the more the other side tends to build nuclear weapons.

I cannot agree that this is not going to potentially lead to an escalation. In fact, the reason we are so hell-bent on building the LRSO and all of these others is because we are concerned about what Russia and China are doing.

That is how it works. It does have that destabilizing effect. I don't think this is the best place for us to spend our defense dollars.

Mr. ROGERS of Alabama. Mr. Chairman, I was quoting Rose Gottemoeller from the Obama administration, saying that it was not going to perpetuate this cycle.

Mr. Chair, I yield such time as she may consume to the gentlewoman from Wyoming (Ms. CHENEY), my friend and an outstanding member of the Armed Services Committee.

Ms. CHENEY. Mr. Chairman, it is surprising to sit here and hear arguments that we have been hearing really for the last almost 70 years now, the notion that the reason that our adversaries build nuclear weapons is because we are building nuclear weapons, or the notion that we all are building nuclear weapons for the same purposes.

The North Koreans are building nuclear weapons in order to threaten us. They are building nuclear weapons, potentially, in order to hold us hostage. They are building nuclear weapons against which we must deter.

The notion that if we advance our capabilities, the notion that if we produce the LRSO we are going to be in a position where we are encouraging the other side is just simply a flawed understanding. We already have a situation where our adversaries are modernizing their dual capable cruise missiles. They don't think these things are destabilizing. We shouldn't argue that they are for us, as well.

In addition, the LRSO plays a hugely important deterrent role. It imposes important and real costs on any potential adversary. It forces them, in addition to modernizing their nuclear arsenals, to modernize their air defense arsenals.

It is hugely important that we proceed. It is hugely important that we modernize. I agree it is a very expensive undertaking, but I would urge my colleagues to defeat this amendment and remember that the single most expensive thing we can do would be to fail to defend ourselves. The single most expensive thing we can do would be to encourage an adversary to attack us because they think they can overtake us or overcome our capabilities.

I think it is important that we not go down the path of unilateral disarmament and that we do everything we can to continue to modernize at a very rapid pace, to speed up the pace at which we are modernizing.

Mr. Chairman, I urge my colleagues to oppose this amendment.

Mr. ROGERS of Alabama. Mr. Chairman, I yield back the balance of my time.

Mr. BLUMENAUER. Mr. Chairman, I am stunned to think that this is somehow the equivalent of unilateral disarmament.

The amendment says that the funding level for this new program would remain at the current fiscal year level until the administration submits a nuclear posture review to Congress that indicates a detailed assessment of why we need the weapon.

If what the gentleman says is true—and I get mixed signals from the Secretary—then they can easily do that. They are not cut off. It has nothing to do with unilateral disarmament. We have more than enough nuclear weapons to destroy these countries many times over.

My friend, Mr. SMITH, talks about other priorities, from cybersecurity to what is happening with ISIS. Lavishing funds on programs that have not yet been justified and can't meet this test is not worthy. You have other things that you want to help the Department of Defense do, which I think we share.

Mr. Chairman, I strongly urge approval of this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. BLUMENAUER. Mr. Chairman, 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 Oregon will be postponed.

AMENDMENT NO. 14 OFFERED BY MR. MCCLINTOCK

The Acting CHAIR. It is now in order to consider amendment No. 14 printed in part B of House Report 115–212.

Mr. MCCLINTOCK. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike section 2702.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from California (Mr. MCCLINTOCK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCCLINTOCK. Mr. Chairman, our current defense spending is about where it was at the very peak of the Reagan defense buildup after adjusting for inflation. It is about the same as the next eight most powerful military forces on the planet, combined. Six of those eight are already our allies.

The President has proposed adding $54 billion to this. That is the equivalent of adding more than the entire military establishment of Great Britain to what we already have.

Yet we are told, and I do not doubt, that much of our military force is ill equipped and unready for combat. If that is the case, it is not a fiscal problem; it is a management problem. We seem to care how much money is being spent, but not how it is being spent. That is a catastrophic failure of congressional oversight.

In recent years, the Pentagon has warned that its infrastructure is 22 percent bigger than necessary. It has asked Congress for another round of Base Realignment and Closure reviews. Just last month, Secretary Mattis urged resumption of BRAC. He believes it will save $2 billion a year and $20 billion over 10 years. That is enough money to buy 120 FA–18 Super Hornets, 300 more AH–64 helicopters, or four Virginia class submarines if only Congress would get out of the way and allow unneeded bases to close or consolidate.

The Pentagon has the authority to close or consolidate bases on foreign soil, but in the NDAA Congress blocks its authority to close or consolidate unnecessary bases on our own soil.

My amendment removes the NDAA prohibition on this needed process and allows BRAC to move forward as our President has requested. His Statement of Administration Policy on NDAA is crystal clear: ''While the bill contains many promising reforms, it fails to authorize a Base Realignment and Closure round, which would result in substantial recurring savings and allow DOD to align infrastructure with force reduction.''

I have heard three objections:

First, we are told the upfront costs of consolidation can be high. But the results are now in, and the first four

BRAC rounds are saving us $7 billion a year.

Second, we are told local economies depend on these bases, but experience tells us that communities rapidly recover by freeing these assets for productive commercial use.

Third, we are told to wait until we finished expanding our forces, but the excess capacity estimate already assumes force expansion, and a new round of BRAC will only wring out a small portion of the overcapacity.

When we squander billions of defense dollars keeping obsolete military bases open in order to satisfy congressional constituencies, we directly rob our military forces of the resources that we are constantly reminded that they desperately need.

There is an old saying that you can't fill a broken bucket by pouring more water in it. At some point, you have got to fix the bucket. That is our responsibility. We need to take it more seriously.

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

Mr. WILSON of South Carolina. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. WILSON of South Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I appreciate very much the efforts by Mr. MCCLINTOCK, but simply put, now is not the time to consider a Base Realignment and Closure.

In the past, BRAC has been used without conducting a thorough study, has incurred significant costs and jeopardized valuable military communities, such as those of the Midlands of South Carolina surrounding Fort Jackson or the Aiken-Barnwell community that I represent adjacent to Fort Gordon, Georgia.

If facilities are shuttered, the existing secure assets will not be reasonably replicated. In testimony before the House Armed Services Committee just last month, Secretary Jim Mattis stated that he also has reservations about the BRAC assessments.

It is also important to be clear: BRAC is not a proven cost-saving measure. The last BRAC cost 67 percent more than planned to carry out, dramatically reducing any projected savings.

It would be undermining to our national security and to communities around the Nation to close down military installations without a comprehensive study, especially as the military works to grow the force to address emerging threats around the globe.

Mr. Chairman, I urge my colleagues to reject this amendment, and I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Chairman, I yield 1½ minutes to the gentleman from Washington (Mr. SMITH), the ranking member.

Mr. SMITH of Washington. Mr. Chairman, I support this amendment. I disagree very strongly with the remarks of the gentleman from South Carolina.

First of all, the past BRACs have saved us an enormous amount of money. There have been five rounds. The first four saved us pretty much exactly as much money as they said they were going to. The fifth one was more expensive, but the fifth one was done in 2005, at a time when we were building up the size of the military. It wasn't so much a closure as it was a realignment. But even then, it is now saving us money.

So if you want to argue against BRAC, argue against BRAC; but please, let us not argue that it doesn't save us money because that is just factually ridiculous. It absolutely saves us money.

Second, there have been a number of studies by the Air Force and others. The Air Force has estimated that they are 20 percent over the capacity of their installations. It would be great if we could have a comprehensive study. I agree with that. What our bill has done every year for the last several years is prohibit them from even thinking about a BRAC.

So it is a brilliant argument to say, well, you can't do a BRAC because you haven't done a comprehensive study, and then to put in the bill you are prohibited from doing a comprehensive study. It is a nice little tautology, but it isn't helping our military.

As we have been discussing throughout the night, we have more needs than we have money for. We cannot afford for parochial interests to get in the way of what is in the best interest of our troops. We need a BRAC.

By the way, it doesn't even authorize a BRAC. It simply removes the prohibition of a BRAC. A BRAC cannot happen unless Congress authorizes it. So all this is going to do if this amendment passes is allow the military to do precisely what the gentleman from South Carolina just said they ought to do.

There is no reason to oppose this amendment, and I urge support.

Mr. WILSON of South Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. AUSTIN SCOTT), my friend and colleague.

Mr. AUSTIN SCOTT of Georgia. Mr. Chair, I rise today in opposition to this amendment to the fiscal year 2018 National Defense Authorization Act offered by my friend and colleague, Mr. MCCLINTOCK of California, that would strike a bipartisan provision that clarifies that the fiscal year 2018 National Defense Authorization Act does not authorize a round of Base Realignment and Closures, otherwise known as BRAC.

After nearly 13 hours of debate in the Armed Services Committee, my colleagues and I came together and overwhelmingly approved language in the final mark that prevented a BRAC for the next fiscal year. We passed that vote by a vote of 60–1.

Many of my colleagues have argued that past BRACs eliminated excess infrastructure in the Nation's military or streamlined defense spending, but it is just not the case, Mr. Chair.

Earlier this year, Secretary Mattis testified to the Armed Services Committee on the need to reassess our military's current infrastructure resources and needs before closing or realigning any current resources.

The fiscal year 2016 National Defense Authorization Act required an updated DOD force structure plan and an infrastructure inventory. To date, DOD has not submitted the required infrastructure report.

Quite simply, we may not have enough capacity and infrastructure to meet our current needs and our needs going forward as we look at the threats coming from Russia, China, Iran, North Korea, and the threat of global terrorism and transnational criminal organizations. Who knows what threat we will face tomorrow.

If the Secretary of Defense, I hope, will work with us to reassess our current capacity, then the need to halt realignments and closures to give him time to do so is all the more important. With outdated capacity information, there is simply no reason to close or realign an installation just to repurchase or rebuild a new one just a few years down the road. It is fiscally irresponsible in terms of defense spending and meeting our needs moving forward.

□ 2230

I have nothing but respect for my colleague from California and have fought many fights to get rid of waste and cut government spending with him. This is just one that I can't support.

I hope that my colleagues will join me in voting against Mr. MCCLINTOCK's broken bucket amendment.

Mr. MCCLINTOCK. Mr. Chairman, to vote against these measures, to vote to rob our military of $20 million ofsavings over the next 10 years for military bases the Pentagon itself says are unnecessary, it comes down to that. You cannot provide for the common defense if you cannot pay for it, and the ability of our country to do so is being called into grave question.

I yield back the balance of my time.

Mr. WILSON of South Carolina. Mr. Chairman, I yield such time as he may consume to the gentleman from Utah (Mr. BISHOP).

The Acting CHAIR. The gentleman has 1½ minutes remaining.

Mr. BISHOP of Utah. Mr. Chair, let me say in 90 seconds then, it may sound counterintuitive that BRAC doesn't save us money, but even though it can take money off the Defense rolls, the question is: Where does this property end up and who pays for it?

The bulk of the property ends up in the hands of local government, State government, and if it was public domain to begin with, the Department of

the Interior has got first crack at it. I have also always sarcastically said every time there is a BRAC base closure, I end up with a new national park and national monument. And even though we have never done a study to verify it, I can give you a half dozen off the top of my head where that happened.

So the question is: Does the taxpayer save money? And if you invent a BRAC process that will guarantee that the Federal estate will not be enlarged, that you won't simply transfer property from one Federal entity to another or from the Federal Government to State governments so the taxpayer saves money, then I will gladly support a BRAC process.

But until we can guarantee that, all we are doing is shifting the money around, shifting the entity around. We may help the Department of Defense change their budget, but the taxpayer is still on the hook for all the property and all the efforts that go into it, and that is wrong, and that is the process.

When we change the BRAC process to make it more public, to make it so the taxpayer saves, then I will support it, but that hasn't happened yet.

Therefore, I ask Members to vote ''no'' on the amendment.

Mr. WILSON of South Carolina. Mr. Chair, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. McClintock).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MCCLINTOCK. Mr. 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 California will be postponed.

AMENDMENT NO. 88 OFFERED BY MR. ROGERS OF ALABAMA

The Acting CHAIR. Pursuant to the order of the House of today, it is now in order to consider amendment No. 88 printed in part B of House Report 115–212.

Mr. ROGERS of Alabama. Mr. 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 E of title XVI, add the following new section:

SEC. 1673. MODIFICATION TO ANNUAL REPORT ON PLAN FOR THE NUCLEAR WEAPONS STOCKPILE, NUCLEAR WEAPONS COMPLEX, NUCLEAR WEAPONS DELIVERY SYSTEMS, AND NUCLEAR WEAPONS COMMAND AND CONTROL SYSTEM.

Subsection (a)(2)(F) of section 1043 of the National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1576), as most recently amended by section 1643 of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3650), is further amended by inserting after the period at the end the following: ''The Secretary may include information and data for a period beyond such 10-year period if the Secretary determines that such information and data is accurate and useful in understanding the long-term nuclear modernization plan.''.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from Alabama (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. ROGERS of Alabama. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chair, as I said a few minutes ago, I submitted this amendment as a hopeful compromise with my colleague from California who offered amendment Nos. 10 and 12 on this same issue. I will keep this very brief because we have discussed this thoroughly tonight.

But going down a path of a 30-year cost estimate for nuclear weapons is a bad idea and will result in bad data. As we debated this for the past 5 years now, the Obama administration didn't want to do it, the Trump administration doesn't want to do it, and the HASC and the House have voted against it every year.

I urge my colleagues to consider voting for my reasonable commonsense amendment, commonsense way to get this issue resolved with amendment No. 88.

My amendment allows the Secretary of Defense to provide information beyond 10 years if he thinks it would be accurate and useful in the information it yielded. I urge my colleagues to vote ''yes'' on my amendment and ''no'' on amendment Nos. 10 and 12.

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

Mr. SMITH of Washington. Mr. Chair, I claim the time in opposition, though I am not opposed.

The Acting CHAIR. Without objection, the gentleman is recognized for 5 minutes.

Mr. SMITH of Washington. Mr. Chair, I just want to say very quickly, I still have the concerns that I have expressed about the broader nuclear weapons issue and will talk a little bit more about that in a minute. But you know, this is a way to at least give an option to get a greater idea of the costs. So it may not be everything that we would want, but it is certainly not something that we should oppose, so I do not oppose it and would urge support.

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

Mr. ROGERS of Alabama. Mr. Chair, I urge a ''yes'' vote, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alabama (Mr. ROGERS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. ROGERS of Alabama. Mr. 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 Alabama will be postponed.

AMENDMENTS EN BLOC NO. 1 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 431, I offer amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 1 consisting of amendment Nos. 3, 11, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31 printed in part B of House Report 115–212, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 3 OFFERED BY MR. GRAVES OF LOUISIANA

Strike section 632 and insert the following:

SEC. 632. REPORT REGARDING MANAGEMENT OF MILITARY COMMISSARIES AND EXCHANGES.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report regarding management practices of military commissaries and exchanges.

(b) ELEMENTS.—The report required under this section shall include a cost-benefit analysis with the goals of—

(1) reducing the costs of operating military commissaries and exchanges by $2,000,000,000 during fiscal years 2018 through 2022; and

(2) not raising costs for patrons of military commissaries and exchanges.

AMENDMENT NO. 11 OFFERED BY MR. ROGERS OF PENNSYLVANIA

At the end of subtitle D of title I, add the following new section:

SEC. 1____. INCREASE IN AMOUNTS FOR ENHANCING INTELLIGENCE, SURVEILLANCE, AND RECONNAISSANCE CAPABILITY.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for aircraft procurement, Air Force, as specified in the corresponding funding table in division D, for BA 05: Modification of Inservice Aircraft: E-8 (line 056) is hereby increased by $23,091,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 101 for aircraft procurement, Air Force, as specified in the corresponding funding table in division D, for BA 05: Modification of Inservice Aircraft / BSA 5: Other Aircraft (line 050) is hereby reduced by $23,091,000.

AMENDMENT NO. 15 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle B of title II, add the following new section:

SEC. 2____. STRATEGY FOR USE OF VIRTUAL TRAINING TECHNOLOGY.

(a) STRATEGY REQUIRED.—The Secretary of Defense shall direct the head of each military department—

(1) to establish a comprehensive strategy to determine what capability gaps exist in the department that can be rectified with virtual training;

(2) to review the virtual training possibilities for this gap to determine what virtual training would rectify this gap most efficiently; and

(3) to determine what acquisitions would need to be made to acquire the correct amount of technology to achieve desired goals.

(b) POST-FIELDING ANALYSIS.—The head of each military department concerned shall create a post-fielding training effectiveness analysis before commencing training using any virtual training technology acquired pursuant to subsection (a).

AMENDMENT NO. 16 OFFERED BY MR. BROWN OF MARYLAND

At the end of subtitle B of title II, add the following new section:

SEC. 2___. INCREASE IN FUNDING FOR ELECTRONICS AND ELECTRONIC DEVICES OF THE ARMY.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for research, development, test, and evaluation, Army, as specified in the corresponding funding table in section 4201, for Applied Research, Electronics and Electronic Devices, Line 018, is hereby increased by $2,000,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for research, development, test, and evaluation, Army, as specified in the corresponding funding table in section 4201, for Advanced Component Development and Prototypes, Technology Maturation Initiatives, Line 072, is hereby reduced by $2,000,000.

AMENDMENT NO. 17 OFFERED BY MR. BROWN OF MARYLAND

At the end of subtitle B of title II, add the following new section:

SEC. 2___. INCREASE IN FUNDING FOR HISTORICALLY BLACK COLLEGES AND UNIVERSITIES AND MINORITY INSTITUTIONS.

(a) INCREASE.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for research, development, test, and evaluation, Defense-wide, as specified in the corresponding funding table in section 4201, for Basic Research, Historically Black Colleges and Universities/Minority Institutions, Line 006, is hereby increased by $4,135,000.

(b) OFFSET.—Notwithstanding the amounts set forth in the funding tables in division D, the amount authorized to be appropriated in section 4201 for research, development, test, and evaluation, Defense-wide, as specified in the corresponding funding table in section 4201, for Advanced Technology Development, Advanced Innovative Analysis and Concepts, Line 038, is hereby reduced by $4,135,000.

AMENDMENT NO. 18 OFFERED BY MR. LIPINSKI OF ILLINOIS

At the end of title II, at the following new section:

SEC. 2___. ESTABLISHMENT AND EXPANSION OF HACKING FOR DEFENSE PROGRAM.

(a) FINDINGS.—Congress finds the following:

(1) The MD5 Hacking for Defense Program enables universities nationwide to provide valuable entrepreneurial and innovation education to students, providing formal training for scientists and engineers to pursue careers in business or government organizations.

(2) The MD5 Hacking for Defense Program is successful in part due to its focus on ensuring that government problems are well-defined and suitable for university courses, ensuring that educators are trained and certified in course methodology and curriculum, and providing an ecosystem of government and corporate mentors to student teams to enhance their education and access to clients familiar with specific problems.

(3) Hacking for Defense programs provide a unique pathway for veteran students to leverage their military expertise to solve rapidly emerging national security challenges while learning cutting-edge business innovation methodology.

(4) The MD5 Hacking for Defense Program's success in the early stages of the innovation continuum should be expanded to offer training to universities nationwide, and government personnel and organizations charged with innovation.

(b) ESTABLISHMENT AND EXPANSION OF HACKING FOR DEFENSE PROGRAM.—

(1) AUTHORIZATION.—The Secretary of Defense is authorized to establish a Hacking for Defense Program under which the Secretary may obligate or expend up to $15,000,000 to support university-based entrepreneurial education programs, including—

(A) materials to recruit veterans for such programs;

(B) model curriculum for such programs;

(C) training materials for such programs; and

(D) best practices for the conduct of such programs.

(2) CONSULTATION.—In carrying out paragraph (1), the Secretary of Defense may consult with the heads of such Federal agencies, universities, and public and private entities engaged in the development of advanced technologies as the Secretary determines to be appropriate.

(3) ELIGIBILITY.—The Secretary of Defense shall—

(A) develop and maintain eligibility criteria for programs to become recognized as Hacking for Defense education sites; and

(B) ensure that any recipient of a grant under the Small Business Technology Transfer program or the Small Business Innovation Research program has the option to participate in training under the MD5 Hacking for Defense Program.

AMENDMENT NO. 19 OFFERED BY MR. RATCLIFFE OF TEXAS

Page 86, after line 23, insert the following:

SEC. 323. PROHIBITION ON APPLICATION OF HIRING FREEZES AT DEPARTMENT OF DEFENSE INDUSTRIAL BASE FACILITIES.

Any memorandum, Executive order, or other action by the President to prevent a department or agency of the Federal Government from filling vacant Federal civilian employee positions or creating new such positions, shall have no force or effect with respect to any Department of Defense civilian position at, or in support of—

(1) any facility at which depot-level maintenance and repair (as that term is defined in section 2460 of title 10, United States Code) is carried out; or

(2) any facility designated under section 2474 of such title as a center for industrial and technical excellence.

AMENDMENT NO. 20 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

Page 104, after line 6, insert the following:

SEC. 337. UPDATED GUIDANCE REGARDING BIENNIAL CORE REPORT.

To ensure that the biennial core reporting procedures of the Department of Defense align with the requirements of section 2464 of title 10, United States Code, and that each reporting agency provides accurate and complete information, the Secretary of Defense should direct the Under Secretary of Defense for Acquisition, Technology and Logistics to update the Department of Defense Guidance, in particular Department of Defense Instruction 4151.20, to require future biennial core reports include instructions to the reporting agencies on how to—

(1) report additional depot workload performed that has not been identified as a core requirement;

(2) accurately capture inter-service workload;

(3) calculate shortfalls; and

(4) estimate the cost of planned workload.

AMENDMENT NO. 21 OFFERED BY MR. CÁRDENAS OF CALIFORNIA

Page 104, after line 6, insert the following:

SEC. 337. REPORT ON ARCTIC READINESS.

(a) REPORT REQUIRED.—The Secretary of Defense shall submit to Congress a report on arctic readiness. Such report shall include—

(1) an analysis of the challenges posed by the rapidly changing arctic region, including the reasons why the arctic region is changing at such a rapid rate;

(2) an analysis of how the changes will affect other regions, particularly coastal communities;

(3) an analysis of how the changes will affect military infrastructure; and

(4) recommendations for congressional action to address the needs of the Armed Forces, in consultation with the Secretary of Homeland Security with respect to the Coast Guard when it is not operating as a service in the Navy, resulting from changes in the arctic.

(b) FORM OF REPORT.—The report required under this section shall be unclassified, but may include a classified annex.

AMENDMENT NO. 22 OFFERED BY MR. JOHNSON OF LOUISIANA

Page 104, after line 6, insert the following:

SEC. 337. REPORT ON CYBER CAPABILITY AND READINESS SHORTFALLS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall submit to Congress a report on the Army Combat Training Centers and the current resident cyber capabilities and training at such centers to examine potential training readiness shortfalls and ensure that pre-rotational cyber training needs are met. In preparing the report, the Secretary shall take into account nearby cyber assets that could contribute to addressing potential cyber capability and readiness shortfalls.

AMENDMENT NO. 23 OFFERED BY MR. CICILLINE OF RHODE ISLAND

Page 104, after line 6, insert the following:

SEC. 337. 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 expect 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 training and transition preparation 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. 24 OFFERED BY MR. KHANNA OF CALIFORNIA

Strike section 344 and insert the following:

SEC. 344. COST-BENEFIT ANALYSIS OF UNIFORM SPECIFICATIONS FOR AFGHAN MILITARY OR SECURITY FORCES.

Beginning on the date of the enactment of this Act, whenever the Secretary of Defense enters into a contract for the provision of uniforms for Afghan military or security forces, the Secretary shall conduct a cost-benefit analysis of the uniform specification for the Afghan military or security forces uniform. Such analysis shall determine—

(1) whether there is a more effective alternative uniform specification, considering both operational environment and cost, available to the Afghan military or security forces;

(2) the efficacy of the existing pattern compared to other alternatives (both proprietary and non-proprietary patterns; and

(3) the costs and feasibility of transitioning the uniforms of the Afghan military or security forces to a pattern owned by the United States, using existing excess inventory where available, and acquiring the rights to the Spec4ce Forest pattern.

AMENDMENT NO. 25 OFFERED BY MS. HERRERA BEUTLER OF WASHINGTON

Page 126, after line 12, insert the following:

SEC. 516. TRAINING REQUIREMENTS.

(a) MEMBERS OF BOARDS FOR THE CORRECTION OF MILITARY RECORDS.—Section 534(c)(1) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 10 U.S.C. 1552 note) is amended by adding at the end the following new sentence: ''This curriculum shall also address the proper handling of claims in which a sex-related offense is alleged to have contributed to the original characterization of the discharge or release of the claimant, including guidelines for the consideration of evidence substantiating such allegations in accordance with the requirements of section 1554b(b)(3) of title 10, United States Code.''.

(b) DEPARTMENT OF DEFENSE PERSONNEL WHO INVESTIGATE CLAIMS OF RETALIATION.—Section 546(a) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328) is amended by striking ''section.'' and inserting ''section, including guidelines for the consideration of evidence substantiating such allegations in accordance with the requirements of section 1554b(b)(3) of title 10, United States Code.''.

AMENDMENT NO. 26 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

Page 146, after line 16, insert the following new section:

SEC. 531. INCLUSION OF ADDITIONAL INFORMATION IN ANNUAL SAPRO REPORTS.

Section 1631 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 10 U.S.C. 1561 note) is amended by adding at the end the following new subsection:

''(h) DEFINITIONS.—

''(1) SEXUAL ASSAULT DEFINED.—In this section, the term 'sexual assault' includes rape, sexual assault, forcible sodomy, aggravated sexual contact, abusive sexual contact, and attempts to commit such offenses, as those terms are defined in the Uniform Code of Military Justice.

''(2) SEXUAL COERCION DEFINED.—In this section, the term 'sexual coercion' includes unwanted vaginal, oral, or anal sex after the perpetrator pressured the victim by means including—

''(A) repeated requests to the victim for sex;

''(B) expressions of unhappiness due to the victim refusing to have sex with the perpetrator;

''(C) lies;

''(D) threats; and

''(E) sexual harassment as that term is defined in section 1561(e) of title 10, United States Code.''.

AMENDMENT NO. 27 OFFERED BY MR. GOTTHEIMER OF NEW JERSEY

At the end of subtitle D of title V, add the following new section:

SEC. 544. EXTENSION OF SUICIDE PREVENTION AND RESILIENCE PROGRAM.

Section 10219(g) of title 10, United States Code, is amended by striking ''October 1, 2018'' and inserting ''October 1, 2019''.

AMENDMENT NO. 28 OFFERED BY MR. JONES OF NORTH CAROLINA

At the end of subtitle E of title V, add the following new section:

SEC. 5____. FIVE-YEAR EXTENSION OF AUTHORITIES RELATING TO THE TRANSITION AND SUPPORT OF MILITARY DEPENDENT STUDENTS TO LOCAL EDUCATIONAL AGENCIES.

Section 574(c)(3) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (20 U.S.C. 7703b note), as most recently amended by section 572 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2141), is amended by striking ''September 30, 2017'' and inserting ''September 30, 2022''.

AMENDMENT NO. 29 OFFERED BY MR. JONES OF NORTH CAROLINA

Page 156, beginning on line 19, strike '', not including a member or former member of the Coast Guard,''.

AMENDMENT NO. 30 OFFERED BY MRS. WATSON COLEMAN OF NEW JERSEY

At the end of subtitle G of title V, add the following:

SEC. 575. SENSE OF CONGRESS REGARDING NONDISCRIMINATION AT UNITED STATES MILITARY ACADEMY.

Congress affirms the nondiscrimination policy of the United States Military Academy in West Point, New York, including as applied to female cadets, staff, and faculty.

AMENDMENT NO. 31 OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

At the end of subtitle G of title V in division A, add the following new section:

SEC. _____. EXTENSION OF AUTHORITY OF THE SECRETARY OF VETERANS AFFAIRS TO PROVIDE FOR THE CONDUCT OF MEDICAL DISABILITY EXAMINATIONS BY CONTRACT PHYSICIANS.

Section 704(c) of the Veterans Benefits Act of 2003 (Public Law 108–183; 38 U.S.C. 5101 note) is amended by striking ''December 31, 2017'' and inserting ''December 31, 2018''.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from California (Mr. ROHRABACHER).

Mr. ROHRABACHER. Mr. Chair, I rise in support of a very important part of this en bloc proposal, which is filled with important parts.

Dr. Afridi is a Pakistani doctor who risked his life to help our special forces identify the hiding place of Osama bin Laden, the planner and commander of the slaughter of 3,000 Americans on 9/11.

Dr. Afridi, clearly an American hero, has languished in a Pakistani dungeon for the past 6 years and has been sentenced to spend another two decades in captivity.

Dr. Afridi is a courageous hero. He is not forgotten. His plight is not ignored.

Tonight, I am pleading that this language be retained in the final version of this en bloc amendment. This man is suffering for us.

Making my amendment in order acknowledges Dr. Afridi's sacrifice and demands Pakistani authorities release him immediately.

If we turn our backs on such a noble friend as Dr. Afridi, shame on us.

And I thank the Members who put this bill together for including this very moral statement.

Mr. SMITH of Washington. Mr. Chair, I reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Chairman, thank you for the opportunity to speak on amendment No. 66.

On July 4, the Communist totalitarian regime in North Korea marked the holiday testing an intercontinental ballistic missile. This is yet another escalation by a regime that has tested ballistic missiles and has conducted five nuclear tests.

This amendment expresses a clear sense of Congress: we will not tolerate the escalation by the regime in North Korea testing ballistic missiles or developing a nuclear weapon threatening American families.

The amendment also reaffirms the strong commitment of the United States to our allies in the region, especially South Korea, Japan, and Australia. I am encouraged by the leadership of President Donald Trump for a commitment of peace through strength. It is clear the regime in North Korea will only respond to strength, and this sense of Congress strongly states our commitment to keeping all options on the table while addressing the threat of North Korea, whether it be military, diplomatic, or economic.

Mr. Chairman, I urge support of this amendment with the en bloc package.

Mr. SMITH of Washington. Mr. Chair, I continue to reserve the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Pennsylvania (Mr. FITZPATRICK).

Mr. FITZPATRICK. Mr. Chair, the most important duty of this body is to ensure the safety of every American family from foreign enemies who intend us harm. We must advocate for a foreign policy that projects strength and purpose.

The threat profile our Nation faces has never been more severe, including from rogue regimes and those who directly and indirectly support the spread of terror. Acting in isolation, each of these threats requires U.S. attention. However, we must also investigate and understand the scope of

evil's reach, especially the nexus between Iran and North Korea.

Mr. Chair, my amendment would compel the Pentagon to report the extent of cooperation on nuclear programs, ballistic missile development, chemical and biological weapons development, and conventional weapons programs between Pyongyang and Tehran. Only when we understand the complex dealings between these enemies of peace can we outline a plan to combat them.

My amendment will provide better, more comprehensive tools for American defense, and I urge my friends on both sides of the aisle to support it for the sake of our Nation's security.

Mr. SMITH of Washington. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. SUOZZI).

Mr. SUOZZI. Mr. Chair, I rise in support of a bipartisan amendment I have offered along with my colleagues from Texas, Chairman THORNBERRY of the Armed Services Committee and Mr. CONAWAY, a fellow CPA.

It is essential the Democrats and Republicans work together to control government costs to root out waste, fraud, and abuse, and that we specifically focus these efforts on the Department of Defense.

Chairman THORNBERRY has promoted a reform agenda of which I am very supportive. During the Armed Services Committee markup of the bill, I proposed changes to the chairman's reform package. My amendment sought to make the use of private sector auditors more efficient and effective by eliminating bureaucratic mandates and an unnecessarily bureaucratic committee.

The chairman supported my goals, and I suggested that I work with my fellow CPA, Mr. CONAWAY. In a bipartisan spirit, we agreed to this amendment, which will, one, help eliminate the incurred cost audit backlog; two, help reallocate resources to prioritize higher risk audits with potential savings for government; three, help ensure private sector auditing capacity exists; and, most importantly, four, root out waste, fraud, and abuse in Defense contracting.

I never thought I would come to Washington to work on Department of Defense audits, but Chairman THORNBERRY's willingness to engage my expertise and the bipartisan manner of the amendment will hopefully result in significant reforms and aid in my ongoing efforts to help save taxpayers' dollars by making government more effective and efficient.

Mr. THORNBERRY. Mr. Chairman, I am pleased to yield 1 minute to the distinguished gentleman from Louisiana (Mr. JOHNSON).

Mr. JOHNSON of Louisiana. Mr. Chairman, I rise to speak on the National Defense Authorization Act being considered this evening and on my amendment No. 22 to require an Army cyber training readiness assessment.

It is vital that we adequately fund our military with the necessary training and tools they need to succeed. Our men and women in uniform deserve the greatest amount of resources we can possibly provide at all times.

If agreed to, my amendment requires the Army to review the combat training centers, or CTCs, and the resident cyber capabilities and training to make certain the needs of prerotational cyber training are fully met.

These CTCs' rotations serve as the premier events to evaluate collective training, and the rotations provide feedback to commanders on how well they have trained their units and their leaders and what they need to do to improve readiness.

Including cyber training is a commonsense step to meet the threats our Nation will face. The Army has testified before Congress that this area is falling short and additional resources are desperately needed for cyber training.

Our Armed Forces must be able to operate within highly defended environments, possibly at the leading edge of a joint force, to control the air, sea, space, and cyberspace domain. My amendment will assist us in this endeavor, and I urge my colleagues to support it.

Mr. SMITH of Washington. Mr. Chair, I yield 3 minutes to the gentleman from California (Mr. CORREA).

□ 2245

Mr. CORREA. Mr. Chairman, I rise in support of my amendment in en bloc package 3, amendment 53, that would require the Secretary of Defense, in coordination with the Director of National Intelligence, to provide Congress a report of any cyber attack attempts by the Russian Government and other Russian actors targeting the Department of Defense within the past 2 years.

These Defense Department systems are the foundation of our Nation's defense and security, and it is crucial that they are protected. Despite this understanding, our Nation is still not fully aware of the magnitude of the problems, and Congress is not appropriately advised of these past breaches.

My amendment would require a report from the Secretary of the Defense to Congress so that we can begin to properly address the strength of our Nation's security.

I thank Congresswoman SHEA-PORTER for supporting my amendment, and I urge all of my colleagues to do the same.

Mr. THORNBERRY. Mr. Chairman, I have no further speakers on this en bloc amendment, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chair, I yield 90 seconds to the gentleman from California (Mr. CORREA).

Mr. CORREA. Mr. Chairman, I rise in support of my amendment No. 88 of 228, H.R. 2810.

This amendment would call upon the Department of Defense to update its cyber strategy, requiring the President to draft guidance for offensive cyber capabilities, and to authorize international cooperation, including building of our NATO partner allies' cybersecurity.

World war III is raging in cyberspace now. It has become one of the most crucial homeland and global security issues. Our Presidential election came under cyber attack, possibly compromising the American electoral system. But the U.S. is not alone. There were press reports of massive cyber attacks of French President Emmanuel Macron's campaign as well.

My amendment will increase our offensive cyber capabilities to prevent our adversaries from engaging in cyber espionage like we witnessed during the past election cycle and recent global cyber attacks.

Protecting our network is vital to the security of our Nation and allies, and my amendment works to that end.

I thank Congresswoman ROSEN for supporting my amendment as well, and I urge all my colleagues to do the same.

Mr. THORNBERRY. Mr. Chairman, I urge adoption of the en bloc amendments, and I reserve the balance of my time.

Mr. SMITH of Washington. I yield 3 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Chair, I want to start off by thanking the chair and ranking member for supporting these two amendments, one in this bloc, one in the next bloc.

The first amendment will authorize the Hacking for Defense, or H4D, Program. This is an innovative program developed in Silicon Valley with the help of battlefield-experienced Iraq and Afghanistan veterans, and it finds unique solutions to national security problems.

First taught at Stanford, H4D uses lean business startup methods to engage America's best and brightest in solving real security challenges faced by the DOD.

Rapid, low-cost technological innovation is what makes Silicon Valley revolutionary, but the DOD hasn't historically had the mechanisms in place to harness this American advantage.

Hacking for Defense creates ways for talented scientists and engineers to work alongside with veterans, military leaders, and business mentors to innovate solutions that make America safer. For example, a July 7 New York Times article details how an H4D graduate, Capella Space, is helping track North Korean nuclear capabilities, helping to try to make our world safer.

Mr. Chairman, I include in the RECORD this article, along with these letters of support from universities and tech communities.

[From the New York Times, July 7, 2017]

TINY SATELLITES WILL TRACK NORTH KOREA MISSILES

(By David E. Sanger and William J. Broad; Eric Schmitt contributed reporting)

For years before North Korea fired its first intercontinental ballistic missile this week,

the Pentagon and intelligence experts had sounded a warning: Not only was the North making progress quickly, spy satellite coverage was so spotty that the United States might not see a missile being prepared for launch.

That set off an urgent but quiet search for ways to improve America's early-warning ability—and the capability to strike missiles while they are on the launchpad. The most intriguing solutions have come from Silicon Valley, where the Obama administration began investing in tiny, inexpensive civilian satellites developed to count cars in Target parking lots and monitor the growth of crops.

Some in the Pentagon accustomed to relying on highly classified, multibillion-dollar satellites, which take years to develop, resisted the move. But as North Korea's missile program progressed, American officials laid out an ambitious schedule for the first of the small satellites to go up at the end of this year, or the beginning of next.

Launched in clusters, some staying in orbit just a year or two, the satellites would provide coverage necessary to execute a new military contingency plan called ''Kill Chain.'' It is the first step in a new strategy to use satellite imagery to identify North Korean launch sites, nuclear facilities and manufacturing capability and destroy them pre-emptively if a conflict seems imminent.

Even a few extra minutes of warning might save the lives of tens of thousands of Americans—and millions of South Koreans and Japanese who already live within range of the North's missiles.

''Kim Jong-un is racing—literally racing—to deploy a missile capability,'' Robert Cardillo, the director of the National Geospatial-Intelligence Agency, which coordinates satellite-based mapping for the government, said in an interview days before North Korea's latest launch. ''His acceleration has caused us to accelerate.''

The timeline for getting the satellites in orbit, which defense officials have never discussed publicly, reflects the urgency of the problem. The missile launch by North Korea on Tuesday was initiated from a new site, a mobile launcher at the Pang Hyon Aircraft Factory. Capt. Jeff Davis, a Pentagon spokesman, said the missile ''is not one we have seen before.''

That mobility is the problem that the new satellites, with wide coverage using radar sensors that work at night and during storms, are designed to address. Less than one-third of North Korea is under spy satellite coverage at a given moment.

American intelligence analysts detected indications of an impending launch in the days before the missile firing, according to a spokesman for the Defense Intelligence Agency, Cmdr. William Marks. But even after the launch, the Pentagon misjudged what it was looking at. Minutes after its 37-minute flight ended, the United States Pacific Command described the missile as an intermediate-range model, often seen.

Hours later, Secretary of State Rex W. Tillerson issued a very different conclusion: that the North had tested its first intercontinental ballistic missile, able to reach Alaska.

The commercial radar push is one of several new ways the administration is seeking to counter the North Korean threat. President Trump inherited a secret effort to sabotage the North's missile launches. But its success has been spotty at best, especially of late.

And joint American-South Korean missile tests, conducted hours after the ICBM test, appeared to be part of the new strategy that includes Kill Chain—the missiles were designed to reach Pyongyang, where the country's leadership lives.

Kill Chain was also mentioned in a joint statement issued last week by the United States and South Korea, a notable shift for the South's new president, Moon Jae-in. He has rejected public discussion of pre-emptive military action, arguing it plays into the North Korean paranoia that the United States and its allies are plotting to end the Kim government.

Mr. Moon has spoken of reviving direct talks—a so-called sunshine policy, which he advocated as chief of staff to an earlier South Korean president.

But Mr. Trump has tried to build pressure, using warships, sanctions and missile defenses. He was recently presented with new options, including military ones, for responding to a sixth nuclear detonation by the North or a test of a missile that could reach the United States.

''The threat is much more immediate,'' H.R. McMaster, Mr. Trump's national security adviser, told a conference last week at the Center for a New American Security in Washington. ''So it's clear that we can't repeat the same approach—failed approach—of the past.''

The new satellite initiative builds on technology created more for Wall Street than the Pentagon. From an office in an old Defense Department building within view of the Google campus in California, Raj Shah, the director of the Defense Innovation Unit Experimental, or DIUx, is already investing in companies that exploit tiny civilian radar satellites, able to pierce darkness or storms, in hopes that the Pentagon can use them by the end of the year, or early in 2018.

''It's a very challenging target,'' said Mr. Shah, a former F-16 pilot in Iraq whose extensive experience in Silicon Valley appealed to Defense Secretary Ashton B. Carter, who set up the unit during Mr. Obama's second term and recruited Mr. Shah.

''The key is using technologies that are already available, and making the modifications we need for a specific military purpose,'' Mr. Shah said.

His unit made an investment to jump-start the development efforts of Capella Space, a Silicon Valley start-up named after a bright star. It plans to loft its first radar satellite late this year. The company says its radar fleet, if successfully deployed, will be able to monitor important targets hourly.

''The entire spacecraft is the size of a backpack,'' said Payam Banazadeh, a founder of the company. Born in Iran, he learned satellite design at the University of Texas and NASA's Jet Propulsion Laboratory, specializing in miniaturization.

Once in orbit, the payload, he added, would unfurl its antenna and solar panels.

''Everything is getting smaller,'' Mr. Banazadeh said of the craft's parts. ''Even the next version of the satellite is getting smaller.''

Seeing the early fruits of the Pentagon experiment, the National Geospatial-Intelligence Agency is opening its doors to companies that can supply it with satellite radar data in addition to traditional images. Its outpost, set up this year, is in San Jose, the heart of Silicon Valley.

Federal officials rarely, if ever, acknowledge the poor reconnaissance coverage of the North from traditional military satellites. But William J. Perry, the former secretary of defense, recently said in Washington that if the North rolled out a missile to hit the United States or its allies, ''there's a good chance we'd never see it.''

The threat grew worse last year as North Korea began using solid fuels after decades of relying on liquid propellants to power its big rockets and missiles. While liquid-fueled missiles can take hours or even days of preparation, solid-fueled missiles can be fired with little or no warning.

Mr. Kim has made the effort a personal project, posing next to a large solid-fueled motor after a successful ground test last year. The North followed that firing with four successful flight tests, twice last year and twice this year.

The advances, said Young-Keun Chang, director of the Global Surveillance Research Center at the Korea Aerospace University in Seoul, moved the North significantly closer to a mobile intercontinental missile that could eventually pose ''a serious potential threat to the United States.''

The key to detecting launch preparations is the near-constant presence of satellites that can see through clouds, rain, snow, foliage and camouflage and can detect the movement of military gear, including missiles. That requires space-based radars, which over the years have been highly expensive, with their big antennas and tendency to use large amounts of power. Like any radar, they fire radio waves at targets and gather faint echoes.

Space-based radars can also detect changes in ground elevation that signal hidden tunnels, bunkers and even radioactive cavities left by nuclear blasts, experts say, because such hollows cause the surface above them to subside ever so slightly.

But building the radars has historically been expensive for the government.

In 2007, the Congressional Budget Office estimated that a constellation of 21 radar satellites would cost the nation up to $94 billion—or more than $4 billion each. The report, published shortly after the North's first nuclear detonation, zeroed in on whether the satellites could track Korean missiles on mobile launchers. It called the goal ''highly challenging,'' and said 35 to 50 spacecraft would be needed to make such detections rapidly.

The new generation of tiny, cheap satellites has made that outcome more achievable. Capella plans to loft its first radar satellite late this year and build up to 36 orbital radars, within the range the congressional report recommended.

In addition to Capella, private companies rushing to make and exploit new generations of small radar satellites include Ursa Space Systems in Ithaca, N.Y.; UrtheCast in Vancouver, Canada; and Iceye in Espoo, Finland. Like many new companies seeking to make small satellites, most have strong ties to Silicon Valley.

The National Geospatial-Intelligence Agency's initiative, known as the Commercial Geoint Activity, builds on programs in which the agency bought radar-satellite data from Canada, Italy and Germany as part of its evaluation of the new civilian technologies.

Mr. Cardillo said the new partnerships could help the United States close the gaps in tracking Mr. Kim's rapidly expanding arsenal of threatening missiles.

''If any of these companies, new or old, can help fill those gaps,'' he said, ''then I'm interested.''

LELAND STANFORD, JUNIOR UNIVERSITY,

July 11, 2017.

Hon. DANIEL W. LIPINSKI,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE LIPINSKI: I am writing to express my personal support for your proposed amendment 352 to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018. This amendment would provide statutory authorization for the Hacking for Defense program, something developed here at Stanford University that is effectively changing the way students think about national security.

Hacking for Defense is a class first taught at Stanford and now at growing number of other universities around the country in which students learn to apply lean startup methods to national security challenges. Instructors gather projects or problems from branches of the military and intelligence agencies for the students to address. A core component of the course is gaining an in-depth understanding of the problem the students are trying to solve, which the students do by conducting 100 interviews with potential ''customers'' or beneficiaries of a solution. By the end of the course, although students aren't required to come up with a new product or service, many of them do such as the ''tiny satellites'' project recently in the news regarding North Korea's missiles.

Hacking for Defense is valuable because it combines a student's knowledge and entrepreneurial energy with the experience of their business and military mentors to innovatively solve national security challenges. In addition, it exposes rising generation of technology stars to the potential value and benefit of careers in national service.

Authorization and federal support of this program will enable its expansion to many more universities throughout the country, helping solve high priority problems and train a new generation of civic-minded entrepreneurs and technologists. I strongly support inclusion of this program in the National Defense Authorization Act.

Respectfully,

THOMAS H. BYERS, PH.D.,
Professor, Management Science & Engineering, Endowed Chair in Entrepreneurship Education, School of Engineering,
Founder and Faculty Director, Stanford Technology Ventures Program, Stanford University.

JAMES MADSION UNIVERSITY,
Harrisonburg, VA, July 12, 2017.

Hon. DANIEL W. LIPINSKI,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE LIPINSKI: As strong supporters of establishing a national security innovation workforce, we commend your support for the Hacking for Defense Program, operated under MD5, the National Security Technology Accelerator within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics. We support your effort to authorize the program and create the option for the Secretary of Defense to expend up to $15 million to expand and strengthen existing programs designed to boost Veterans innovation education.

A public-private partnership between the National Defense University and a network of national research universities, MD5 was recognized in the Fiscal Year 2017 National Defense Authorization Act as ″an important pilot program making vital contributions in the field of technology innovation.″ The program emphasizes the incentives, outreach, professional military education, and skills-based training necessary to build a National Security Innovation Corps.

By leveraging programs like Hacking for Defense (H4D), MD5 is growing a cadre of entrepreneurs that are adept at critical thinking, creative problem solving, and the formation of successful ventures that deliver economic, national security, and social value. H4D classes educate Veterans and other students in technology innovation and entrepreneurship, and provide a unique pathway for Veterans to leverage their expertise while learning cutting-edge business innovation methodology, increasing post-military opportunities and applying their knowledge to new national security problems.

Additional funds will help MD5 build on its early success by expanding H4D training to universities nationwide, as well as government personnel and other organizations responsible for innovation efforts. Funds will be used to expand the development of resources, to include Veteran recruitment materials, model curriculum, training materials, and best practices to support university entrepreneurial education programs.

We support your amendment 352 to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, to continue to grow the national security innovation workforce.

Sincerely,

YVONNE R. HARRIS, PH.D.,
Vice Provost.

ZOIC LABS,
Culver City, CA, July 11, 2017.

Hon. DANIEL W. LIPINSKI,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE LIPINSKI: As strong supporters of establishing a national security innovation workforce, we commend your support for the Hacking for Defense Program, operated under MD5, the National Security Technology Accelerator within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics. We support your effort to authorize the program and create the option for the Secretary of Defense to expend up to $15 million to expand and strengthen existing programs designed to boost veterans innovation education.

A public-private partnership between the National Defense University and a network of national research universities, MD5 was recognized in the Fiscal Year 2017 National Defense Authorization Act as ''an important pilot program making vital contributions in the field of technology innovation.'' The program emphasizes the incentives, outreach, professional military education, and skills-based training necessary to build a National Security Innovation Corps.

By leveraging programs like Hacking for Defense (H4D), MD5 is growing a cadre of entrepreneurs that are adept at critical thinking, creative problem solving, and the formation of successful ventures that deliver economic, national security, and social value. H4D classes educate veterans and other students in technology innovation and entrepreneurship, and provide a unique pathway for veterans to leverage their expertise while learning cutting-edge business innovation methodology, increasing post-military opportunities and applying their knowledge to new national security problems.

Additional funds will help MD5 build on its early success by expanding H4D training to universities nationwide, as well as government personnel and other organizations responsible for innovation efforts. Funds will be used to expand the development of resources, to include veteran recruitment materials, model curriculum, training materials, and best practices to support university entrepreneurial education programs.

We support your amendment 352 to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, to continue to grow the national security innovation workforce.

Sincerely,

MATTHEW THUNELL,
Executive Vice President.

ALION SCIENCE AND TECHNOLOGY,
McLean, VA, July 12, 2017.

Hon. DANIEL W. LIPINSKI,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE LIPINSKI: For over 80 years, Alion has been called upon to solve the nation's most important and challenging problems. Our original charter in 1936, as Armour Research Foundation (later the Illinois Institute of Technology Research Institute, or ''IITRI''), identified our purpose: ''to experiment upon, test, promote, and develop the public, scientific, and commercial value of inventions, discoveries, and processes.'' Our focus has remained constant, while we continue to evolve to apply the latest innovations in science, technology and engineering to address the needs of this great nation. One innovation still in use today is our development of the ''Armour alloy,'' a titanium alloy that saved the Air Force's gas turbine engine program, and is still used in military fighting vehicles and advanced prosthetics. Beginning during the interwar period, continuing through America's superpower status in the wake of our successful contributions to World War II, and enduring through the rapidly evolving and complex global security environment of the present day, Alion is an important part of the American fabric of innovation.

Today, Alion stands strong on this solid foundation, supporting customers in defense, civilian government, and commercial industries. Our 21 labs and 2,300-person staff provide Alion the physical and intellectual resources to tackle any problem. Our history as an academic research center informs our approach of bringing together the brightest minds and best technologies from wherever they reside: government labs, large industry, universities, or small businesses. For example, when in 2015 the Secretary of Defense established a new initiative to expand access to global commercial technology innovations, Alion was the first partner to close a deal with a commercial company focused on big data analytics; as we have done many times, Alion brokered an effective translation between military need and commercial capabilities, bringing the two together into a successful solution.

As strong supporters of establishing a national security innovation workforce, we commend your support for the Hacking for Defense Program, operated under MD5, the National Security Technology Accelerator within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics. We support your effort to authorize the program and create the option for the Secretary of Defense to expend up to $15 million to expand and strengthen existing programs designed to boost veterans' innovation education.

A public-private partnership between the National Defense University and a network of national research universities, MD5 was recognized in the Fiscal Year 2017 National Defense Authorization Act as ''an important pilot program making vital contributions in the field of technology innovation.'' The program emphasizes the incentives, outreach, professional military education, and skills-based training necessary to build a National Security Innovation Corps.

By leveraging programs like Hacking for Defense (H4D), MD5 is growing a cadre of entrepreneurs that are adept at critical thinking, creative problem solving, and the formation of successful ventures that deliver economic, national security, and social value. H4D classes educate veterans and other students in technology innovation and entrepreneurship, and provide a unique pathway for veterans to leverage their expertise while learning cutting-edge business innovation methodology, increasing post-military opportunities and applying their knowledge to new national security problems.

Additional funds will help MD5 build on its early success by expanding H4D training to universities nationwide, as well as government personnel and other organizations responsible for innovation efforts. Funds will

be used to expand the development of resources, to include veteran recruitment materials, model curriculum, training materials, and best practices to support university entrepreneurial education programs.

We support your amendment 352 to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, to continue to grow the national security innovation workforce.

Sincerely,

GERRY DECKER,
Chief Growth Officer.

UNIVERSITY OF COLORADO BOULDER,
Boulder, CO, July 12, 2017.

Hon. DANIEL W. LIPINSKI,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE LIPINSKI: The University of Colorado, and its College of Engineering and Applied Science, is an avid supporter of establishing a strong national security innovation workforce, and we commend your support for MD5, the National Security Technology Accelerator within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics. We support your effort to authorize the program and create the option for the Secretary of Defense to expend up to $15 million to expand and strengthen existing programs designed to boost veteran's innovation education.

In our position as the flagship research university in one of the nation's top Aerospace & Defense economies, we recognize the need to maintain a decisive advantage in technology innovation. Our research partners—including Ball Aerospace, Lockheed Martin, Northrop Grumman, Sierra Nevada Corporation, and Raytheon—routinely emphasize an increasing need for highly trained, technically competent, agile, and innovative engineers and scientists to address the most pressing technology challenges in National Security.

As the newest member of MD5, we believe programs like Hacking for Defense (H4D) are critical to developing a strong corps of future entrepreneurs that are adept at critical thinking, creative problem solving, and the formation of successful ventures that deliver economic, national security, and social value. The H4D curriculum educates veterans and other students in technology innovation and entrepreneurship, and provides a unique pathway to leverage their expertise while learning cutting-edge business innovation methodology and applying their knowledge to new national security problems.

Additional funding will help MD5 build on its early success by expanding H4D training to universities and other innovation organizations nationwide. Funds will be used to expand the development of resources, to include veteran recruitment materials, model curriculum, training materials, and best practices that will further enhance our university entrepreneurial education programs.

We support your amendment 352 to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, to continue to grow the national security innovation workforce.

Sincerely,

ROBERT D. BRAUN,
Dean, College of Engineering and Applied Science.

OGSYSTEMS,
July 12, 2017.

Hon. DANIEL W. LIPINSKI,
House of Representatives, Washington, DC.

DEAR REPRESENTATIVE LIPINSKI: As strong supporters of establishing a national security innovation workforce, we commend your support for the Hacking for Defense Program, operated under MD5, the National Security Technology Accelerator within the Office of the Under Secretary of Defense for Acquisition, Technology, and Logistics. We support your effort to authorize the program and create the option for the Secretary of Defense to expend up to $15 million to expand and strengthen existing programs designed to boost veteran innovation education.

A public-private partnership between the National Defense University and a network of national research universities, MD5 was recognized in the Fiscal Year 2017 National Defense Authorization Act as ''an important pilot program making vital contributions in the field of technology innovation.'' The program emphasizes the incentives, outreach, professional military education, and skills-based training necessary to build a National Security Innovation Corps.

By leveraging programs like Hacking for Defense (H4D), MD5 is growing a cadre of entrepreneurs that are adept at critical thinking, creative problem solving, and the formation of the workforce innovative government contractors like OGSystems need to deliver economic, national security, and social value. H4D classes educate veterans and other students in technology innovation and entrepreneurship, and provide a unique pathway for veterans to leverage their expertise while learning cutting-edge business innovation methodology, increasing post-military opportunities and applying their knowledge to new national security problems.

I have personally seen the positive impact to the Government agencies we support in both the H4D definition of problems and in the engagement of innovative sources of ideas to solve them. An example of one of the teams I helped to mentor was Capella Space at Stanford University, who is now VC funded and working on national defense problems in radar that even the Multi-Billion defense contractors weren't interested in investing IR&D funding. This is a win-win situation in the activation of non-traditional sources of innovation for DoD and the driving of solutions that impact national security.

Additional funds will help MDS build on its early success by expanding H4D training to universities nationwide, as well as government personnel and other organizations responsible for innovation efforts. Funds will be used to expand the development of resources, to include veteran recruitment materials, model curriculum, training materials, and best practices to support university entrepreneurial education programs.

We support amendment 352 to H.R. 2810, the National Defense Authorization Act for Fiscal Year 2018, to continue to grow the national security innovation workforce.

Sincerely,

GARRETT PAGON,
President.

Mr. LIPINSKI. Mr. Chair, the second amendment deals with cybersecurity standards.

At the end of 2016, the DOD issued important updated cybersecurity standards for defense contractors. Companies must implement these new standards by January 1, 2018. However, I have heard from a number of small manufacturers in my district that it is very difficult getting the information and expertise necessary to institute these standards. They fear this may mean the end of their companies.

America cannot afford to lose these small businesses, so my amendment encourages the Secretary of Defense to establish a cooperative program between the DOD and MIST to educate and assist small- and medium-sized manufacturing firms in achieving compliance with the updated cybersecurity standards.

This would help improve cybersecurity access across the defense supply chain while also preserving competition for DOD contracts. It has received broad support from the business and technology community.

Mr. Chair, I thank the chair and ranking member for supporting these two amendments in this bloc and the next.

I ask my colleagues to support these amendments.

Mr. SMITH of Washington. Mr. Chairman, I yield the balance of my time to the gentleman from New Jersey (Mr. GOTTHEIMER).

Mr. GOTTHEIMER. Mr. Chairman, I rise in support of this bipartisan amendment to reauthorize the Suicide Prevention and Resilience Program to 2019.

This is a critical program that provides members of the National Guard and Reserves, as well as their families, with training in suicide prevention, resilience, and community healing resources.

We simply cannot allow this critical suicide prevention program to expire, not for the men and women who are or have been on the front lines. Our Nation's veterans deserve the best care after putting their lives on the line to protect the freedoms we hold dear.

My bipartisan amendment reauthorizes and extends this program to improve safety and ensure continuity and peace of mind for the men and women who serve.

Just one soldier lost to suicide is too many. We should do everything in our power to help as many servicemembers as we can.

National Guardsmen and Reservists face unique challenges. They are citizen soldiers who do not live on a base. They often leave their jobs and families on a moment's notice to suit up to protect us.

Even a great Guardsman or Reservist may not know when and how to ask for help, yet these men and women still need access to support systems and community networks to help identify potential mental health issues. That is why it is critical that we extend this program to protect the well-being of all of our soldiers.

I am proud to offer this amendment in honor of those who serve in the New Jersey Guard and Reserve and across the Nation, as well as for their families.

I thank my colleague, Congresswoman MCSALLY, for her leadership on this issue and for her advocacy on behalf of all servicemembers.

I also thank Chairman THORNBERRY and Ranking Member SMITH for their important work on this critical legislation. I look forward to coming together as Democrats and Republicans to defend our Nation and protect all of those who serve.

Mr. SMITH of Washington. Mr. Chair, I urge adoption of the amendment, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chair, I yield back the balance of my time.

Mr. AUSTIN SCOTT of Georgia. Mr. Chair, I rise today in support of Mr. Rogers' amendment allocating additional base funding for one of our nation's most critical battle management command and control platforms: the E–8C Joint Surveillance Target Attack Radar System, or JSTARS fleet.

JSTARS' critical mission is enabled by leveraging its extremely capable active radar system providing invaluable moving target indicator (MTI) intelligence, surveillance, and reconnaissance targeting information to multiple users both on the ground and in airborne attack platforms.

The demand for MTI capability within each geographic combatant commander's area of responsibility far exceeds what JSTARS can currently provide due to its limited legacy fleet size of 16 aircraft and strained crew resources.

Thankfully, FY18 NDAA includes JSTARS Recapitalization funds, but the legacy fleet of 16 aircraft still has issues and challenges that the Air Force must successfully navigate to maintain viability until the current fleet is replaced by the Recapitalization program beginning in the late 2020s.

Despite these issues and challenges, we are confident that the Secretary of the Air Force can develop a successful legacy JSTARS to JSTARS Recapitalization transition plan that would not prematurely retire E–8C aircraft, reassign crews or maintenance personnel, or otherwise increase the MTI ISR capability gap from what existing levels of aircraft are currently experiencing.

To do this, we need strong support and necessary resources. That's why I'm here tonight in supporting additional resources for the JSTARS legacy fleet to update and maintain their critical battle management capabilities.

As the premiere military in the world, we cannot afford to let this important military capability deteriorate before our eyes, putting our warfighters and strategic campaigns at risk around the world.

One of the greatest duties we have as Members of Congress is to provide for our nation's defense, and I urge my colleagues to support this measure as well as other provisions supporting our warfighters and ensuring our men and women in uniform have the resources they need to meet the unique security needs of the 21st century.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 2 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 431, I offer a second package of amendments en bloc.

The Acting CHAIR. The Clerk will designate the amendments en bloc.

Amendments en bloc No. 2 consisting of amendment Nos. 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, and 49 printed in part B of House Report 115–212, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 32 OFFERED BY MS. MENG OF NEW YORK

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

SEC. 5___. ISSUANCE OF CONSOLIDATED PREGNANCY AND PARENTHOOD INSTRUCTION.

The Secretary of Defense shall ensure that each military department issues a single, consolidated instruction that addresses the decisions, actions, and requirements for members of the Armed Forces relating to pregnancy, the postpartum period, and parenthood.

AMENDMENT NO. 33 OFFERED BY MR. CARSON OF INDIANA

At the end of subtitle A of title VII, add the following new section:

SEC. 704. MENTAL HEALTH ASSESSMENTS FOR MEMBERS OF THE ARMED FORCES DEPLOYED IN SUPPORT OF A CONTINGENCY OPERATION.

Section 1074m(a)(1)(B) of title 10, United States Code, is amended by striking ''Until January 1, 2019, once'' and inserting ''Once''.

AMENDMENT NO. 34 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

Page 204, after line 5, insert the following:

SEC. 704. COUNSELING AND TREATMENT FOR SUBSTANCE USE DISORDERS AND CHRONIC PAIN MANAGEMENT SERVICES FOR MEMBERS WHO SEPARATE FROM THE ARMED FORCES.

Section 1145(a)(6)(B)(i) of title 10, United States Code, is amended—

(1) in subclause (I)—

(A) by inserting '', substance use disorder,'' after ''post-traumatic stress disorder''; and

(B) by striking ''and'' at the end;

(2) by redesignating subclause (II) as subclause (III); and

(3) by inserting after subclause (I) the following:

''(II) chronic pain management services, including counseling and treatment of co-occurring mental health disorders and alternatives to opioid analgesics; and''.

AMENDMENT NO. 35 OFFERED BY MR. LANCE OF NEW JERSEY

At the end of subtitle C of title VII, add the following new section:

SEC. 7___. PROHIBITION ON AVAILABILITY OF FUNDS FOR TERMINATION OF VETS4WARRIORS CRISIS HOTLINE PROGRAM.

None of the funds authorized to be appropriated by this Act or otherwise made available for fiscal year 2018 for the Department of Defense may be obligated or expended to terminate the Vets4Warriors crisis hotline program unless the Secretary of Defense has submitted to the congressional defense committees a report describing a sufficient replacement to such program.

AMENDMENT NO. 36 OFFERED BY MR. PASCRELL OF NEW JERSEY

In title VII, at the end of subtitle C add the following:

SEC. ___. REPORT ON IMPLEMENTATION OF GAO RECOMMENDATIONS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit a report to the congressional defense committees on the implementation by the Department of Defense of the recommendations from the Government Accountability Office report entitled ''Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations'' and published May 16, 2017.

AMENDMENT NO. 37 OFFERED BY MR. MEEHAN OF PENNSYLVANIA

At the end of subtitle C of title VII, add the following new section:

SEC. 7___. AUTHORIZATION OF INTERGOVERNMENTAL AGREEMENTS FOR THE PROVISION OF HEALTH SCREENINGS.

Section 2679(e)(1) of title 10, United States Code, is amended by adding at the end the following new sentence: ''Such term includes health screenings for conditions relating to the exposure of perfluorooctanesuflonic acid and perfluorooctanoic acid in communities near formerly used defense sites that have been identified by the Secretary of Defense as sources of such acids.''

AMENDMENT NO. 38 OFFERED BY MS. KUSTER OF NEW HAMPSHIRE

At the end of subtitle C of title VII, add the following new section:

SEC. 7___. STUDY ON SAFE OPIOID PRESCRIBING PRACTICES.

(a) STUDY.—The Secretary of Defense shall conduct a study on the effectiveness of the training provided to military health care providers regarding opioid prescribing practices, initiatives in opioid safety, the use of the VA/DOD Clinical Practice Guideline for Management of Opioid Therapy for Chronic Pain, and other related training.

(b) ELEMENTS.—The study under subsection (a) shall address the effectiveness of training with respect to the following:

(1) Reducing the total number of prescription opioids dispensed by the Department of Defense to beneficiaries of health care furnished by the Department.

(2) Reducing the average dosage prescribed by a military health care provider to such beneficiaries.

(3) Reducing the average number of doses per prescription for treatment of acute pain.

(4) Reducing the average duration of opioid therapy for chronic pain.

(5) Reducing the number of overdoses due to prescription opioids for patients with acute pain and patients undergoing opioid therapy for chronic pain.

(6) Providing counseling and referrals to treatment alternatives to opioid analgesics.

(7) Providing education on the risks of opioid medications to individuals for whom such medications are prescribed, and to their families, with special consideration given to raising awareness among adolescents on such risks.

(8) Effectiveness in communicating to military health care providers changes in Department policies regarding opioid safety and prescribing practices.

(c) BRIEFING.—Not later than one year after the date of the enactment of this Act, the Secretary shall provide to the Committees on Armed Services of the House of Representatives and the Senate a briefing on the results of the study under subsection (a).

AMENDMENT NO. 39 OFFERED BY MR. THORNBERRY OF TEXAS

Strike section 802 and insert the following:

SEC. 802. PERFORMANCE OF INCURRED COST AUDITS.

(a) IN GENERAL.—Chapter 137 of title 10, United States Code, is amended by inserting after section 2313a the following new section:

''§ 2313b. Performance of incurred cost audits

''(a) COMPLIANCE WITH STANDARDS OF RISK AND MATERIALITY.—Not later than October 1, 2020, the Secretary of Defense shall comply with commercially accepted standards of risk and materiality in the performance of each incurred cost audit of costs associated with a contract of the Department of Defense.

''(b) CONDITIONS FOR THE USE OF QUALIFIED PRIVATE AUDITORS TO PERFORM INCURRED COST AUDITS.—(1) The Secretary shall use a qualified private auditor to perform a sufficient number of incurred cost audits of contracts of the Department of Defense in order to ensure that—

''(A) any backlog of incurred cost audits of the Defense Contract Audit Agency is eliminated by October 1, 2020;

''(B) incurred cost audits are completed not later than one year after the date of receipt of a qualified incurred cost submission;

''(C) sufficient private sector capacity exists to meet the current and future needs of the Department of Defense for the performance of incurred cost audits;

''(D) qualified private auditors are used to perform a substantial number of incurred cost audits on an ongoing basis to improve the efficiency and effectiveness of the performance of incurred cost audits;

''(E) the Defense Contract Audit Agency is able to devote ample resources to high priority audits; and

''(F) multi-year auditing is conducted only to address outstanding incurred cost audits for which a qualified incurred cost submission was submitted to the Defense Contract Audit Agency more than 12 months before the date of the enactment of this section.

''(2)(A) Not later than October 1, 2018, the Secretary of Defense shall submit to the congressional defense committees a copy of the acquisition plan required by the Federal Acquisition Regulation for the task order contract to be awarded under subparagraph (B). Such plan shall also include—

''(i) a description of the incurred cost audits that the Secretary determines are appropriate to be conducted by qualified private auditors, including the approximate number and dollar value of such incurred cost audits; and

''(ii) an estimate of the number and dollar value of incurred cost audits to be conducted by qualified private auditors for each of the fiscal years 2019 through 2025 necessary to meet the requirements of paragraph (1).

''(B) Not later than October 1, 2019, the Secretary of Defense or a Federal department or agency authorized by the Secretary shall award an indefinite delivery-indefinite quantity task order contract to two or more qualified private auditors to perform incurred cost audits of costs associated with contracts of the Department of Defense.

''(C) The Defense Contract Management Agency, a contract administration office of a military department, or an authorized entity outside of the Department of Defense shall issue a task order to perform an incurred cost audit to a qualified private auditor under a task order contract awarded under subparagraph (B), if issuing such task order will assist the Secretary in meeting the requirements of paragraph (1). Such task order may be issued only to a qualified private auditor that certifies that the qualified private auditor possesses the necessary independence to perform such an audit.

''(D) A qualified private auditor performing an incurred cost audit of a contract of the Department of Defense shall develop and maintain complete and accurate working papers on each incurred cost audit. All working papers and reports on the incurred cost audit prepared by such qualified private auditor shall be the property of the Department of Defense, except that the qualified private auditor may retain a complete copy of all working papers to support such reports made pursuant to this section.

''(E) The Defense Contract Audit Agency may not conduct further audit or review of an incurred cost audit performed by a qualified private auditor pursuant to this section unless requested to do so as part of conducting contract quality assurance functions in accordance with the Federal Acquisition Regulation.

''(3)(A) Effective October 1, 2022, the Defense Contract Audit Agency may issue unqualified audit findings for an incurred cost audit only if the Defense Contract Audit Agency is peer reviewed by a commercial auditor and passes such peer review. This peer review shall be conducted in accordance with the peer review requirements of generally accepted government auditing standards of the Comptroller General of the United States and shall be deemed to meet the requirements of the Defense Contract Audit Agency for a peer review under such standards.

''(B) The peer review referred to in subparagraph (A) shall occur not less frequently than once every three years.

''(C) Not later than October 1, 2019, the Secretary of Defense shall provide to the Committee on Armed Services of the House of Representatives an update on the process of securing a commercial auditor to perform the peer review referred to in subparagraph (A).

''(4) The Secretary of Defense shall consider the results of an incurred cost audit performed under this section without regard to whether the Defense Contract Audit Agency or a qualified private auditor performed the audit.

''(5) The contracting officer for a contract that is the subject of an incurred cost audit shall have the sole discretion to accept or reject an audit finding on direct costs of the contract.

''(c) MATERIALITY STANDARDS FOR INCURRED COST AUDITS.—(1) Not later than October 1, 2020, and except as provided in paragraph (2), the minimum materiality standard used by an auditor shall—

''(A) for an incurred cost audit of costs in an amount less than or equal to $100,000, be 4 percent of such costs;

''(B) for an incurred cost audit of costs in an amount greater than $100,000 but less than $500,000, be $2,000 plus 2 percent of such costs;

''(C) for an incurred cost audit of costs in an amount greater than $500,000 but less than $1,000,000, be $5,000 plus 1 percent of such costs;

''(D) for an incurred cost audit of costs in an amount greater than $1,000,000 but less than $5,000,000, be $8,000 plus 0.9 percent of such costs;

''(E) for an incurred cost audit of costs in an amount greater than $5,000,000 but less than $10,000,000, be $13,000 plus 0.8 percent of such costs;

''(F) for an incurred cost audit of costs in an amount greater than $10,000,000 but less than $50,000,000, be $23,000 plus 0.7 percent of such costs;

''(G) for an incurred cost audit of costs in an amount greater than $50,000,000 but less than $100,000,000, be $73,000 plus 0.6 percent of such costs;

''(H) for an incurred cost audit of costs in an amount greater than $100,000,000 but less than $500,000,000, be $153,000 plus 0.52 percent of such costs; and

''(I) for an incurred cost audit of costs in an amount greater than $500,000,000, be $503,000 plus 0.45 percent of such costs.

''(2) An auditor that performs an incurred cost audit under this section may use a materiality standard of a lesser amount than the materiality standard described under paragraph (1) with respect to a particular qualified incurred cost submission from a contractor based on an assessment of risk presented by such qualified incurred cost submission. The risk shall be assessed by the auditor in accordance with generally accepted government auditing standards and guidance issued by the Secretary of Defense.

''(3) Not later than March 1, 2019, the Comptroller General of the United States shall submit to the congressional defense committees a report on practices for assessing risk and materiality in auditing, which shall include—

''(A) a summary of commercially accepted standards of risk and materiality and Government standards for risk and materiality as related to incurred cost audits;

''(B) examples of how commercial auditing firms apply such standards in developing methodologies for conducting incurred cost audits; and

''(C) recommendations, if appropriate, to modify the minimum materiality standards under paragraph (1) to be consistent with commercially accepted standards of risk and materiality.

''(4) Not later than October 1, 2019, and every 5 years thereafter, the Secretary of Defense shall submit to the congressional defense committees a report on commercially accepted standards of risk and materiality as related to incurred cost audits. The report may contain recommendations to modify the materiality standards under paragraph (1) to be consistent with such commercially accepted standards of risk and materiality.

''(d) TIMELINESS OF INCURRED COST AUDITS.—(1) The Secretary of Defense shall ensure that all incurred cost audits performed pursuant to subsection (b) are performed in a timely manner.

''(2) The Secretary of Defense shall notify a contractor within 60 days after receipt of an incurred cost submission from the contractor whether the submission is a qualified incurred cost submission.

''(3) With respect to qualified incurred cost submissions received on or after the date of the enactment of this section, audit findings shall be issued for an incurred cost audit not later than one year after the date of receipt of such qualified incurred cost submission.

''(4) If audit findings are not issued within one year after the date of receipt of a qualified incurred cost submission, such qualified incurred cost submission shall be considered accepted in its entirety unless the Secretary of Defense can demonstrate that the contractor unreasonably withheld information necessary to perform the incurred cost audit.

''(f) REVIEW OF AUDIT PERFORMANCE.—Not later than April 1, 2025, the Comptroller General of the United States shall provide a report to the congressional defense committees that evaluates for the period beginning on October 1, 2019, and ending on August 31, 2023—

''(1) the timeliness, individual cost, and quality of incurred cost audits, set forth separately by incurred cost audits performed by the Defense Contract Audit Agency and by qualified private auditors;

''(2) the cost to contractors of the Department of Defense for incurred cost audits, set forth separately by incurred cost audits performed by the Defense Contract Audit Agency and by qualified private auditors;

''(3) the effect, if any, on other types of audits conducted by the Defense Contract Audit Agency that results from incurred cost audits conducted by qualified private auditors; and

''(4) the capability and capacity of commercial auditors to conduct incurred cost audits for the Department of Defense.

''(g) DEFINITIONS.—In this section:

''(1) The term 'commercial auditor' means a private entity engaged in the business of performing audits.

''(2) The term 'flexibly priced contract' means—

''(A) a cost-type contract, fixed-price incentive fee contract, or price-redeterminable contract, or a task order issued under an indefinite delivery-indefinite quantity task order con- 10 tract, for which final payment is based on actual costs incurred; or

''(B) the materials portion of a time-and-materials contract or labor-hour contract of the Department of Defense.

''(3) The term 'incurred cost audit' means an audit of charges to the Government by a contractor under a flexibly priced contract.

''(4) The term 'materiality standard' means a dollar amount of misstatements, including omissions, contained in an incurred cost audit that would be material if the

misstatements, individually or in the aggregate, could reasonably be expected to influence the economic decisions of the Government made on the basis of the incurred cost audit.

''(5) The term 'qualified incurred cost submission' means a submission by a contractor of costs incurred under a flexibly priced contract that has been qualified by the Department of Defense as sufficient to conduct an incurred cost audit.

''(6) The term 'qualified private auditor' means a commercial auditor—

''(A) that performs audits in accordance with generally accepted government auditing standards of the Comptroller General of the United States; and

''(B) that has received a passing peer review rating, as defined by generally accepted Government auditing standards.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2313a the following new item:

''2313b. Performance of incurred cost audits.''.

AMENDMENT NO. 40 OFFERED BY MS. FOXX OF NORTH CAROLINA

Page 247, strike lines 4 through 7 and insert the following:

''(5) The Director shall develop guidelines and resources on intellectual property matters and make them available to the acquisition workforce. Such guidelines and resources shall include templates for specially negotiated licenses (as appropriate) and a collection of definitions, key terms, examples, and case studies that demonstrate and resolve ambiguities in the differences between—

''(A) detailed manufacturing and process data;

''(B) form, fit, and function data; and

''(C) data required for operations, maintenance, installation, and training.''.

Page 248, line 3, insert after the period the following: ''As part of such communications, the Director shall regularly engage with appropriately representative entities, including large and small businesses, traditional and non-traditional Government contractors, prime contractors and subcontractors, and maintenance repair organizations.''.

AMENDMENT NO. 41 OFFERED BY MR. CONNOLLY OF VIRGINIA

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

SEC. 8___. DEVELOPMENT OF PROCUREMENT ADMINISTRATIVE LEAD TIME.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall develop, make available for public comment, and finalize—

(1) a definition of the term ''Procurement Administrative Lead Time'' or ''PALT'', to be applied Department of Defense-wide, that describes the amount of time from the date on which a solicitation is issued to the date of an initial award of a contract or task order of the Department of Defense; and

(2) a plan for measuring and publicly reporting data on PALT for Department of Defense contracts and task orders above the micro-purchase threshold.

(b) REQUIREMENT FOR DEFINITION.—Unless the Secretary determines otherwise, the amount of time in the definition of PALT developed under subsection (a) shall—

(1) begin on the date on which a solicitation is issued for a contract or task order of the Department of Defense by the Secretary of a military department or head of a Defense Agency; and

(2) end on the date of an initial award of the contract or task order.

(c) DEVIATION FROM PALT MILESTONES.—The Secretary may deviate from current PALT milestones as the Secretary determines necessary, to develop the definition of PALT under subsection (a).

(d) COORDINATION.—In developing the definition of PALT, the Secretary shall coordinate with the senior contracting official of each military department and Defense Agency to determine the variations of the definition in use across the Department of Defense and each military department and Defense Agency.

(e) USE OF EXISTING PROCUREMENT DATA SYSTEMS.—In developing the plan for measuring and publicly reporting data on PALT required by subsection (a), the Secretary shall consider, to the maximum extent practicable, relying on the information captured by the Federal procurement data system established pursuant to section 1122(a)(4) of title 41, United States Code (or any similar or successor system).

AMENDMENT NO. 42 OFFERED BY MR. NOLAN OF MINNESOTA

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

SEC. 870A. SENSE OF CONGRESS REGARDING STEEL PRODUCED IN THE UNITED STATES.

(a) FINDINGS.—Congress finds the following:

(1) Frequent surges in unfairly trade steel imports have materially injured the iron ore and steel industries in the United States, putting our national, economic, and energy security at risk.

(2) High-quality American steel products are vital to the success of the United States military and are used in a variety of applications from aircraft carriers to armor plate for tanks.

(3) Domestic producers of defense-related steel products are dependent on the overall financial health of the iron ore and steel industries in the United States.

(4) The loss of a strong domestic iron ore and steel industry would make the United States dangerously dependent upon foreign sources of steel, such as China.

(b) SENSE OF CONGRESS.—It is the sense of Congress that a strong domestic iron ore and steel industry is vital to the national security of the United States.

AMENDMENT NO. 43 OFFERED BY MR. CONNOLLY OF VIRGINIA

At the end of subtitle D of title VIII, add the following:

SEC. 871. AMENDMENTS RELATING TO INFORMATION TECHNOLOGY.

(a) ELIMINATION OF SUNSET RELATING TO TRANSPARENCY AND RISK MANAGEMENT OF MAJOR INFORMATION TECHNOLOGY INVESTMENTS.—Subsection (c) of section 11302 of title 40, United States Code, is amended by striking the first paragraph (5).

(b) ELIMINATION OF SUNSET RELATING TO INFORMATION TECHNOLOGY PORTFOLIO, PROGRAM, AND RESOURCE REVIEWS.—Section 11319 of title 40, United States Code, is amended—

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

(2) in subsection (d), as so redesignated, by striking paragraph (6).

(c) EXTENSION OF SUNSET RELATING TO FEDERAL DATA CENTER CONSOLIDATION INITIATIVE.—Subsection (e) of section 834 of the National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 44 U.S.C. 3601 note) is amended by striking ''2018'' and inserting ''2020''.

AMENDMENT NO. 44 OFFERED BY MR. LIPINSKI OF ILLINOIS

At the end of subtitle C of title IX, add the following new section:

SEC. 924. SENSE OF CONGRESS ON COOPERATIVE PROGRAM FOR INFORMATION SECURITY EDUCATION.

It is the sense of Congress that—

(1) the Secretary of Defense should provide adequate resources to the Office of the Chief Information Officer of the Department of Defense and the Defense Procurement Acquisition Policy to enable such entities to establish a cooperative program with the National Institute of Standards and Technology-Manufacturing Extension Partnership; and

(2) the cooperative program described in paragraph (1) should—

(A) educate and assist small- and medium-sized manufacturing firms in the Department of Defense supply chain in achieving compliance with NIST Special Publication 800–171 titled ''Protecting Controlled Unclassified Information in Nonfederal Information Systems and Organizations'' as such publication is incorporated into the Defense Federal Acquisition Regulation Supplement;

(B) highlight the resources available to businesses that have contracts with the Department or that are applying for such contracts; and

(C) educate such businesses on—

(i) the System Security Plan of the National Institute of Standards and Technology;

(ii) the procurement toolbox of the Defense Procurement Acquisition Policy;

(iii) the Cyber Security Evaluation Tool of the Department of Homeland Security; and

(iv) the risks of using third party companies in assessing compliance with NIST Special Publication 800–171.

Page 640, after line 12, insert the following:

(c) SENSE OF CONGRESS.—It is the sense of Congress that the quarterly cyber operations briefings required under section 484 of title 10, United States Code, as amended by subsection (a), should include an update on the progress of the Secretary of Defense in carrying out the cooperative program described in section 924.

AMENDMENT NO. 45 OFFERED BY MR. CONAWAY OF TEXAS

At the end of subtitle A of title X, add the following new section:

SEC. 1004. AMENDMENTS TO DEPARTMENT OF DEFENSE FINANCIAL AUDIT PLAN.

(a) AMENDMENT TO NAME OF DEPARTMENT OF DEFENSE FINANCIAL AUDIT PLAN.—

(1) IN GENERAL.—Section 1003 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2222 note) is amended by striking ''Financial Improvement and Audit Readiness Plan'' each place such term appears in heading and text and inserting ''Financial Improvement and Audit Remediation Plan''.

(2) CONFORMING AMENDMENT.—Section 1003(a) of the National Defense Authorization Act for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C. 2222 note) is amended by striking ''Financial Improvement and Audit Readiness Plan'' each place such term appears in heading and text and inserting ''Financial Improvement and Audit Remediation Plan''

(b) REPORT AND BRIEFING REQUIREMENTS.—

(1) IN GENERAL.—Subsection (b) of section 1003 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84; 10 U.S.C. 2222 note) is amended to read as follows:

''(b) REPORT AND BRIEFING REQUIREMENTS.—

''(1) ANNUAL REPORT.—

''(A) IN GENERAL.—Not later than March 31, 2019, and annually thereafter, the Under Secretary of Defense (Comptroller) shall submit to the congressional defense committees a report on the status of the implementation by the Department of Defense of the Financial Improvement and Audit Remediation Plan required by subsection (a).

''(B) ELEMENTS.—Each report under subparagraph (A) shall include, at a minimum—

''(i) an analysis of the consolidated corrective action plan management summary prepared pursuant to section 1002 of this Act; and

''(ii) current Department of Defense-wide information on the status of corrective actions plans related to critical capabilities and material weaknesses, including the standard data elements recommended in the implementation guide for Office of Management and Budget Circular A-123, for the armed forces, military departments, and Defense Agencies.

''(2) SEMIANNUAL BRIEFINGS.—Not later than March 31 and October 31 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.

''(3) CRITICAL CAPABILITIES DEFINED.—In this subsection, 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.''.

(2) CONFORMING AMENDMENTS.—

(A) The Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383; 10 U.S.C. 2222 note) is amended by striking section 881.

(B) The National Defense Authorization Act for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2222 note) is amended by striking section 1003.

(C) Section 1005(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112–239; 10 U.S.C. 2222 note) is amended by striking paragraph (2).

(c) EFFECTIVE DATE.—Subsection (b) shall take effect December 1, 2017.

AMENDMENT NO. 46 OFFERED BY MR. BURGESS OF TEXAS

At the end of subtitle A of title X, add the following new section:

SEC. 1004. REPORT ON AUDITABLE FINANCIAL STATEMENTS.

Not later than 30 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law. The report should not include information otherwise available in other reports to Congress.

AMENDMENT NO. 47 OFFERED BY MR. YOHO OF FLORIDA

Page 359, after line 4, insert the following:

SEC. 1026. PROHIBITION ON USE OF FUNDS TO CLOSE OR RELINQUISH CONTROL OF UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA.

None of the funds authorized to be appropriated or otherwise made available for the Department of Defense for fiscal year 2018 may be used—

(1) to close or abandon United States Naval Station, Guantanamo Bay, Cuba;

(2) to relinquish control of Guantanamo Bay to the Republic of Cuba; or

(3) to implement a material modification to the Treaty Between the United States of America and Cuba signed at Washington, D.C. on May 29, 1934, that constructively closes United States Naval Station, Guantanamo Bay.

AMENDMENT NO. 48 OFFERED BY MR. SANFORD OF SOUTH CAROLINA

In section 1037(c)(1), strike ''and approvals'' and insert '', approvals, and the total costs of all flyover missions, including the costs of fuel, maintenance, and manpower,''.

AMENDMENT NO. 49 OFFERED BY MR. YOHO OF FLORIDA

Page 375, after line 8, insert the following:

SEC. 1040. LIMITATION ON USE OF FUNDS FOR PROVISION OF MAN-PORTABLE AIR DEFENSE SYSTEMS TO THE VETTED SYRIAN OPPOSITION.

(a) LIMITATION.—If a determination is made during fiscal year 2018 to use funds available to the Department of Defense for that fiscal year to provide man-portable air defense systems (MANPADs) to the vetted Syrian opposition pursuant to the authority in 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. 3541), such funds may not be used for that purpose until—

(1) the Secretary of Defense and the Secretary of State jointly submit to the appropriate congressional committees a report on the determination; and

(2) 30 days elapses after the date of the submittal of such report to the appropriate congressional committees.

(b) REPORT REQUIREMENTS.—The report under subsection (a) shall set forth the following: —

(1) A description of each element of the vetted Syrian opposition that will provided man-portable air defense systems as described in subsection (a), including—

(A) the geographic location of such element;

(B) a detailed intelligence assessment of such element;

(C) a description of the alignment of such element within the broader conflict in Syria; and

(D) a description and assessment of the assurance, if any, received by the commander of such element in connection with the provision of man-portable air defense systems.

(2) The number and type of man-portable air defense systems to be so provided.

(3) The logistics plan for providing and resupplying each element to be so provided man-portable air defense systems with additional man-portable air defense systems.

(4) The duration of support to be provided in connection with the provision of man-portable air defense systems.

(5) The justification for the provision of man-portable air defense systems to each element of the vetted Syrian opposition, including an explanation of the purpose and expected employment of such systems.

(6) Any other matters that the Secretary of Defense and the Secretary of State jointly consider appropriate.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' has the meaning given that term in section 1209(e)(2) of the Carl Levin and Howard P. ''Buck'' McKeon National Defense Authorization Act for Fiscal Year 2015 (Public Law 113–291; 128 Stat. 3541).

(d) PROHIBITION ON USE OF CERTAIN FUNDS.—None of the funds authorized to be appropriated or otherwise made available by this Act for fiscal year 2018 for ''Counter-ISIS Train and Equip Fund'' Counter may be used to procure or transfer man-portable air defense systems (MANPADS).

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I have no requests for time, and I simply urge adoption of this package of en bloc amendments.

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

Mr. SMITH of Washington. Mr. Chair, I yield myself such time as I may consume just to clean up a couple of earlier debates we had on amendments. I just wanted to make a couple of arguments.

On the nuclear weapons issue, I just want to be clear, we support a strong and robust nuclear deterrence. We are not advocating unilateral disarmament by any stretch of the imagination.

We are simply asking: In the budget challenge environment that we have, is this the best use of our money to totally rebuild our entire nuclear weapons system?

And the amendments that were offered weren't even necessarily saying no. They are just saying this is something we ought to study and ought to talk about.

And I will, however, disagree with one argument that was made about how somehow it is a myth that over the last 70 years, all of our adversaries are building nuclear weapons in response to the nuclear weapons that we have built. I think that is a big misreading of history.

We all recall that we were first to the table on this. And thank goodness we were. It enabled us to end World War II. But we are still the only nation on Earth that has actually used nuclear weapons. And when the Soviet Union developed theirs, we had them and they didn't. And I think it is a little ridiculous to assume that no part of their thinking was that:

> Well, if the United States of America, our prime adversary, has nuclear weapons, we better have them, too.

And then we saw the arms race accelerate, even to the point of the famous debate in 1960, how candidate JOHN KENNEDY talked about the missile gap that we had. That turned out to be a total fabrication. It wasn't true. We didn't have that gap. It was unfair to what the Eisenhower administration was doing. But the argument from the other side that the notion of an arms race is ridiculous is something that I think is wrong.

Arms races do happen. And part of what we need to do in working with our adversaries is to try to contain them in a reasonable fashion. So I do believe that in many cases, it becomes a self-perpetuating thing. We build them, they build them; we build them, they build them. And I hope that part of our nuclear strategy isn't just building as many nuclear weapons as is humanly possible, but is actually opening up lines of communication with potential adversaries like China, with adversaries like Russia.

Now, I will grant you that where North Korea is concerned, and as I have said repeatedly, we have to deter them, but we have the power to destroy North Korea, I think, hundreds of times over. We have the capacity in terms of our weapons systems to deter them.

So I hope, as we look at modernizing our nuclear weapons systems, we will consider the cost and the effectiveness of doing that. And I know Mr. ROGERS has offered his thoughtful amendment to give the Department of Defense some opportunity to do that, but that is all we were trying to say on that.

On BRAC, a couple of arguments were made at the end there that were somewhat misleading. One was that Secretary Mattis had said that he wanted to totally relook at the situation, implying that Secretary Mattis didn't think that a BRAC was a good idea.

The Pentagon—President Donald Trump's Pentagon and Secretary Mattis' Pentagon—recommended a BRAC round that we rejected. So make no mistake about it, the Republican President and Secretary Mattis support a BRAC round.

And two more minor points. It was argued that, well, we voted for this bill 60 to 1 out of committee, so we were all in favor of it. Yes, not all, but we were in favor of the bill. This was a small piece of that bill. So to argue in a bill—and forgive me, I don't know how many pages this year's bill is. I know last year's was 1,600—that in a 1,600-page bill, if you vote for it, you have got to support absolutely everything in it is a notion that I don't think any Member would support.

Again, I will emphasize an argument that I made with Mr. WILSON on the notion that, well, gosh, they don't have a study, they haven't looked at it, they haven't thought about what they are going to do, when, in fact, it is Congress that has prohibited them legislatively— and I don't know how many of the last few years, but several of them—from doing that.

Let's at least let them take a look at it to give us the numbers, because the same point as the nuclear weapons issue, as we have heard over and over today, we have crucial readiness shortfalls.

In many ways I will agree with the chairman: we are right now not doing right by the men and women who serve in the military by not providing them with the training and the equipment they need to do the missions that we are contemplating having them do. And if that is the case, if we can find savings by not building as many nuclear weapons as we need or by closing institutions that we do not need, then I think that is something that we owe the men and women who serve in the military.

And let's not kid ourselves. This is a very parochial issue. There are a whole bunch of bases in the State of Washington. I don't want to see any of them closed, but if the military decides that that is the best thing to do, I am not going to stand in the way of it.

And I hope, given the dire situation that we face that has been described by my Republican colleagues, that we would put parochial concerns to the side and do what is best for the military, to make sure that we are spending the money as wisely as we possibly can and to make absolutely certain that the men and women who serve are trained, equipped, and ready to fight whatever fight it is we ask them to go into.

Mr. Chairman, I urge adoption of the second en bloc amendment, and I yield back the balance of my time.

□ 2300

Mr. THORNBERRY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to take a moment to address the topics that the gentleman from Washington addressed.

First off, I completely agree with him. This bill that we are considering today, tomorrow, and the next day is about 1,000 pages. I don't agree with it all. It has everything from missile defense to helping spouses pay licenses when they are forced to move from State to State, and I suspect I will not agree with it all at the end of the day.

What is important, though, is the overriding obligation we have to support the men and women who risk their lives to protect us. So, I think the gentleman is exactly right. Just because you vote for the bill does not mean you endorse everything in it. And at the same time, even if you disagree with some of the things in it, it is important to support the men and women who serve by voting for the bill, even if you have disagreements. I completely concur with the gentleman on that.

When it comes to the nuclear issue, there are a few points I want to make that maybe were not made during the previous debates.

Number one is we have drastically fewer nuclear weapons now than we had during the Cold War. I think a lot of people do not realize how significantly fewer weapons and delivery systems we have now than we had all during the fifties, sixties, seventies, and into the eighties.

But these are still machines. They do not live forever. Whether you are talking about the weapon itself or the delivery systems, they age; and, as they age, there are chemical reactions, parts wear out, and things change. So they have to be modernized if our deterrent is to remain credible.

Now, you can get into an argument about, okay, how many weapons does it take to be credible and what delivery systems are required to penetrate defenses, to hold enough targets at risk, to have that credible defense, but what I think there can be little debate about is that the world is growing more dangerous in the nuclear field. We have seen what happened with North Korea. There is enormous concern about what happens in the Middle East and elsewhere.

I believe that our nuclear deterrent is the foundation upon which the rest of our defense efforts are built, and that foundation must remain credible. It has to be rebuilt. My understanding is the estimates are at no point will rebuilding that entire nuclear deterrent require more than 7 percent of any year's defense budget, 7 percent for the foundation and 93 percent for the House that is built on it.

It is essential that we maintain that credible deterrent, and it has got to be big enough to be credible so that a country like China does not think they can build a few more weapons and get to parity with the United States.

On the subject of BRAC, I do disagree with the gentleman from Washington on this point. Two years ago, I specifically asked that we have included in the bill that was signed into law a requirement that the Pentagon provide us with an updated cost estimate on excess infrastructure.

What we have all been citing is a 2004 estimate that there is about 20 percent excess infrastructure. Twenty-two percent is the number that is often used. What we got back was seven pages of nothing.

By the way, that was not prohibited by the bill. It was required by the bill.

What I am interested in is a real updated, data-driven study that shows whether we have excess infrastructure and of what sort. And I think that is exactly what Secretary Mattis said. Let me quote his exact sentence:

> I am not comfortable right now that we have a full 20-some percent excess infrastructure. I need to go back through and look at this again because I don't want to get rid of something that we can't sustain and then say we have got to go buy some land here in 10 years.

I think that is what we need is an updated study. And if it shows that we have got excess infrastructure, I am not at all opposed to having another round of BRAC. I am very opposed to having another round like 2005, which, I believe, it is either CBO or GAO, I can't remember which, says has not yet broken even 12 years later. It still costs more money than it has, and it has not started to save yet. So I don't want a repeat of that.

I am interested if it shows that we do have excess infrastructure and a way to deal with that. Secretary Mattis, I believe, shares that view, but until we see the data, I am not supportive of another round.

Mr. SMITH of Washington. Will the gentleman yield?

Mr. THORNBERRY. I yield to the gentleman.

Mr. SMITH of Washington. Mr. Chairman, it is not clear that it has got a prohibition on a study, nor does it call for one.

So as we get into conference, I think it might be a worthwhile thing to say that we authorize, ask—you know, and I am not sure if this is something the Defense Department can do without our authorization or not, but it is something that we should discuss as we get into conference, to have them do that study.

I think that would be an excellent first step, but I am not sure that we

cover it in this bill. Maybe we do, and we can figure that out over the course of the next 48 hours. But if it doesn't, that is something that I think we ought to try to do.

Mr. THORNBERRY. Mr. Chairman, I appreciate the point. I am not convinced that the gentleman and I really differ on this point.

What the bill says, now, is: ''Nothing in this act shall be construed to authorize an additional base alignment and closure round.'' That is what it says. It says we don't authorize it, of course. It does not prohibit a study to say whether we ought to. Again, I would welcome a real data-driven study that will help us reach that conclusion.

Mr. Chairman, this is just further evidence that there is a wide range of issues and discussions to have on this bill, all for that purpose of supporting the men and women who serve our Nation.

I support en bloc package No. 2. I urge my colleagues to, and I yield back the balance of my time.

Mr. PASCRELL. Mr. Chair, I rise today in support of the bipartisan amendment I introduced with Congressman TOM ROONEY from Florida. The amendment would require the Secretary of Defense to report to Congress within 180 days on the implementation of recommendations from a recent Government Accountability Office (GAO) report entitled ''Actions Needed to Ensure Post-Traumatic Stress Disorder and Traumatic Brain Injury Are Considered in Misconduct Separations,'' which was released in May 2017. GAO found that some of the service branch policies related to the consideration of traumatic brain injury (TBI) and post-traumatic stress disorder (PTSD) in ''other than honorable'' discharges were inconsistent with Department of Defense policy. To remedy these inconsistencies, DOD issued five recommendations.

As the co-chair and co-founder of the Congressional Brain Injury Task Force, I have worked to address the effects brain injuries have on both the military and civilian populations. TBI and PTSD have been recognized as the signature injuries of the Wars in Iraq and Afghanistan. Estimates from the RAND Corporation in 2008 estimated that nearly 20 percent—or 320,000—of the 1.6 million men and women deployed to Iraq and Afghanistan sustained a brain injury while in the line of duty. Additionally, between 11–20 percent of Operations Iraqi Freedom and Enduring Freedom have PTSD in a given year, according to the Department of Veteran Affairs (VA).

Given the impact that TBI and PTSD have on an individual's behavior and decision-making skills, it is imperative that these conditions are accurately diagnosed in a timely manner. It is also important that these conditions receive appropriate consideration when a servicemember is discharged for misconduct. According to the GAO's report, in the case of 16 percent of the separations for misconduct that the GAO examined, the servicemembers suffered from PTSD or TBI. Additionally, the GAO found that two of the four branches of the military have policies inconsistent with DOD's policy on the impact of TBI and PTSD on separations for misconduct. It is troubling that the Army and Marine Corps may not have adhered to their own screening, training, and counseling policies related to PTSD and TBI. That is why it is imperative that DOD's policies are implemented consistently across all of the military services and that there is adequate oversight of adherence.

When an individual receives an ''other than honorable'' discharge, he or she may not be eligible for health benefits through the VA. A lack of health coverage is problematic for anyone, but especially so for individuals suffering from TBI or PTSD. DOD policy requires that servicemembers requesting separation in lieu of trial by court-martial be counseled on the negative consequences of this type of separation. However, of the 48 separation packets the GAO examined, 11 had unclear or undocumented evidence that counseling took place. If servicemembers are agreeing to less than honorable discharges, they need to understand the consequences of that decision.

After the release of this report, I sent a letter to DOD Secretary James Mattis urging him to give due consideration to the recommendations made by the GAO. We must ensure the department provides accurate and timely diagnosis of PTSD and TBI in determining separation for misconduct, consistent policies across all branches of the military with accountability, and adequate counseling for servicemembers about the consequences of separation for misconduct, including the loss of health benefits.

This amendment is supported by the Brain Injury Association of America, the National Association of State Head Injury Administrators, and the U.S. Brain Injury Alliance.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 3 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 431, I offer a third package of amendments en bloc.

The Acting CHAIR (Mr. YOHO). The Clerk will designate the amendments en bloc.

Amendments en bloc No. 3 consisting of amendment Nos. 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, and 68 printed in part B of House Report 115–212, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 50 OFFERED BY MRS. TORRES OF CALIFORNIA

Page 375, after line 8, insert the following:

SEC. 1040. DETERMINATION REGARDING TRANSFER OF DEFENSE ARTICLES TO UNITS COMMITTING GROSS VIOLATIONS OF HUMAN RIGHTS.

(a) DETERMINATION REQUIRED.—In carrying out the Golden Sentry program to monitor end-use compliance of the government of a foreign state to which defense articles and services have been provided, the Director of the Defense Security Cooperation Agency, in consultation with the appropriate United States embassy personnel in the foreign state, shall determine whether the government of the foreign state has transferred any defense article to a unit that is prohibited from receiving assistance from the United States by reason of a determination by the Secretary of State that there is credible evidence that such unit has committed a gross violation of human rights.

(b) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committee on Armed Services and the Committee on Foreign Relations of the Senate and the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives a report on the implementation of subsection (a).

AMENDMENT NO. 51 OFFERED BY MR. YOUNG OF ALASKA

Page 396, strike lines 17 through 24 and insert the following:

SEC. 1052. REPORT ON DEPARTMENT OF DEFENSE ARCTIC CAPABILITY AND RESOURCE GAPS AND REQUIRED INFRASTRUCTURE.

(a) 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 setting forth—

(1) necessary steps the Department of Defense is undertaking to resolve arctic security capability and resource gaps; and

(2) the requirements and investment plans for military infrastructure required to protect United States national security interests in the arctic region.

Page 397, after line 21, insert the following:

(c) ADDITIONAL ELEMENTS.—The report under subsection (a) shall also include the following:

(1) A review of United States national security interests in the arctic region, including strategic national assets, United States citizens, territory, freedom of navigation, and economic and trade interests in the region.

(2) A description of United States military capabilities needed for operations in arctic terrain, including types of forces, major weapon systems, and logistics required for operations in such terrain.

(3) A description of the installations, infrastructure, and deep water ports for deployment of assets required to support operations in the arctic region, including the stationing, deployment, and training of military forces for operations in the region.

(4) An investment plan to establish the installations and infrastructure required for operations in the arctic region.

AMEMDMENT NO. 52 OFFERED BY MR. EVANS OF PENNSYLVANIA

Page 409, after line 2, insert the following:

SEC. 1058. REPORT ON POTENTIAL AGREEMENT WITH THE GOVERNMENT OF RUSSIA ON THE STATUS OF SYRIA.

Before entering into any agreement or understanding with the government of Russia regarding the status of Syria, the President shall submit to Congress a report that includes—

(1) a description of any understanding between the President and the government of Russia regarding a plan to divide territory among parties to the conflict; and

(2) a description of any such understanding that would provide Iran with access to the border between Israel and Syria.

AMENDMENT NO. 53 OFFERED BY MR. CORREA OF CALIFORNIA

Page 409, after line 2, insert the following:

SEC. 1058. REPORT ON PRIOR ATTEMPTED RUSSIAN CYBER ATTACKS AGAINST DEFENSE SYSTEMS.

(a) REPORT REQUIRED.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Director of National Intelligence, shall submit to the Congress a written report on all attempts to breach, intrude, or otherwise hack into Department of Defense systems that—

(1) occurred during the last 24-month period ending on the date of the enactment of this Act; and

(2) were attributable either to the government of the Russian Federation or actors substantially supported by the government of the Russian Federation.

(b) FORM OF REPORT.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

AMENDMENT NO. 54 OFFERED BY MR. BRENDAN F. BOYLE OF PENNSYLVANIA

Page 409, after line 2, insert the following:

SEC. 1058. REPORT ON ALTERNATIVES TO AQUEOUS FILM FORMING FOAM.

(a) REPORT REQUIRED.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a report on the Department's status toward developing a new military specification for safe and effective alternatives to aqueous film forming foam (hereinafter referred to as ''AFFF'') that do not contain perfluorooctanoic acid (hereinafter referred to as ''PFOA'') or erfluorooctanesulfonic acid (hereinafter referred to as ''PFOS'').

(b) ELEMENTS.—The report required by subparagraph (1) shall include the following:

(1) A detailed explanation of the Department's status toward developing a new military specification for safe and effective alternatives to AFFF that do not contain PFOA or PFOS.

(2) An update on the Department's plans for replacing AFFF containing PFOA or PFOS at military installations across the country and methods of disposal for AFFF containing PFOA or PFOS.

(3) An overview of current and planned research and development for AFFF alternatives that do not contain PFOA or PFOS.

(4) An assessment of how the establishment of a maximum contaminant level for PFOA or PFOS under the Safe Drinking Water Act (42 U.S.C. 300f et seq), rather than the current health advisory level, would impact the Department's mitigation actions, prioritization of such actions, and research and development related to PFOA and PFOS.

AMENDMENT NO. 55 OFFERED BY MRS. WALORSKI OF INDIANA

At the end of subtitle E of title X, add the following new section:

SEC. 1058. _____.

(a) REPORT ON PROJECT, PROGRAM, AND PORTFOLIO MANAGEMENT STANDARDS.—

(1) REPORT.—The Comptroller General of the United States shall deliver, not later than 90 days after enactment, a report to Congress on the adoption of project, program, and portfolio management standards within the Department of Defense.

(2) ELEMENTS.—The report under paragraph (1) shall address, at a minimum, the following:

(A) Existing policy, guidance, and instruction of the Department of Defense related to project, program, and portfolio management.

(B) An assessment of how the Department of Defense can incorporate nationally accredited standards for project, program, and portfolio management—as required by Public Law 104–113 and Public Law 114–264—into its existing project, program, and portfolio management policy, guidance, and instruction, as well as how it may replace or revise existing policy, guidance, and instruction related to project, program, and portfolio management.

(b) REPORT ON DEPARTMENT OF DEFENSE PORTFOLIO MANAGEMENT.—

(1) REPORT.—The Comptroller General of the United States shall deliver, not later than nine months after enactment, a report to Congress on enhancing portfolio management capabilities and structure within the Department of Defense.

(2) ELEMENTS.—The report under paragraph (1) shall address, at a minimum, the following:

(A) Existing policy and guidance of the Department of Defense related to portfolio management, the management and alignment of portfolios of projects and programs to realize organization strategy and objectives.

(B) An assessment of how milestone decision authority and budget allocations in a portfolio management model at the enterprise, Program Executive Officer, and Service Acquisition Executive levels could be revised in a manner consistent with the existing Defense Acquisition Management System framework and Office of Management and guidance set forth in Office of Management and Budget Circular A–11 to streamline decisionmaking authority and enhance agility, including the appropriate roles for developing, managing, and overseeing portfolio strategies, portfolio roadmaps and portfolio documentation, portfolio decisionmaking, and portfolio budget decisions.

(C) An assessment of portfolio organizational structures within government and industry with the potential to improve integration of overall Department of Defense enterprise strategy and program execution.

(D) An assessment of nationally accredited standards-based portfolio management models for adoption by the Department of Defense to manage its portfolios of projects and programs and streamline decisionmaking.

(E) An assessment of the Department of Defense's existing standards, policy, guidance, and instruction for portfolio management and how the adoption of nationally accredited standards for portfolio management may replace or revise existing policy, guidance and instruction.

(F) Any other matters related to Department of Defense portfolio management the Comptroller General determines are relevant.

AMENDMENT NO. 56 OFFERED BY MR. HARPER OF MISSISSIPPI

Add at the end of subtitle F of title X the following:

SEC. 10__. PROVIDING ASSISTANCE TO HOUSE OF REPRESENTATIVES IN RESPONSE TO CYBERSECURITY EVENTS.

(a) PROVISION OF ASSISTANCE.—If the Speaker of the House of Representatives (or the Speaker's designee), with the concurrence of the Minority Leader of the House of Representatives (or the Minority Leader's designee), determines that a cybersecurity event has occurred and that containing, mitigating, or resolving the event exceeds the resources of the House of Representatives, then notwithstanding any other provision of law or any rule, regulation, or executive order—

(1) the Speaker may request assistance in responding to the event from the head of any Executive department, military department, or independent establishment;

(2) not later than 24 hours after receiving the request, the head of the department or establishment shall begin to provide appropriate assistance in response to the incident, including (if necessary) restoring the information systems of the House to an operational state which allows for the continuation of the legislative process and for Members, officers, and employees of the House to continue to meet their official and representational duties; and

(3) such assistance shall be provided without reimbursement by the House of Representatives.

(b) SCOPE OF ASSISTANCE.—

(1) IN GENERAL.—The assistance provided to the Speaker by the head of a department or establishment under this section may consist only of a type that the head of the department or establishment is authorized under law to provide to the department or establishment, another Executive department, military department, or independent establishment, or a private entity.

(2) CONNECTIONS BETWEEN DEPARTMENT OR ESTABLISHMENT AND HOUSE INFORMATION SYSTEMS.—In providing assistance under this section—

(A) personnel of a department or establishment may not log onto the information systems of the House without the authorization of the Speaker (or the Speaker's designee); and

(B) personnel of a department or establishment may provide the House with access to technological support services of the department or establishment, including by authorizing personnel or systems of the House to connect with and operate services or programs of the department or establishment with guidance from subject matter experts of the department or establishment.

(c) TERMINATION OF ASSISTANCE.—

(1) TERMINATION UPON NOTICE FROM SPEAKER.—After initiating assistance under this section, the head of the department or establishment shall continue providing assistance until the Speaker (or Speaker's designee) notifies the head of the department or establishment that the cybersecurity incident has terminated and that it is no longer necessary for the department or establishment to provide post-incident assistance.

(2) REMOVAL OF TECHNOLOGICAL SUPPORT SERVICES.—Upon receiving notice from the Speaker under paragraph (1), the head of the department or establishment shall ensure that any technological support services or programs of the department or establishment are removed from the information systems of the House, and that personnel of the department or establishment are no longer monitoring such systems.

(d) COMPLIANCE WITH EXISTING STANDARDS.—In providing assistance under this section, the head of the Executive department, military department, or independent establishment shall meet the requirements of section 113 of the Legislative Branch Appropriations Act, 2017 (Public Law 115–31).

(e) NO EFFECT ON OTHER AUTHORITY TO PROVIDE SUPPORT.—Nothing in this section may be construed to affect the authority of an Executive department, military department, or independent establishment to provide any support, including cybersecurity support, to the House of Representatives under any other law, rule, or regulation.

(f) DEFINITIONS.—In this section, each of the terms ''Executive department'', ''military department'', and ''independent establishment'' has the meaning given such term in chapter 1 of title 5, United States Code.

AMENDMENT NO. 57 OFFERED BY MR. SEAN PATRICK MALONEY OF NEW YORK

In title X, at the end of subtitle F add the following:

SEC. ___. REVIEW AND UPDATE OF REGULATIONS GOVERNING DEBT COLLECTORS INTERACTIONS WITH UNIT COMMANDERS OF MEMBERS OF THE ARMED FORCES.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall review and update Department of Defense Directive 1344.09 and any associated regulations to ensure that such regulations comply with Federal consumer protection laws with respect to the collection of debt.

AMENDMENT NO. 58 OFFERED BY MS. HANABUSA OF HAWAII

Page 451, after line 6, insert the following:

SEC. 1073. SENSE OF CONGRESS REGARDING PACIFIC WAR MEMORIAL.

(a) FINDING.—Congress recognizes that there is currently no memorial that specifically honors the members of the United States Armed Forces who served in the Pacific Theater of World War II, also known as the Pacific War.

(b) SENSE OF CONGRESS.—It is the sense of Congress that a Pacific War memorial should be established at a suitable location at or near the Pearl Harbor site of the World War II Valor in the Pacific National Monument in Honolulu, Hawaii.

AMENDMENT NO. 59 OFFERED BY MR. KILMER OF WASHINGTON

At the end of title XI, insert the following:

SEC. 1109. EXTENSION OF OVERTIME RATE AUTHORITY FOR DEPARTMENT OF THE NAVY EMPLOYEES PREFORMING WORK ABOARD OR DOCKSIDE IN SUPPORT OF THE NUCLEAR-POWERED AIRCRAFT CARRIER FORWARD DEPLOYED IN JAPAN.

Section 5542(a)(6)(B) of title 5, United States Code, is amended by striking ''September 30, 2018'' and inserting ''September 30, 2019''.

AMENDMENT NO. 60 OFFERED BY MR. GALLEGO OF ARIZONA

At the end of subsection (b) of section 1212, add the following new paragraph:

''(6) A description of—

''(A) support provided to the Taliban, al-Qaeda, the Haqqani network, the Islamic State of Iraq and the Levant, and other terrorist organizations operating in Afghanistan by Russia, Iran, Pakistan, and other countries; and

''(B) United States military and diplomatic efforts to disrupt such support.''.

AMENDMENT NO. 61 OFFERED BY MR. ROHRABACHER OF CALIFORNIA

At the end of subtitle B of title XII, add the following:

SEC. 12xx. SENSE OF CONGRESS RELATING TO DR. SHAKIL AFRIDI.

(a) FINDINGS.—Congress finds the following:

(1) The attacks of September 11, 2001, killed approximately 3,000 people, most of whom were Americans, but also included hundreds of individuals with foreign citizenships, nearly 350 New York Fire Department personnel, and about 50 law enforcement officers.

(2) Downed United Airlines flight 93 was reportedly intended, under the control of the al-Qaeda high-jackers, to crash into the White House or the Capitol in an attempt to kill the President of the United States or Members of the United States Congress.

(3) The September 11, 2001, attacks were largely planned and carried out by the al-Qaeda terrorist network led by Osama bin Laden and his deputy Ayman al Zawahiri, after which Osama bin Laden enjoyed safe haven in Pakistan from where he continued to plot deadly attacks against the United States and the world.

(4) Since 2001, the United States has provided more than $30 billion in security and economic aid to Pakistan.

(5) The United States very generously and swiftly responded to the 2005 Kashmir Earthquake in Pakistan with more than $200 million in emergency aid and the support of several United States military aircraft, approximately 1,000 United States military personnel, including medical specialists, thousands of tents, blankets, water containers and a variety of other emergency equipment.

(6) The United States again generously and swiftly contributed approximately $150 million in emergency aid to Pakistan following the 2010 Pakistan flood, in addition to the service of nearly twenty United States military helicopters, their flight crews, and other resources to assist the Pakistan Army's relief efforts.

(7) The United States continues to work tirelessly to support Pakistan's economic development, including millions of dollars allocated towards the development of Pakistan's energy infrastructure, health services and education system.

(8) The United States and Pakistan continue to have many critical shared interests, both economic and security related, which could be the foundation for a positive and mutually beneficial partnership.

(9) Dr. Shakil Afridi, a Pakistani physician, is a hero to whom the people of the United States, Pakistan and the world owe a debt of gratitude for his help in finally locating Osama bin Laden before more innocent American, Pakistani and other lives were lost to this terrorist leader.

(10) Pakistan, the United States and the international community had failed for nearly 10 years following attacks of September 11, 2001, to locate and bring Osama bin Laden, who continued to kill innocent civilians in the Middle East, Asia, Europe, Africa and the United States, to justice without the help of Dr. Afridi.

(11) The Government of Pakistan's imprisonment of Dr. Afridi presents a serious and growing impediment to the United States' bilateral relations with Pakistan.

(12) The Government of Pakistan has leveled and allowed baseless charges against Dr. Afridi in a politically motivated, spurious legal process.

(13) Dr. Afridi is currently imprisoned by the Government of Pakistan, a deplorable and unconscionable situation which calls into question Pakistan's actual commitment to countering terrorism and undermines the notion that Pakistan is a true ally in the struggle against terrorism.

(b) SENSE OF CONGRESS.—It is the sense of Congress that Dr. Shakil Afridi is an international hero and that the Government of Pakistan should release him immediately from prison.

AMENDMENT NO. 62 OFFERED BY MS. SINEMA OF ARIZONA

Page 475, after line 15, insert the following new paragraph:

(9) A description of amounts and sources of Islamic State of Iraq and the Levant financing in Syria and efforts to disrupt this financing as part of the broader strategy of the United States in Syria.

AMENDMENT NO. 63 OFFERED BY MR. CONYERS OF MICHIGAN

At the end of subtitle C of title XII, add the following new section:

SEC. 12__. REPORT ON MERITS OF AN INCIDENTS AT SEA AGREEMENT BETWEEN THE UNITED STATES, IRAN, AND CERTAIN OTHER COUNTRIES.

(a) REPORT REQUIRED.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Defense, in coordination with the Secretary of State, shall submit to the appropriate congressional committees a report assessing the relative merits of a multilateral or bilateral Incidents at Sea military-to-military agreement between the United States, the Government of Iran, and other countries operating in the Persian Gulf aimed at preventing accidental naval conflict in the Persian Gulf and the Strait of Hormuz.

(b) MATTERS TO BE INCLUDED.—Such assessment should consider and evaluate the current maritime security situation in the Persian Gulf and the effect that such an agreement might have on military and other maritime activities in the region, as well as other United States regional strategic interests.

(c) FORM.—The report required by this section shall be submitted in unclassified form but may contain a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services and the Committee on Foreign Relations of the Senate; and

(2) the Committee on Armed Services and the Committee on Foreign Affairs of the House of Representatives.

AMENDMENT NO. 64 OFFERED BY MR. KIHUEN OF NEVADA

At the end of subtitle C of title XII, add the following new section:

SEC. 12__. EXTENSION OF QUARTERLY REPORTS ON CONFIRMED BALLISTIC MISSILE LAUNCHES FROM IRAN AND IMPOSITION OF SANCTIONS IN CONNECTION WITH THOSE LAUNCHES.

(a) FINDINGS.—Congress finds the following:

(1) Iran continues to test ballistic missile technology notwithstanding the restrictions imposed under United Nations Security Council Resolution 2231 (2015).

(2) On January 29, 2017, Iran tested the medium-range Khorramshahr ballistic missile that flew 600 miles before exploding, in a failed test of a reentry vehicle.

(3) According to press reports, in March 2017 Iran tested two short-range Fateh 110 ballistic missiles.

(4) Iran has inscribed anti-Israel propaganda on its missiles, including ''Israel should be wiped off the Earth''.

(b) EXTENSION.—Section 1226(e) of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2487) is amended by striking ''December 31, 2019'' and inserting ''December 31, 2022''.

AMENDMENT NO. 65 OFFERED BY MR. HASTINGS OF FLORIDA

At the end of subtitle C of title XII, add the following:

SEC. 12____. REPORT ON STEPS AND PROTOCOLS RELATED TO THE RESCUE, CARE, AND TREATMENT OF CAPTIVES OF THE ISLAMIC STATE.

(a) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Congress a report containing each of the following:

(1) A description of any steps the Department of Defense is taking to ensure coordination between the Armed Forces of the United States and local forces in conducting military operations in regions controlled by the Islamic State where religious or minority groups are known or thought to be held captive, in order to incorporate the rescue of such captives as a secondary objective.

(2) A description of any protocols that will be put in place by the Department of Defense, including protocols developed in coordination with the Government of Iraq, for the care and treatment of religious or minority groups rescued from captivity under the Islamic State, including any protocol for relocating such groups of captives to safe locations.

(b) FORM.—The report required by subsection (a) shall be submitted in unclassified form, but may include a classified annex.

AMENDMENT NO. 66 OFFERED BY MR. WILSON OF SOUTH CAROLINA

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

SEC. 12__. SENSE OF CONGRESS ON NORTH KOREA.

(a) FINDINGS.—Congress finds the following:

(1) The Democratic People's Republic of Korea, also known as North Korea, continues

to develop a ballistic and nuclear weapons development program that poses a grave threat to the United States, United States allies the Republic of Korea, Japan, and Australia, and to regional and global security.

(2) North Korea continues to escalate the pace and number of its ballistic missile launches, and to date has conducted five nuclear tests.

(3) On July 4, 2017, North Korea conducted the first test of an intercontinental ballistic missile (ICBM) it claims is capable of reaching United States territory, which, if reliable and effective, constitutes a new threat to America's security.

(4) On June 3, 2017, Secretary of Defense James Mattis stated, during remarks at the Shangri-La Dialogue, that ''the current North Korea program signals a clear intent to acquire nuclear armed ballistic missiles, including those of intercontinental range that pose direct and immediate threats to our allies, our partners and all the world''.

(5) On April 27, 2017, Admiral Harry Harris, Jr., Commander of the United States Pacific Command, testified that ''North Korea continues to disregard United Nations sanctions by developing, and threatening to use intercontinental ballistic missiles and nuclear weapons that will threaten the U.S. Homeland.''.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the United States should act to counter North Korea's continued development and testing of nuclear weapons and intercontinental ballistic missiles;

(2) the development of a functional and operational North Korean nuclear and intercontinental ballistic missile program constitutes a threat to the security of the United States and to our allies and partners in the region;

(3) the defense of the United States and our allies against North Korean aggression remains a top priority, and the United States maintains an unwavering and steadfast commitment to the policy of extended deterrence, especially with respect to South Korea and Japan;

(4) the United States supports the deployment of the Terminal High Altitude Area Defense (THAAD) system in South Korea to counter North Korea's missile threat and the deployment of ballistic missile defense systems to allies in the Indo-Asia-Pacific region to protect from the growing threat of North Korea's nuclear weapons and ballistic missile programs;

(5) the United States should encourage further multilateral security cooperation and dialogue among South Korea, Japan, and Australia to address the North Korea threat;

(6) the United States calls upon the People's Republic of China to use its leverage to pressure North Korea to cease its provocative behavior and abandon and dismantle its nuclear and ballistic missile programs, and comply with all relevant United Nations Security Council resolutions;

(7) the United States should fully enforce all existing sanctions on North Korea and undertake a comprehensive diplomatic effort to urge allies and other countries to fully enforce, and build upon, existing international sanctions; and

(8) the United States should retain diplomatic, economic, and military options to defend against and pressure North Korea to abandon its illicit weapons program.

AMENDMENT NO. 67 OFFERED BY MR. BERA OF CALIFORNIA

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

SEC. 12__. STRATEGY TO FURTHER UNITED STATES-INDIA DEFENSE COOPERATION.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Secretary of State, shall develop a strategy for advancing defense cooperation between the United States and India.

(b) ELEMENTS.—The strategy shall address the following:

(1) Common security challenges.

(2) The role of United States partners and allies in the United States-India defense relationship.

(3) The role of the Defense Technology and Trade Initiative.

(4) How to advance the Communications Interoperability and Security Memorandum of Agreement and the Basic Exchange and Cooperation Agreement for Geospatial Cooperation.

(5) Any other matters the Secretary of Defense or the Secretary of State determines to be appropriate.

AMENDMENT NO. 68 OFFERED BY MR. WALZ OF MINNESOTA

At the end of subtitle H of title XII, add the following new section:

SEC. 1282. REPORT BY DEFENSE INTELLIGENCE AGENCY ON CERTAIN MILITARY CAPABILITIES OF CHINA AND RUSSIA.

(a) REPORT.—The Director of the Defense Intelligence Agency shall submit to the Secretary of Defense and the appropriate congressional committees a report on the military capabilities of the People's Republic of China and the Russian Federation.

(b) MATTERS INCLUDED.—The report under subsection (a) shall include, with respect to the military of China and the military of Russia, the following:

(1) An update on the presence, status, and capability of the military with respect to any national training centers similar to the Combat Training Center Program of the United States.

(2) An analysis of a readiness deployment cycle of the military, including—

(A) as compared to such a cycle of the United States; and

(B) an identification of metrics used in the national training centers of that military.

(3) A comprehensive investigation into the capability and readiness of the mechanized logistics of the army of the military, including—

(A) an analysis of field maintenance, sustainment maintenance, movement control, intermodal operations, and supply; and

(B) how such functions under subparagraph (A) interact with specific echelons of that military.

(4) An assessment of the future of mechanized army logistics of that military.

(c) NONDUPLICATION OF EFFORTS.—The Defense Intelligence Agency may make use of or add to any existing reports completed by the Agency in order to respond to the reporting requirement.

(d) FORM.—The report under subsection (a) may be submitted in classified form.

(e) BRIEFING.—The Director shall provide a briefing to the Secretary and the committees specified in subsection (a) on the report under such subsection.

(f) APPROPRIATE CONGRESSIONAL COMMITTEES.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committees on Armed Services of the House of Representatives and the Senate; and

(2) the Permanent Select Committee on Intelligence of the House of Representatives and the Select Committee on Intelligence of the Senate.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

Mr. THORNBERRY. Mr. Chairman, I urge Members to support en bloc package No. 3, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I urge Members to support the en bloc package, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

Ms. HANABUSA. Mr. Chair, thank you for this opportunity to highlight my amendment, floor amendment Number 58 to H.R. 2810, the National Defense Authorization Act (NDAA).

Among the battles fought by the United States (U.S.) during World War II were many battles throughout the Pacific, sometimes referred to as the Asia-Pacific. From 1941 through 1945, U.S. service members fought on land, in the air, and at sea through numerous South Pacific islands to secure peace and defend our democracy and freedom. Our nation suffered over 150,000 casualties in the war.

My amendment recognizes that while Pearl Harbor memorializes the beginning of the Pacific War (the USS *Arizona*) and the end of the Pacific War (the USS *Missouri*), there is no memorial honoring our service members who defended our country and gave their lives during the Pacific War. As such, my amendment expresses the sense of Congress that there should be such a memorial established at or near the Pearl Harbor site of the World War II Valor in the Pacific National Monument in Honolulu, Hawai'i.

The idea for a Pacific War Memorial originated with Admiral Lloyd ''Joe'' Vasey, who turned 100 years old earlier this year. Admiral Vasey served aboard the submarine USS *Gunnel* in the Pacific during World War II, under John S. McCain, Jr., father of U.S. Senator JOHN MCCAIN. During a fierce battle aboard the *Gunnel*, Admiral Vasey thought to himself, ''There has to be a better way to resolve international disputes.'' Years later, Admiral Vasey put that thought into action and founded the Center for Strategic and International Studies (CSIS), also known as the Pacific Forum, to promote peace in the Asia-Pacific.

In the words of Admiral Vasey: ''There is no recognition of the brave Americans who were lost in the Pacific War . . . They are resting on the bottom of the Pacific Ocean somewhere, or their remains are scattered across the South Pacific islands. We need to honor them, and their families need a place to mourn.''

I wholeheartedly agree with Admiral Vasey and feel strongly that the location of such a memorial should be in Hawai'i, preferably at Pearl Harbor near the USS *Arizona* and USS *Missouri*. It would be fitting to share the stories of the brave service members who fought and gave their lives in the Pacific War alongside sites that commemorate events and other U.S. service members of the Pacific during World War II.

I thank my House colleagues for supporting Admiral Vasey's idea and my amendment to H.R. 2810. I look forward to continuing my work with my colleagues to make Admiral

Vasey's desire for a Pacific War memorial a reality.

The Acting CHAIR. The question is on the amendments en bloc offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments were agreed to.

AMENDMENTS EN BLOC NO. 4 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, pursuant to House Resolution 431, I offer a fourth package of amendments en bloc.

The Acting CHAIR (Mr. MCCLINTOCK). The Clerk will designate the amendments en bloc.

Amendments en bloc No. 4 consisting of amendment Nos. 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, and 87 printed in part B of House Report 115–212, offered by Mr. THORNBERRY of Texas:

AMENDMENT NO. 69 OFFERED BY MR. TURNER OF OHIO

At the end of subtitle H of title XII, add the following:

SEC. 12___. SENSE OF CONGRESS ON THE NORTH ATLANTIC TREATY ORGANIZATION.

(a) FINDINGS.—Congress finds the following:

(1) The North Atlantic Treaty Organization (NATO) has been the cornerstone of transatlantic security cooperation and an enduring instrument for promoting stability in Europe and around the world for over 65 years.

(2) NATO currently faces a range of security challenges, including Russian aggression in Eastern Europe and instability and conflict in the Middle East and North Africa.

(3) In light of these and other threats, NATO must have a credible deterrence to defend NATO members, if necessary, against adversaries or threats.

(4) Since the 2014 NATO summit in Wales and the 2016 summit in Warsaw, NATO has made progress in implementing a Readiness Action Plan to enhance allied readiness and collective defense in response to Russian aggression. However, much work remains to be done.

(5) NATO's solidarity is strengthened by bolstering its conventional and nuclear deterrence, increasing defense spending by NATO members, and continuing the enlargement of NATO.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) NATO members should—

(A) continue to advance the NATO Open-Door Policy and build on the successes of previous enlargement initiatives;

(B) continue to work with countries that are seeking to join NATO to prepare for entry;

(C) commend Montenegro's final accession to NATO;

(D) seek a Dayton II agreement to resolve the constitutional issues faced by Bosnia and Herzegovina;

(E) work with the Republic of Kosovo to prepare the country for entrance into the NATO Partnership for Peace program;

(F) continue support for the NATO Membership Action Plan for Georgia;

(G) implement specific plans to ensure that sufficient investments are made to meet NATO responsibilities, including by allocating at least 2 percent of each member's gross domestic product to defense spending, 20 percent of which should be dedicated to major equipment procurement, as agreed at the 2014 Wales Summit and reaffirmed at the 2016 Warsaw Summit;

(H) continue to build on efforts to identify and address, through consensus, the security threats facing the alliance, such as by enhancing counterterrorism activities;

(I) continue to bolster deterrence efforts and promote the Enhanced Forward Presence in Eastern Europe;

(J) as decided at the 2016 Warsaw Summit, use the new rotational deployments of four multinational combat battalions in Poland, Lithuania, Latvia, and Estonia to promote stability in that region as well as to deter Russian aggression; and

(K) invest in infrastructure projects necessary to guarantee free and efficient movement throughout the territories of NATO members; and

(2) the United States should commit to maintaining a robust military presence in Europe as a means of promoting allied interoperability, providing visible assurance to NATO allies, and deterring Russian aggression in the region.

AMENDMENT NO. 70 OFFERED BY MR. TROTT OF MICHIGAN

At the end of subtitle H of title XII, add the following:

SEC. 12___. SENSE OF CONGRESS ON THE EXPORT OF DEFENSE ARTICLES TO TURKEY.

(a) FINDINGS.—Congress finds that—

(1) on June 6, 2017, the House of Representatives voted unanimously to pass H. Res. 354, condemning the violence that took place outside the Turkish Ambassador's residence on May 16, 2017, and calling on the perpetrators to be brought to justice under United States law; and

(2) the security force that participated in this violence may be the recipient of arms exported from the United States under a proposed deal.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the proposed sale of semiautomatic handguns for export to Turkey should remain under scrutiny until a satisfactory and appropriate resolution is reached to the violence described in subsection (a)(1).

AMENDMENT NO. 71 OFFERED BY MR. ENGEL OF NEW YORK

At the end of subtitle H of title XII, add the following new section:

SEC. 12__. STRATEGY TO IMPROVE DEFENSE INSTITUTIONS AND SECURITY SECTOR FORCES IN NIGERIA.

(a) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that contains a comprehensive strategy to support improvements in defense institutions and security sector forces in Nigeria.

(b) MATTERS TO BE INCLUDED.—The report required by subsection (a) shall include the following:

(1) An assessment of the threats posed by terrorist and other militant groups operating in Nigeria, including Boko Haram, ISIS-WA, and Niger Delta militants, as well as a description of the origins, strategic aims, tactical methods, funding sources, and leadership structures of each such organization.

(2) 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 forces.

(3) A description of the key international and United States diplomatic, development, intelligence, military, and economic resources available to address instability across Nigeria, and a plan to maximize the coordination and effectiveness of these resources to counter the threats posed by Boko Haram, ISIS-WA, and Niger Delta militants.

(4) An assessment of efforts undertaken by the security forces of the Government of Nigeria to improve the protection of civilians in the context of—

(A) ongoing military operations against Boko Haram in the northeast region;

(B) addressing farmer-herder land disputes in the Middle Belt;

(C) renewed militant attacks on oil and gas infrastructure in the Delta; and

(D) addressing pro-Biafra protests in the southeast region.

(5) An assessment of the effectiveness of the Civilian Joint Task Force that has been operating in parts of northeastern Nigeria in order to ensure that underage youth are not participating in government-sponsored vigilante activity in violation of the Child Soldiers Prevention Act of 2008 (Public Law 110–340).

(6) An assessment of the options for the Government of Nigeria to eventually incorporate the Civilian Joint Task Force into Nigeria's military or law enforcement agencies or reintegrate its members into civilian life.

(7) A plan for the United States to work with the Nigerian security forces and judiciary to transparently investigate allegations of human rights violations committed by the security forces of the Government of Nigeria that have involved civilian casualties, including a plan to undertake tangible measures of accountability following such investigations in order to break the cycle of conflict.

(8) A plan for the United States to work with the Nigerian defense institutions and security sector forces to improve detainee conditions.

(9) A plan to work with the Nigerian military, international organizations, and nongovernmental organizations to demilitarize the humanitarian response to the food insecurity and population displacement in northeastern Nigeria.

(10) Any other matters the President considers appropriate.

(c) UPDATES.—Not later than 1 year after the date on which the report required under subsection (a) is submitted to the appropriate congressional committees, and annually thereafter for 5 years, the President shall submit to the appropriate congressional committees an update of the report containing updated assessments and evaluations on progress made on the plans described in the report, including—

(1) updated assessments on the information described in paragraphs (2), (4), and (6) of subsection (a); and

(2) descriptions of the steps taken and outcomes achieved under each of the plans described in paragraphs (7), (8), (9), and (10) of subsection (a), as well as assessments of the effectiveness and descriptions of the metrics used to evaluate effectiveness for each such plan.

(d) FORM.—The report required under subsection (a) and the updates required under (c) shall be submitted in unclassified form, but may include a classified annex.

(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term ''appropriate congressional committees'' means—

(1) the Committee on Armed Services, the Committee on Foreign Relations, the Committee on Appropriations, and the Select Committee on Intelligence of the Senate; and

(2) the Committee on Armed Services, the Committee on Foreign Affairs, the Committee on Appropriations, and the Permanent Select Committee on Intelligence of the House of Representatives.

AMENDMENT NO. 72 OFFERED BY MS. WILSON OF FLORIDA

At the end of subtitle H of title XII, add the following:

SEC. 12___. SENSE OF CONGRESS REGARDING THE CHIBOK SCHOOLGIRLS AND BOKO HARAM.

(a) FINDINGS.—Congress finds the following:

(1) . The members of Jama'atu Ahlis Sunna Lidda'awati wal-Jihad, commonly known as Boko Haram, have terrorized the people of Nigeria with increasing violence since 2009, targeting military, government, and civilian sites in Nigeria, including schools, mosques, churches, markets, villages, and agricultural centers, and killing thousands and abducting hundreds of civilians in Nigeria and the surrounding countries.

(2) On the night of April 14, 2014, 276 female students, most of them between 15 and 18 years old, were abducted by Boko Haram from the Chibok Government Girls Secondary School, a boarding school located in Borno state in the Federal Republic of Nigeria.

(3) While some Chibok girls have fled their captors and others have been released through negotiations, more than 100 Chibok girls remain in captivity.

(4) In addition to kidnapping the Chibok schoolgirls, Boko Haram has killed more than 20,000 people, coerced women and girls into carrying out suicide missions, displaced more than 3,000,000 Nigerians, tens of thousands of whom are at risk of starving to death, and caused thousand of school closures.

(5) In supporting efforts to reunite the Chibok schoolgirls with their families, the United States has authorized the deployment of military personnel to assist with intelligence, surveillance, and reconnaissance, and provided training, equipment, and humanitarian services to the populations affected by and vulnerable to Boko Haram violence.

(6) The Secretary of State designated several individuals linked to Boko Haram, including its leader, Abubakar Shekau, as Specially Designated Global Terrorists in 2012, and designated Boko Haram as a Foreign Terrorist Organization in November 2013.

(7) The Senate and the House of Representatives have both passed legislation and undertaken other initiatives to condemn Boko Haram and support the Chibok schoolgirls.

(8) In addition to legislation, members of Congress have traveled to Nigeria to meet with freed Chibok schoolgirls and their families, held briefings, press conferences, and hearings, and, every week that Congress is in session, participated in Wear Something Red Wednesday, a bipartisan campaign led by Democratic Leader Nancy Pelosi, Republican Conference Chair Cathy McMorris Rodgers, and Congresswoman Frederica Wilson, during which lawmakers wear a red outfit or accessory and take group photos to share on social media to raise awareness about the kidnapped Chibok schoolgirls.

(9) The 114th Congress unanimously passed S. 1632, which President Barack Obama signed into law on December 14, 2016, to direct the Secretary of State and the Secretary of Defense to jointly develop a five-year strategy to aid Nigeria and the Multinational Joint Task Force, composed of troops from Benin, Cameroon, Chad, Niger, and Nigeria, to combat Boko Haram.

(10) On June 27, 2017, President Donald Trump met with two freed Chibok schoolgirls at the White House.

(b) SENSE OF CONGRESS.—Congress—

(1) commends the Secretary of State, Secretary of Defense, and Director of National Intelligence for delivering a report to Congress on a five-year strategy for the United States to employ diplomatic, development, defense, and other tools to assist and enable our African partners to lead the effort to degrade and ultimately defeat Boko Haram, the Islamic State in Iraq and ash Sham – West Africa (ISIS-WA), and any potential splinter or successor groups;

(2) affirms United States support for the international effort to degrade Boko Haram and ISIS-WA and to assist the Multinational Joint Task Force to address the underlying drivers of violent extremism; and

(3) supports the efforts of the Department of Defense to implement a United States strategy for countering Boko Haram and ISIS-WA.

AMENDMENT NO. 73 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle H of title XII, add the following:

SEC. 12___. MODIFICATION OF ANNUAL REPORT ON MILITARY AND SECURITY DEVELOPMENTS INVOLVING THE PEOPLE'S REPUBLIC OF CHINA.

Subsection (b) of section 1202 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65; 10 U.S.C. 113 note), as most recently amended by section 1271 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2538), is further amended by adding at the end the following:

''(23) Any Chinese laws, regulations, or policies that could jeopardize the economic security of the United States.''.

AMENDMENT NO. 74 OFFERED BY MR. FITZPATRICK OF PENNSYLVANIA

At the end of subtitle H of title XII, add the following new section:

SEC. 12__. REPORT ON IRAN AND NORTH KOREA NUCLEAR AND BALLISTIC MISSILE COOPERATION.

(a) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the ballistic missile programs of Iran and North Korea represent a serious threat to allies of the United States in the Middle East, Europe, and Asia, members of the Armed Forces deployed in those regions, and ultimately the United States; and

(2) further cooperation between Iran and North Korea on nuclear weapons or ballistic missile technology is not in the security interests of the United States or our allies.

(b) REPORT.—

(1) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President, in coordination with the Secretary of Defense, the Secretary of State, and the heads of other relevant agencies, shall submit to the appropriate committees of Congress a report that includes—

(A) an assessment of the extent of cooperation on nuclear programs, ballistic missile development, chemical and biological weapons development, or conventional weapons programs between the Government of Iran and the Government of the Democratic People's Republic of Korea, including the identity of Iranian and North Korean persons that have knowingly engaged in or directed the provision of material support or the exchange of information (including through the transfer of goods, services, technology, or intellectual property) between the Government of Iran and the Government of the Democratic People's Republic of Korea; and

(B) a determination whether any of the activities described in subparagraph (A) violate United Nations Security Council Resolutions 1695 (2006), 1718 (2006), 1874 (2009), 2087 (2013), 2094 (2013), 2231 (2015), 2270 (2016) and 2321 (2016).

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

(3) APPROPRIATE COMMITTEES OF CONGRESS DEFINED.—In this subsection, the term ''appropriate committees of Congress'' means—

(A) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

AMENDMENT NO. 75 OFFERED BY MR. YOHO OF FLORIDA

At the end of subtitle H of title XII, add the following new section:

SEC. 12__. MODIFICATION OF ANNUAL UPDATE OF DEPARTMENT OF DEFENSE FREEDOM OF NAVIGATION OPERATIONS REPORT.

(a) IN GENERAL.—Subsection (b) of section 1275 of the National Defense Authorization Act for Fiscal Year 2017 (Public Law 114–328; 130 Stat. 2540) is amended by adding at the end the following:

''(4) For each country identified under paragraph (1) as making an excessive maritime claim challenged by the United States under the program referred to in subsection (a), the types and locations of excessive maritime claims by such country that have not been challenged by the United States, if any, under the program referred to in subsection (a).''.

(b) EFFECTIVE DATE.—The amendment made subsection (a) takes effect of the date of the enactment of this Act and applies with respect to each report required to be submitted under section 1275 of the National Defense Authorization Act for Fiscal Year 2017 on or after such date of enactment.

AMENDMENT NO. 76 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of subtitle H of title XII, add the following new section:

SEC. 12__. CONTINGENCY PLANS RELATING TO SOUTH SUDAN.

The Secretary of Defense shall prepare contingency plans—

(1) to assist relief organizations in delivery of humanitarian assistance in South Sudan; and

(2) to engage Sudan's military to promote efforts to reduce conflicts.

AMENDMENT NO. 77 OFFERED BY MR. NORMAN OF SOUTH CAROLINA

Page 579, after line 13, insert the following:

SEC. 1523. SEPARATE ACCOUNT LINES FOR OVERSEAS CONTINGENCY OPERATIONS FUNDS.

For accountability and transparency purposes, the Director of the Office of Management and Budget and the Secretary of Defense shall establish separate accounts to ensure that amounts authorized to be appropriated pursuant to this title are administered separately from amounts otherwise authorized to be appropriated or made available for the Department of Defense.

AMENDMENT NO. 78 OFFERED BY MR. CICILLINE OF RHODE ISLAND

Page 579, after line 13, insert the following:

SEC. 1523. GUIDELINES FOR BUDGET ITEMS TO BE COVERED BY OVERSEAS CONTINGENCY OPERATIONS ACCOUNTS.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, in consultation with the Director of Management and Budget, shall update the guidelines regarding the budget items that may be covered by overseas contingency operations accounts. Such revised guidelines shall be consistent with the recommendations included in Government Accountability Report GAO-17-68 entitled ''Overseas Contingency Operations: OMB and DOD Should Revise the Criteria for Determining Eligible Costs and Identify the Costs Likely to Endure Long Term'' published January 18, 2017.

AMENDMENT NO. 79 OFFERED BY MR. SOTO OF FLORIDA

Insert after section 1622 the following:

SEC. 1623. COORDINATING EFFORTS TO PREPARE FOR SPACE WEATHER EVENTS.

The Secretary of Defense shall ensure the timely provision of operational space weather observations, analyses, forecasts, and other products to support the mission of the Department of Defense and coalition partners, including the provision of alerts and warnings for space weather phenomena that may affect weapons systems, military operations, or the defense of the United States.

AMENDMENT NO. 80 OFFERED BY MR. CORREA OF CALIFORNIA

At the end of subtitle D of title XVI, add the following new section:

SEC. 1656. STRATEGY FOR THE OFFENSIVE USE OF CYBER CAPABILITIES.

(a) FINDINGS.—

(1) The North Atlantic Treaty Organization (commonly known as ''NATO'') remains a critical alliance for the United States and a cost-effective, flexible means of providing security to the most important allies of the United States.

(2) The regime of Russian President Vladimir Putin is actively working to erode democratic systems of NATO member states, including the United States.

(3) According to the report of the Office of the Director of National Intelligence dated January 6, 2017, on the Russian Federation's hack of the United States presidential election: ''Russian efforts to influence the 2016 presidential election represent the most recent expression of Moscow's longstanding desire to undermine the US-led liberal democratic order.''.

(4) As recently as May 4, 2017, the press reported a massive cyber hack of French President Emmanuel Macron's campaign, likely attributable to Russian actors.

(5) It is in the core interests of the United States to enhance the offensive and defensive cyber capabilities of NATO member states to deter and defend against Russian cyber and influence operations.

(6) Enhanced offensive cyber capabilities would enable the United States to demonstrate strength and deter the Russian Federation from threatening NATO, while reassuring allies, without a provocative buildup of conventional military forces.

(b) SENSE OF CONGRESS ON CYBER STRATEGY OF THE DEPARTMENT OF DEFENSE.—It is the sense of Congress that —

(1) the Secretary of Defense should update the cyber strategy of the Department of Defense (as that strategy is described in the Department of Defense document titled ''The Department of Defense Cyber Strategy'' dated April 15, 2015); and

(2) in updating the cyber strategy of the Department, the Secretary should—

(A) specifically develop an offensive cyber strategy that includes plans for the offensive use of cyber capabilities, including computer network exploitation and computer network attacks, to thwart air, land, or sea attacks by the regime of Russian President Vladimir Putin and other adversaries;

(B) provide guidance on integrating offensive tools into the cyber arsenal of the Department; and

(C) assist NATO partners, through the NATO Cooperative Cyber Center of Excellence and other entities, in developing offensive cyber capabilities.

(c) STRATEGY FOR OFFENSIVE USE OF CYBER CAPABILITIES.—

(1) STRATEGY REQUIRED.—The President shall develop a written strategy for the offensive use of cyber capabilites by departments and agencies of the Federal Government.

(2) ELEMENTS.—The strategy developed under paragraph (1) shall include, at minimum—

(A) a description of enhancements that are needed to improve the offensive cyber capabilities of the United States and partner nations, including NATO member states; and

(B) a statement of principles concerning the appropriate deployment of offensive cyber capabilities.

(3) SUBMISSION TO CONGRESS.—

(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the President shall submit to the congressional defense committees (as that term is defined in section 101(a)(16) of title 10, United States Code) the strategy developed under paragraph (1).

(B) FORM OF SUBMISSION.—The strategy submitted under subparagraph (A) may be submitted in classified form.

(d) INTERNATIONAL COOPERATION.—

(1) AUTHORITY TO PROVIDE TECHNICAL ASSISTANCE.—The President, acting through the Secretary of Defense and with the concurrence of the Secretary of State, is authorized to provide technical assistance to NATO member states to assist such states in developing and enhancing offensive cyber capabilities.

(2) TECHNICAL EXPERTS.—In providing technical assistance under paragraph (1), the President, acting through the NATO Cooperative Cyber Center of Excellence, may detail technical experts in the field of cyber operations to NATO member states.

(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to preclude or limit the authorities of the President or the Secretary of Defense to provide cyber-related assistance to foreign countries, including the authority of the Secretary to provide such assistance under section 333 of title 10, United States Code.

AMENDMENT NO. 81 OFFERED BY MR. AGUILAR OF CALIFORNIA

At the end of subtitle D of title XVI, add the following new section:

SEC. 16___. DEPARTMENT OF DEFENSE CYBER WORKFORCE DEVELOPMENT PILOT PROGRAM.

(a) ESTABLISHMENT.—The Secretary of Defense may carry out a pilot program to be known as the ''Cyber Workforce Development Pilot Program'' (in this section referred to as the ''Pilot Program'') under which the Secretary shall provide funds, in addition to other funds that may be available, for the recruitment, training, professionalization, and retention of personnel in the cyber workforce of the Department of Defense.

(b) PURPOSE.—The purpose of the Pilot Program shall be to assess the effectiveness of carrying out a full-scale talent management program to ensure that the cyber workforce of the Department of Defense has the capacity, in both personnel and skills, needed to effectively perform its cyber missions and the kinetic missions impacted by cyber activities.

(c) MANAGEMENT.—The Pilot Program shall be managed by the Chief Information Officer of the Department of Defense, in consultation with the Principal Cyber Advisor to the Secretary of Defense.

(d) GUIDANCE.—The Chief Information Officer of the Department of Defense, in consultation with the Principal Cyber Advisor to the Secretary of Defense, shall issue guidance for the administration of the Pilot Program. Such guidance shall include provisions that—

(1) identify areas of need in the cyber workforce that funds under the Pilot Program may be used to address, including—

(A) changes to the types of skills needed in the cyber workforce;

(B) capabilities to develop the cyber workforce and assist members of the cyber workforce in achieving qualifications and professionalization through activities such as training, education, and exchange programs;

(C) incentives to retain qualified, experienced cyber workforce personnel; and

(D) incentives for attracting new, high-quality personnel to the cyber workforce;

(2) describe the process under which entities may submit an application to receive funds under the Pilot Program;

(3) describe the evaluation criteria to be used for approving or prioritizing applications for funds under the Pilot Program in any fiscal year; and

(4) describe measurable objectives of performance for determining whether funds under the Pilot Program are being used in compliance with this section.

(e) CONSIDERATIONS.—When selecting entities to provide training and education services under the Pilot Program, consideration shall be given to whether the entity providing such services is a Center of Academic Excellence in Information Assurance Education (as that term is defined in section 2200e of title 10, United States Code).

(f) ANNUAL REPORT.—Not later than 120 days after the end of each of fiscal year for which funds are appropriated for the Pilot Program, the Secretary of Defense shall submit to the congressional defense committees a report on the operation of the Pilot Program during such fiscal year. Each report shall include, for the fiscal year covered by such report, the following:

(1) A description of the expenditures made under the Pilot Program (including expenditures following a transfer of funds under the Pilot Program to a military department or Defense Agency) in such fiscal year, including the purpose of such expenditures.

(2) A description and assessment of improvements in the Department of Defense cyber workforce resulting from such expenditures.

(3) Recommendations for additional authorities to fulfill the purpose of the Pilot Program.

(4) A statement of the funds that remain available under the Pilot Program at the end of such fiscal year.

(g) TERMINATION.—The Pilot Program and the annual reporting requirement under subsection (f) shall each terminate on the date that is five years after the date on which funds are first appropriated for the Pilot Program and any funds not obligated or expended under the Pilot Program on that date shall be deposited in the general fund of the Treasury of the United States.

(h) CYBER WORKFORCE DEFINED.—In this Act, the term ''cyber workforce'' means the following:

(1) Personnel in positions that require the performance of cybersecurity or other cyber-related functions as so identified pursuant to the Federal Cybersecurity Workforce Assessment Act of 2015 (Public Law 114–113; 5 U.S.C. 301 note) .

(2) Military personnel or civilian employees of the Department of Defense who are not described in paragraph (1) but who—

(A) are assigned functions that contribute significantly to cyber operations; and

(B) are designated as temporary members of the cyber workforce by the Chief Information Officer of the Department of Defense, or by the head of a military department or Defense Agency, for the limited purpose of receiving training for the performance of cyber-related functions.

AMENDMENT NO. 82 OFFERED BY MR. COOPER OF TENNESSEE

Page 685, line 24, strike ''any'' and insert ''the''.

AMENDMENT NO. 83 OFFERED BY MS. JACKSON LEE OF TEXAS

At the end of subtitle F of title XVI, add the following new section:

SEC. 1694. NORTH KOREAN NUCLEAR INTERCONTINENTAL BALLISTIC MISSILES.

Not later than 180 days after the date of the enactment of this Act, the Secretary shall provide to the congressional defense committees a briefing on the hazards or risks posed directly or indirectly by the nuclear ambitions of North Korea, focusing upon—

(1) the development and deployment of intercontinental ballistic missiles or nuclear weapons;

(2) the consequences to the United States, the interests of the United States, and allies of the United States of North Korea's nuclear and missile programs;

(3) a plan to deter and defend against such threats from North Korea;

(4) protecting vital interest and capabilities of the United States in space from such threats from North Korea; and

(5) the potential damage or destruction caused by such missiles to satellites and space stations, including magnetic fields such as the Van Allen belts.

AMENDMENT NO. 84 OFFERED BY MR. CULBERSON OF TEXAS

Add at the end of subtitle E of title XXVIII the following:

SEC. 2844. BATTLESHIP PRESERVATION GRANT PROGRAM.

(a) ESTABLISHMENT.—There is hereby established within the Department of the Interior a grant program for the preservation of our nation's most historic battleships.

(b) USE OF GRANTS.—Amounts received through grants under this section shall be used for the preservation of our nation's most historic battleships in a manner that is self-sustaining and has an educational component.

(c) CRITERIA FOR ELIGIBILITY.—To be eligible for a grant under this section, an entity shall—

(1) submit an application under procedures prescribed by the Secretary;

(2) match the amount of the grant, on a 1-to-1 basis, with non-Federal assets from non-Federal sources, which may include cash or durable goods and materials fairly valued as determined by the Secretary;

(3) maintain records as may be reasonably necessary to fully disclose—

(A) the amount and the disposition of the proceeds of the grant;

(B) the total cost of the project for which the grant is made; and

(C) other records as may be required by the Secretary, including such records as will facilitate an effective accounting for project funds; and

(4) provide access to the Secretary for the purposes of any required audit and examination of any books, documents, papers, and records of the entity.

(d) MOST HISTORIC BATTLESHIP DEFINED.—In this section, the term ''most historic battleship'' means a battleship that is—

(1) between 75 and 115 years old;

(2) listed on the National Register of Historic Places; and

(3) located within the State for which it was named.

(e) SAVINGS PROVISION.—The authorities contained in this section shall be in addition to, and shall not be construed to supercede or modify those contained in the National Historic Preservation Act (16 U.S.C. 470–470x-6).

(f) PRIVATE PROPERTY PROTECTION.—

(1) IN GENERAL.—No Federal funds made available to carry out this section may be used to acquire any real property, or any interest in any real property, without the written consent of the owner (or owners) of that property or interest in property.

(2) NO DESIGNATION.—The authority granted by this section shall not constitute a Federal designation or have any effect on private property ownership.

(g) SUNSET.—The authority to make grants under this section expires on September 30, 2024.

AMENDMENT NO. 85 OFFERED BY MR. LAMALFA OF CALIFORNIA

Add at the end of subtitle G of title XXVIII the following new section:

SEC. 2863. RESTRICTIONS ON REHABILITATION OF OVER-THE-HORIZON BACKSCATTER RADAR STATION.

(a) RESTRICTIONS.—Except as provided in subsection (b), the Secretary of the Air Force may not use any funds or resources to carry out the rehabilitation of the Over-the-Horizon Backscatter Radar Station on Modoc National Forest land in Modoc County, California.

(b) EXCEPTION FOR MAINTENANCE OF PERIMETER FENCE.—Notwithstanding subsection (a), the Secretary may use funds and resources to maintain the perimeter fence surrounding the Over-the-Horizon Backscatter Radar Station.

AMENDMENT NO. 86 OFFERED BY MR. NORMAN OF SOUTH CAROLINA

Add at the end of title XXVII the following new section:

SEC. 2703. UPDATE TO REPORT ON INFRASTRUCTURE CAPACITY.

Not later than one year after the date of the enactment of this Act, the Secretary of Defense shall prepare and release to the public an updated version of the March 2016 report on ''Department of Defense Infrastructure Capacity''.

AMENDMENT NO. 87 OFFERED BY MR. BEN RAY LUJÁN OF NEW MEXICO

At the end of subtitle C of title XXXI, add the following:

SEC. ____. SENSE OF CONGRESS REGARDING URANIUM MINING AND NUCLEAR TESTING.

It is the sense of Congress that the United States should compensate and recognize all of the miners, workers, downwinders, and others suffering from the effects of uranium mining and nuclear testing carried out during the Cold War.

The Acting CHAIR. Pursuant to House Resolution 431, the gentleman from Texas (Mr. THORNBERRY) and the gentleman from Washington (Mr. SMITH) each will control 10 minutes.

The Chair recognizes the gentleman from Texas.

MODIFICATION TO AMENDMENT NO. 76 OFFERED BY MR. THORNBERRY OF TEXAS

Mr. THORNBERRY. Mr. Chairman, I ask unanimous consent that amendment No. 76 printed in part B of House Report 115–212 be modified by the form I have placed at the desk.

The Acting CHAIR. The Clerk will report the modification.

The Clerk read as follows:

MODIFICATION TO AMENDMENT NO. 76 OFFERED BY MS. JACKSON LEE OF TEXAS

The amendment as modified is as follows:

At the end of subtitle H of title XII, add the following new section:

SEC. 12____. CONTINGENCY PLANS RELATING TO SOUTH SUDAN.

The Secretary of Defense shall prepare contingency plans—

(1) to assist relief organizations in delivery of humanitarian assistance in South Sudan; and

(2) to engage South Sudan's military to promote efforts to reduce conflicts.

Mr. THORNBERRY (during the reading). Mr. Chairman, I ask unanimous consent that the reading of the modification be dispensed with.

The Acting CHAIR. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. Is there objection to the original request of the gentleman from Texas?

There was no objection.

The Acting CHAIR. The amendment is modified.

Mr. THORNBERRY. Mr. Chairman, I support en bloc package No. 4, and I reserve the balance of my time.

Mr. SMITH of Washington. Mr. Chairman, I support the en bloc package, as well, and I yield back the balance of my time.

Mr. THORNBERRY. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendments en bloc, as modified, offered by the gentleman from Texas (Mr. THORNBERRY).

The en bloc amendments, as modified, were agreed to.

Mr. THORNBERRY. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. THORNBERRY) having assumed the chair, Mr. MCCLINTOCK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, had come to no resolution thereon.

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 11 o'clock and 13 minutes p.m.), the House stood in recess.

□ 0036

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of Georgia) at 12 o'clock and 36 minutes a.m.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 2810, NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

Mr. BYRNE, from the Committee on Rules, submitted a privileged report (Rept. No. 115–217) on the resolution (H.

Res. 440) providing for further consideration of the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes, which was referred to the House Calendar and ordered to be printed.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GUTHRIE (at the request of Mr. MCCARTHY) for today on account of his participation in a healthcare listening session in Lexington, Kentucky, with Vice President PENCE.

Mr. KHANNA (at the request of Ms. PELOSI) for today on account of birth of his child.

ADJOURNMENT

Mr. BYRNE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 12 o'clock and 37 minutes a.m.), under its previous order, the House adjourned until today, Thursday, July 13, 2017, 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:

1928. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Vice Admiral Nora W. Tyson, United States Navy, and her advancement to the grade of vice admiral on the retired list, pursuant to 10 U.S.C. 1370(c)(1); Public Law 96-513, Sec. 112 (as amended by Public Law 104-106, Sec. 502(b)); (110 Stat. 293); to the Committee on Armed Services.

1929. A letter from the Secretary, Department of Defense, transmitting a letter authorizing two officers to wear the insignia of the grade of rear admiral or rear admiral (lower half), pursuant to 10 U.S.C. 777(b)(3)(B); Public Law 104-106, Sec. 503(a)(1) (as added by Public Law 108-136, Sec. 509(a)(3)); (117 Stat. 1458); to the Committee on Armed Services.

1930. A letter from the Board Chair, Board of Governors of the Federal Reserve System, transmitting the Board's semiannual Monetary Policy Report to the Congress, pursuant to Public Law 106-569; to the Committee on Financial Services.

1931. A letter from the Senior Counsel, Legal Division, Consumer Financial Protection Bureau, transmitting the Bureau's Major final rule — Arbitration Agreements [Docket No.: CFPB-2016-0020] (RIN: 3170-AA51) received July 10, 2017, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Financial Services.

1932. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prosulfuron; Pesticide Tolerances [EPA-HQ-OPP-2016-0218; FRL-9962-97] received July 7, 2017, 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.

1933. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Procedures for Chemical Risk Evaluation Under the Amended Toxic Substances Control Act [EPA-HQ-OPPT-2016-0654; FRL-9964-38] (RIN: 2070-AK20) received July 7, 2017, 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.

1934. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flonicamid; Pesticide Tolerances [EPA-HQ-OPP-2016-0013; FRL-9962-15] received July 7, 2017, 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.

1935. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Volatile Organic Compound Reasonably Available Control Technology for 1997 Ozone Standard [EPA-R03-OAR-2016-0561; FRL-9964-58-Region 3] received July 7, 2017, 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.

1936. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Department's final rule — Air Plan Approval; TN: Non-interference Demonstration for Federal Low-Reid Vapor Pressure Requirement in Shelby County [EPA-R04-OAR-2017-0136; FRL-9964-56-Region 4] received July 7, 2017, 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.

1937. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Ohio; Control of Emissions of Organic Materials That Are Not Regulated by VOC RACT Rules [EPA-R05-OAR-2016-0272; FRL-9964-46-Region 5] received July 7, 2017, 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.

1938. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's withdrawal of direct final rule — Air Plan Approval; Indiana; Redesignation of the Muncie Area to Attainment of the 2008 Lead Standard [EPA-R05-OAR-2016-0137; FRL-9964-63-Region 5] received July 7, 2017, 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.

1939. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Illinois; Emissions Statement Rule Certification for the 2008 Ozone Standard [EPA-R05-OAR-2017-0278; FRL-9964-65-Region 5] received July 7, 2017, 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.

1940. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-35, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1941. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-31, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1942. A letter from the Director, Defense Security Cooperation Agency, Department of Defense, transmitting Transmittal No. 17-34, pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended; to the Committee on Foreign Affairs.

1943. A letter from the Acting Director of Government Relations, Corporation For National and Community Service, transmitting the Corporation's revised Semi-Annual Report (SAR) to Congress due to an error by the Office of Inspector General (OIG) in its original report submission; to the Committee on Oversight and Government Reform.

1944. A letter from the Associate General Counsel for General Law, Department of Homeland Security, transmitting two notifications of a discontinuation of service in acting role, and designation of acting officer, pursuant to 5 U.S.C. 3349(a); Public Law 105-277, 151(b); (112 Stat. 2681-614); to the Committee on Oversight and Government Reform.

1945. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period April 1, 2017 to June 30, 2017, pursuant to 2 U.S.C. 104a (H. Doc. No. 115—52); to the Committee on House Administration and ordered to be printed.

1946. A letter from the Acting Chairman, National Transportation Safety Board, transmitting the Board's 2016 Annual Report to Congress, pursuant to 49 U.S.C. 1117; to the Committee on Transportation and Infrastructure.

1947. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of Defense, transmitting additional legislative proposals related to acquisition matters that the Department of Defense requests be enacted during the first session of the 115th Congress; jointly to the Committees on Armed Services, Oversight and Government Reform, and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under Clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WALDEN: Committee on Energy and Commerce. H.R. 2786. A bill to amend the Federal Power Act with respect to the criteria and process to qualify as qualifying conduit hydropower facility; with an amendment (Rept. 115–213). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 2056. A bill to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes; with an amendment (Rept. 115–214). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHABOT: Committee on Small Business. H.R. 2333. A bill to amend the Small Business Investment Act of 1958 to increase the amount of leverage made available to small business investment companies; with an amendment (Rept. 115–215). Referred to the Committee of the Whole House on the state of the Union,

Mr. CHABOT: Committee on Small Business. H.R. 2364. A bill to amend the Small Business Investment Act of 1958 to increase the amount that certain banks and savings associations may invest in small business investment companies, subject to the approval of the appropriate Federal banking agency, and for other purposes (Rept. 115–216). Referred to the Committee of the Whole House on the state of the Union.

[July 13 (legislative day, July 12, 2017)]

Mr. BYRNE: Committee on Rules. House Resolution 440. Resolution providing for further consideration of the bill (H.R. 2810) to

authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes (Rept. 115–217). Referred to the House Calendar.

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. BRENDAN F. BOYLE of Pennsylvania (for himself, Mr. TED LIEU of California, Mr. GALLEGO, Mr. ENGEL, Ms. ROSEN, Mr. EVANS, and Ms. CLARKE of New York):

H.R. 3191. A bill to prohibit the use of Federal funds to establish, support, or otherwise promote a joint cybersecurity initiative with Russia, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KENNEDY (for himself and Mrs. NAPOLITANO):

H.R. 3192. A bill to amend title XXI of the Social Security Act to ensure access to mental health services for children under the Children's Health Insurance Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3193. A bill to amend the Central Intelligence Agency Act of 1949 to improve death gratuities paid to the survivors of certain deceased officers and employees of the Central Intelligence Agency; to the Committee on Intelligence (Permanent Select).

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3194. A bill to provide for an extension of the authority of the Secretary of Veterans Affairs to provide for the conduct of medical disability examinations by contract physicians; to the Committee on Veterans' Affairs.

By Mr. SEAN PATRICK MALONEY of New York (for himself and Ms. STEFANIK):

H.R. 3195. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to make available for purchase memorial headstones and markers for certain deceased members of the reserve components; to the Committee on Veterans' Affairs.

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3196. A bill to direct the Secretary of Defense to review and update Department of Defense regulations to ensure such regulations comply with Federal consumer protection law with respect to the collection of debt; to the Committee on Armed Services.

By Mr. BRAT (for himself, Ms. TITUS, Mr. MAST, Mr. TED LIEU of California, Mr. DONOVAN, and Mr. BRENDAN F. BOYLE of Pennsylvania):

H.R. 3197. A bill to amend title 38, United States Code, to prohibit the Secretary of Veterans Affairs from conducting medical research causing significant pain or distress to dogs; to the Committee on Veterans' Affairs.

By Mr. KNIGHT (for himself, Mr. SMITH of Texas, and Mr. BABIN):

H.R. 3198. A bill to provide for Federal Aviation Administration research and development, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Transportation 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. DESAULNIER (for himself, Mr. HOYER, Mr. HUFFMAN, Mr. LANGEVIN, Mrs. DAVIS of California, Mr. PALLONE, Mr. KHANNA, and Mr. SCOTT of Virginia):

H.R. 3199. A bill to amend the Higher Education Act of 1965 to improve accessibility to, and completion of, postsecondary education for students, including students with disabilities, and for other purposes; to the Committee on Education and the Workforce.

By Mr. DESANTIS (for himself, Mr. LAHOOD, Mr. POSEY, Mrs. BLACKBURN, Mr. ISSA, Mr. POLIQUIN, and Mr. ROTHFUS):

H.R. 3200. A bill to require the disclosure of pension records under the Freedom of Information Act, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BACON:

H.R. 3201. A bill to amend and enhance certain maritime programs of the Department of Transportation, and for other purposes; to the Committee on Armed Services.

By Ms. JACKSON LEE:

H.R. 3202. A bill to require the Secretary of Homeland Security to submit a report on cyber vulnerability disclosures, and for other purposes; to the Committee on Homeland Security.

By Mr. ENGEL (for himself, Ms. PELOSI, and Mr. HOYER):

H.R. 3203. A bill to provide congressional review and to counter Iranian and Russian governments' aggression; to the Committee on Foreign Affairs, and in addition to the Committees on Intelligence (Permanent Select), Armed Services, the Judiciary, Oversight and Government Reform, Financial Services, Rules, and Ways and Means, 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. AGUILAR:

H.R. 3204. A bill to amend the Internal Revenue Code of 1986 to provide a credit against tax for job training expenses of employers; to the Committee on Ways and Means.

By Mr. DELANEY (for himself, Ms. SINEMA, Mr. MEEKS, Mr. JONES, Mr. LOWENTHAL, and Mr. CARTWRIGHT):

H.R. 3205. A bill to amend title 38, United States Code, to provide for a five-year extension of the Veterans' Advisory Committee on Education; to the Committee on Veterans' Affairs.

By Mrs. DINGELL:

H.R. 3206. A bill to amend the Safe Drinking Water Act to require quarterly reporting, improvement of consumer confidence reports, establishment of a nation consumer confidence report, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. DINGELL (for herself and Mr. DONOVAN):

H.R. 3207. A bill to protect victims of stalking from gun violence; to the Committee on the Judiciary.

By Mr. DUFFY:

H.R. 3208. A bill to amend the Agricultural Act of 2014 to authorize road repair under good neighbor agreements; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, 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. HERRERA BEUTLER (for herself and Ms. TSONGAS):

H.R. 3209. A bill to amend title 10, United States Code, to improve protections for a member of the Armed Forces who is a survivor of a sex-related offense during military service regarding the separation, or the characterization of any separation, of the member from the Armed Forces, to make additional changes to the authorities and procedures of boards for the correction of military records and discharge review boards, and for other purposes; to the Committee on Armed Services.

By Mr. KNIGHT (for himself and Mr. CONNOLLY):

H.R. 3210. A bill to require the Director of the National Background Investigations Bureau to submit a report on the backlog of personnel security clearance investigations, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 3211. A bill to amend title 18, United States Code, to enhance protections of Native American tangible cultural heritage, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Natural Resources, 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. MCSALLY (for herself, Mrs. COMSTOCK, Mr. COOK, Mr. GOSAR, Mr. FRANKS of Arizona, Mr. KING of Iowa, Mr. KNIGHT, and Mr. ROHRABACHER):

H.R. 3212. A bill to reauthorize the State Criminal Alien Assistance Program, and for other purposes; to the Committee on the Judiciary.

By Ms. NORTON:

H.R. 3213. A bill to direct the Joint Committee on the Library to accept a statue depicting Pierre L'Enfant from the District of Columbia and to provide for the permanent display of the statue in the United States Capitol; to the Committee on House Administration.

By Mr. RICHMOND (for himself, Ms. MICHELLE LUJAN GRISHAM of New Mexico, Ms. JUDY CHU of California, Mr. CONYERS, Mr. LEWIS of Georgia, Ms. NORTON, Ms. MAXINE WATERS of California, Mr. BISHOP of Georgia, Mr. CLYBURN, Mr. HASTINGS, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. SCOTT of Virginia, Mr. THOMPSON of Mississippi, Ms. JACKSON LEE, Mr. CUMMINGS, Mr. DANNY K. DAVIS of Illinois, Mr. MEEKS, Ms. LEE, Mr. CLAY, Mr. DAVID SCOTT of Georgia, Mr. CLEAVER, Mr. AL GREEN of Texas, Ms. CLARKE of New York, Mr. ELLISON, Mr. JOHNSON of Georgia, Mr. CARSON of Indiana, Ms. FUDGE, Ms. BASS, Ms. SEWELL of Alabama, Ms. WILSON of Florida, Mr. PAYNE, Mrs. BEATTY, Mr. JEFFRIES, Mr. VEASEY, Ms. KELLY of Illinois, Mrs. LAWRENCE, Mrs. WATSON COLEMAN, Mr. EVANS, Ms. BLUNT ROCHESTER, Mr. BROWN of Maryland, Mrs. DEMINGS, Mr. LAWSON of Florida, Mr. MCEACHIN, Mr. TED LIEU of California, Mr. COHEN, Ms. KAPTUR, Ms. MENG, Mr. PALLONE, Ms. HANABUSA, Mr. GRIJALVA, Ms. BARRAGÁN, Mr. GARAMENDI, Mr. SEAN PATRICK MALONEY of New York, Mr. BEYER, Mr. RYAN of Ohio, Ms. JAYAPAL, Ms. VELÁZQUEZ, Mr. TONKO, Ms. SHEA-PORTER, Mr. POLIS, Mr. LARSEN of Washington, Mr. SARBANES, Mr. SOTO, Mr. CONNOLLY, Mr. NADLER, and Mrs. TORRES):

H.R. 3214. A bill to nullify the effect of the recent Executive order that establishes an ''election integrity'' commission, which will be used and is designed to support policies that will suppress the vote in minority and poor communities across the United States; to the Committee on House Administration.

By Mr. SERRANO (for himself, Mr. MEEKS, Mr. ENGEL, Ms. VELÁZQUEZ, Mrs. CAROLYN B. MALONEY of New York, Mr. GONZALEZ of Texas, Mr. NADLER, Mr. ESPAILLAT, Mr. CROWLEY, Mr. AL GREEN of Texas, Ms. NORTON, Mr. EVANS, Mr. GRIJALVA, Ms. CLARKE of New York, Mr. COHEN, Mr. CARSON of Indiana, Ms. JACKSON LEE, and Ms. MENG):

H.R. 3215. A bill to authorize appropriations for the public housing Capital Fund for addressing urgent capital needs, and for other purposes; to the Committee on Financial Services.

By Mr. GALLEGO:

H.J. Res. 108. A joint resolution making continuing appropriations for fiscal year 2018 during any period between October 1, 2017, and December 14, 2017, for which discretionary appropriations have lapsed, and for other purposes; to the Committee on Appropriations.

By Mr. DEFAZIO (for himself and Mr. JOHNSON of Georgia):

H. Res. 437. A resolution of inquiry requesting the President to provide certain documents in the President's possession; to the Committee on Transportation and Infrastructure.

By Mr. SHERMAN (for himself and Mr. AL GREEN of Texas):

H. Res. 438. A resolution impeaching Donald John Trump, President of the United States, for high crimes and misdemeanors; to the Committee on the Judiciary.

By Mr. CROWLEY:

H. Res. 439. A resolution electing a Member to a certain standing committee of the House of Representatives; considered and agreed to. considered and agreed to.

By Mr. HIGGINS of New York (for himself and Ms. JAYAPAL):

H. Res. 441. A resolution amending the Rules of the House of Representatives to prohibit the consideration of any bill or joint resolution until a cost estimate prepared by the Congressional Budget Office has been available to the public, and for other purposes; to the Committee on Rules.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements arc submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BRENDAN F. BOYLE of Pennsylvania:

H.R. 3191.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution under the General Welfare Clause.

By Mr. KENNEDY:

H.R. 3192.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8—to provide for the general welfare and to regulate commerce among the states

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3193.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3194.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3195.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8

By Mr. SEAN PATRICK MALONEY of New York:

H.R. 3196.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8

By Mr. BRAT:

H.R. 3197.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: ''The Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States''

And Article I, Section 8, Clause 18: ''The 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. KNIGHT:

H.R. 3198.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The 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. DESAULINER:

H.R. 3199.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. DESANTIS:

H.R. 3200.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (''The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.'') and Article, Section 8, Clause 18 (''The 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 of Officer thereof.'').

By Mr. BACON:

H.R. 3201.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 14

By Ms. JACKSON LEE:

H.R. 3202.

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, Clauses 1, 3 and 18 of the United States Constitution.

By Mr. ENGEL:

H.R. 3203.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the Constitution.

By Mr. AGUILAR:

H.R. 3204.

Congress has the power to enact this legislation pursuant to the following:

Clause I of Section 8 and Clause 18 of Section 8, of Article 1 of the United States Constitution.

By Mr. DELANEY:

H.R. 3205.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mrs. DINGELL:

H.R. 3206.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution.

By Mrs. DINGELL:

H.R. 3207.

Congress has the power to enact this legislation pursuant to the following:

Article I Section VIll

By Mr. DUFFY:

H.R. 3208.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2

By Ms. HERRERA BEUTLER:

H.R. 3209.

I21 Congress has the power to enact this legislation pursuant to the following:

The consittutional authorty of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. KNIGHT:

H.R. 3210.

Congress has the power to enact this legislation pursuant to the following:

Congress has the authority to enact this legislation pursuant to Article I, Section 8, Clause 18.

By Mr. BEN RAY LUJÁN of New Mexico:

H.R. 3211.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Ms. MCSALLY:

H.R. 3212.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4: To establish an uniform Rule of Naturalization

Article 1, Section 8, Clause 18: 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 Ms. NORTON:

H.R. 3213.

Congress has the power to enact this legislation pursuant to the following:

Clause 2 of section 3 of Article IV of the Constitution.

By Mr. RICHMOND:

H.R. 3214.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced pursuant to the powers granted to Congress under the General Welfare Clause (Art. 1 Sec. 8 Cl. 1), the Commerce Clause (Art. 1 Sec. 8 Cl. 3), and the Necessary and Proper Clause (Art. 1 Sec. 8 Cl. 18).

Further, this statement of constitutional authority is made for the sole purpose of compliance with clause 7 of Rule XII of the Rules of the House of Representatives and

shall have no bearing on judicial review of the accompanying bill.

By. Mr. SERRANO:

H.R. 3215.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18, To make all laws which shall be necessary and proper for carrying into the Execution the foregoing powers and all other powers vested by this constitution in the Government of the US or in any department or officer thereof

By Mr. GALLEGO:

H.J. Res. 108.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 179: Mr. MCGOVERN.

H.R. 282: Mr. TAYLOR, Ms. TENNEY, Mr. ISSA, and Mr. CARTER of Texas.

H.R. 398: Mr. CURBELO of Florida and Ms. WASSERMAN SCHULTZ.

H.R. 424: Mr. GOSAR.

H.R. 444: Mr. GONZALEZ of Texas.

H.R. 448: Mr. FRANKS of Arizona.

H.R. 490: Mr. FLEISCHMANN, Mr. DUNN, Mr. NORMAN, Mrs. NOEM, Mr. PALAZZO, Mr. SMITH of Missouri, and Mr. BERGMAN.

H.R. 576: Mr. EVANS.

H.R. 592: Mr. PETERS, Mr. KELLY of Mississippi, and Mr. LAHOOD.

H.R. 613: Mr. KIND.

H.R. 632: Mr. TED LIEU of California.

H.R. 676: Mrs. LOWEY.

H.R. 712: Mr. CUELLAR.

H.R. 713: Mr. CUELLAR.

H.R. 717: Mr. GOSAR.

H.R. 721: Mr. KING of New York.

H.R. 747: Mr. HURD, Ms. MCSALLY, and Mr. COMER.

H.R. 754: Mr. RICE of South Carolina, Mr. FASO, Mr. BACON, Mrs. BEATTY, Ms. JUDY CHU of California, Mr. JOHNSON of Georgia, Mrs. DAVIS of California, Mr. CROWLEY, Mr. CALVERT, Mr. RODNEY DAVIS of Illinois, and Ms. ESTY of Connecticut.

H.R. 761: Mr. CROWLEY.

H.R. 772: Mr. MURPHY of Pennsylvania.

H.R. 806: Mr. GROTHMAN.

H.R. 807: Mrs. TORRES.

H.R. 825: Mr. TED LIEU of California and Mrs. NAPOLITANO.

H.R. 828: Mr. WALBERG.

H.R. 849: Mr. ZELDIN, Mr. HOLLINGSWORTH, and Mr. WESTERMAN.

H.R. 858: Ms. BROWNLEY of California.

H.R. 878: Mrs. HARTZLER.

H.R. 911: Mr. BILIRAKIS and Mr. MCGOVERN.

H.R. 930: Mr. GOTTHEIMER, Mr. KHANNA, Mr. RUIZ, Mr. CAPUANO, Mr. KATKO, Mr. COSTA, Mr. MCKINLEY, Mr. MURPHY of Pennsylvania, Mr. BABIN, Mr. HILL, and Mr. TROTT.

H.R. 1057: Mr. SIMPSON and Mr. JOHNSON of Ohio.

H.R. 1098: Mr. WELCH.

H.R. 1136: Mr. THOMPSON of Pennsylvania and Mr. MITCHELL.

H.R. 1148: Mr. THOMPSON of California, Mr. CURBELO of Florida, Mr. ROSKAM, Mr. BISHOP of Georgia, and Mr. YARMUTH.

H.R. 1158: Mr. BACON.

H.R. 1164: Mr. PAULSEN.

H.R. 1223: Mr. OLSON.

H.R. 1235: Mr. BERA, Ms. CASTOR of Florida, Ms. GABBARD, Ms. JAYAPAL, Ms. MENG, Ms. PELOSI, Mr. PRICE of North Carolina, Mr. RASKIN, Ms. ROSEN, Mr. SARBANES, Mr. SCHIFF, Mr. SCHRADER, Ms. SINEMA, Mr. SMITH of Washington, Mr. TAKANO, Ms. TITUS, Mr. VARGAS, Ms. WASSERMAN SCHULTZ, Mr. CORREA, Ms. HANABUSA, Mr. PETERSON, Mr. KHANNA, Mr. SABLAN, Mr. SHERMAN, Ms. LEE, Mr. O'ROURKE, Mr. O'HALLERAN, Mr. PANETTA, Mr. KATKO, Mr. ROTHFUS, Mr. COLE, Mr. BYRNE, Mr. GRAVES of Louisiana, Mr. HURD, Mr. TROTT, Mr. KELLY of Mississippi, Mr. RICE of South Carolina, Mr. RENACCI, Mr. SHUSTER, Mr. DUNCAN of Tennessee, and Mr. GOODLATTE.

H.R. 1243: Mr. CURBELO of Florida, Mr. SOTO, Mr. PALLONE, and Mr. CRIST.

H.R. 1251: Mr. EVANS.

H.R. 1261: Mr. FLORES, Mr. POLIQUIN, Mr. AUSTIN SCOTT of Georgia, and Mr. CHABOT.

H.R. 1264: Mr. BRADY of Texas, Mr. PITTENGER, Mr. CARTER of Texas, and Mr. TIPTON.

H.R. 1267: Mr. ABRAHAM and Ms. BLUNT ROCHESTER.

H.R. 1276: Mr. KEATING.

H.R. 1291: Ms. SHEA-PORTER.

H.R. 1300: Ms. TSONGAS, Ms. SLAUGHTER, and Ms. VELÁZQUEZ.

H.R. 1317: Mr. WALBERG, Mrs. BLACKBURN, Mr. ISSA, Mr. HUIZENGA, Mr. MITCHELL, Mr. WILSON of South Carolina, and Mr. NORMAN.

H.R. 1322: Mr. MCGOVERN and Mr. JOHNSON of Georgia.

H.R. 1406: Ms. CASTOR of Florida, Mr. LYNCH, and Mr. KATKO.

H.R. 1421: Ms. ESTY of Connecticut.

H.R. 1444: Mr. WEBER of Texas.

H.R. 1450: Mr. ENGEL.

H.R. 1454: Mr. THOMPSON of Pennsylvania.

H.R. 1456: Mr. KING of New York and Ms. ROSEN.

H.R. 1457: Mr. ROYCE of California.

H.R. 1485: Mr. THOMPSON of Pennsylvania.

H.R. 1494: Mr. KATKO, Mr. AGUILAR, Mr. BUCSHON, Miss RICE of New York, and Mr. HIMES.

H.R. 1537: Mr. ROKITA.

H.R. 1587: Mr. AGUILAR and Mr. LEVIN.

H.R. 1611: Mr. DELANEY.

H.R. 1635: Mr. THOMPSON of Pennsylvania.

H.R. 1639: Mrs. TORRES.

H.R. 1661: Mr. MARSHALL and Mr. BRADY of Pennsylvania.

H.R. 1673: Mrs. CAROLYN B. MALONEY of New York.

H.R. 1676: Mr. MAST and Mr. DAVID SCOTT of Georgia.

H.R. 1685: Mr. GONZALEZ of Texas, Mr. MOULTON, Mr. DEFAZIO, and Mr. KHANNA.

H.R. 1699: Ms. MCSALLY, Mr. WALBERG, Mr. GALLAGHER, and Mr. BIGGS.

H.R. 1748: Mr. BLUMENAUER.

H.R. 1777: Mr. WALKER.

H.R. 1781: Mr. BYRNE.

H.R. 1784: Ms. SHEA-PORTER.

H.R. 1796: Mr. CURBELO of Florida, Ms. KAPTUR, and Mr. MOULTON.

H.R. 1821: Mr. DEFAZIO, Ms. WASSERMAN SCHULTZ, Ms. JACKSON LEE, Ms. PINGREE, and Ms. NORTON.

H.R. 1825: Miss RICE of New York and Mr. AGUILAR.

H.R. 1847: Ms. DEGETTE.

H.R. 1861: Mr. NEAL.

H.R. 1865: Mr. LUETKEMEYER, Mr. BISHOP of Michigan, Ms. STEFANIK, and Mr. CRIST.

H.R. 1896: Mr. WALDEN.

H.R. 1939: Mr. ROE of Tennessee and Mr. YOUNG of Iowa.

H.R. 2012: Mr. LEVIN.

H.R. 2049: Ms. ESHOO.

H.R. 2068: Ms. BROWNLEY of California and Mr. MOULTON.

H.R. 2121: Mr. LUETKEMEYER.

H.R. 2130: Mr. GOODLATTE.

H.R. 2142: Mr. HIGGINS of New York.

H.R. 2147: Ms. SHEA-PORTER.

H.R. 2200: Mr. PAULSEN and Mrs. CAROLYN B. MALONEY of New York.

H.R. 2207: Mr. BEN RAY LUJÁN of New Mexico.

H.R. 2219: Mr. MEEHAN.

H.R. 2267: Mr. RUIZ, Mr. MEEHAN, Ms. SCHAKOWSKY, Mr. RODNEY DAVIS of Illinois, Mr. ENGEL, Mr. FASO, and Ms. BONAMICI.

H.R. 2319: Mr. PITTENGER.

H.R. 2327: Mr. LONG and Mrs. NOEM.

H.R. 2340: Mr. WESTERMAN.

H.R. 2358: Mr. HIMES.

H.R. 2369: Mr. BILIRAKIS.

H.R. 2392: Ms. SHEA-PORTER.

H.R. 2435: Mrs. BEATTY.

H.R. 2439: Mr. YARMUTH.

H.R. 2465: Ms. LEE and Mr. YARMUTH.

H.R. 2493: Ms. SHEA-PORTER.

H.R. 2495: Mr. POLIQUIN, Mr. TONKO, and Mr. HARRIS.

H.R. 2501: Mr. EVANS.

H.R. 2513: Mr. WILSON of South Carolina, Mr. GROTHMAN, Mr. FLORES, Mr. ROKITA, and Mr. PITTENGER.

H.R. 2519: Mr. STIVERS, Mr. POSEY, Mr. HURD, Mr. HIMES, Mr. DEUTCH, Mr. SUOZZI, Mr. COSTA, Ms. ESHOO, Mr. MOULTON, Mr. LARSEN of Washington, Mr. DUFFY, Mr. FOSTER, and Mr. NOLAN.

H.R. 2545: Mr. DENHAM.

H.R. 2587: Mr. JONES.

H.R. 2591: Mr. GRAVES of Georgia and Mr. ROSS.

H.R. 2603: Mr. COLE.

H.R. 2620: Mr. HUNTER, Mr. LATTA, Mr. WALKER, Mr. MITCHELL, Mr. BISHOP of Michigan, and Mr. ADERHOLT.

H.R. 2651: Mr. O'ROURKE.

H.R. 2656: Mr. KENNEDY.

H.R. 2664: Mr. LANCE.

H.R. 2666: Mrs. TORRES.

H.R. 2679: Mr. MACARTHUR.

H.R. 2723: Mr. MARSHALL and Mr. ABRAHAM.

H.R. 2740: Mr. GRIJALVA, Mr. DEFAZIO, Mr. TONKO, Mr. RYAN of Ohio, Mr. DEUTCH, Ms. ROSEN, and Mr. VELA.

H.R. 2772: Ms. STEFANIK.

H.R. 2775: Mr. PERRY.

H.R. 2776: Mr. PERRY.

H.R. 2778: Mr. SCHWEIKERT.

H.R. 2782: Mr. HUFFMAN and Mr. RUPPERSBERGER.

H.R. 2805: Mr. HECK and Mr. CASTRO of Texas.

H.R. 2840: Ms. SPEIER, Mr. O'ROURKE, and Mr. MCEACHIN.

H.R. 2851: Mr. DONOVAN.

H.R. 2871: Mr. HARPER.

H.R. 2878: Mr. ELLISON.

H.R. 2901: Mr. KATKO.

H.R. 2902: Mr. LOEBSACK and Mr. NOLAN.

H.R. 2903: Mr. O'HALLERAN.

H.R. 2913: Ms. ESHOO, Ms. LOFGREN, Mr. LEVIN, and Mr. POCAN.

H.R. 2918: Mr. ROTHFUS.

H.R. 2944: Mr. CARBAJAL.

H.R. 2957: Mr. LUCAS, Mr. PETERSON, and Mr. HARPER.

H.R. 2970: Mr. SOTO.

H.R. 2989: Mr. GOSAR.

H.R. 2999: Mr. AGUILAR.

H.R. 3020: Ms. LOFGREN.

H.R. 3029: Ms. MOORE, Mr. BLUMENAUER, Mr. JOHNSON of Georgia, Ms. SEWELL of Alabama, Mr. VARGAS, Mr. MEEKS, Ms. LEE, Ms. ADAMS, Mr. GRIJALVA, and Ms. NORTON.

H.R. 3030: Mr. WALZ.

H.R. 3054: Mr. OLSON.

H.R. 3071: Mr. ALLEN.

H.R. 3089: Mr. LYNCH.

H.R. 3108: Ms. BORDALLO.

H.R. 3110: Ms. TENNEY.

H.R. 3115: Mr. WALZ.

H.R. 3139: Mr. DESJARLAIS.

H.R. 3158: Mr. CORREA.

H.R. 3163: Mr. UPTON, Mr. MARCHANT, and Mr. ENGEL.

H.R. 3174: Mr. LANGEVIN.

H.J. Res. 2: Mr. THORNBERRY and Mr. BILIRAKIS.

H.J. Res. 51: Mr. ZELDIN, Mr. HOLLINGSWORTH, Mr. OLSON, Mr. DAVIDSON, and Mr. WESTERMAN.

H.J. Res. 100: Mr. NORCROSS and Mrs. MURPHY of Florida.

H.J. Res. 107: Mr. CUELLAR.

H. Con. Res. 13: Mr. REED, Mr. KELLY of Pennsylvania, and Mr. DUNN.

H. Con. Res. 27: Ms. JAYAPAL.

H. Con. Res. 59: Mr. TAKANO, Mr. DENHAM, and Mr. PANETTA.

H. Con. Res. 63: Mr. JEFFRIES and Mr. SUOZZI.

H. Res. 15: Mr. FRELINGHUYSEN.

H. Res. 28: Mr. ROTHFUS.

H. Res. 30: Ms. ROSEN.

H. Res. 31: Mr. GOTTHEIMER.

H. Res. 128: Ms. DELAURO, Mr. SENSENBRENNER, Mr. PALLONE, Mr. BUCK, Ms. BONAMICI, and Mr. LEWIS of Minnesota.

H. Res. 129: Mr. JOHNSON of Georgia and Mr. CONYERS.

H. Res. 161: Mr. WESTERMAN.

H. Res. 188: Mr. TED LIEU of California.

H. Res. 195: Mrs. BROOKS of Indiana.

H. Res. 200: Mrs. DINGELL.

H. Res. 213: Ms. BLUNT ROCHESTER.

H. Res. 342: Mr. SMITH of Washington, Ms. MCCOLLUM, Mr. SEAN PATRICK MALONEY of New York, and Mr. DESJARLAIS.

H. Res. 401: Ms. LOFGREN and Mr. COHEN.

H. Res. 407: Mr. EVANS.

H. Res. 421: Ms. NORTON and Mr. EVANS.

H. Res. 433: Mr. WEBER of Texas.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 115th CONGRESS, FIRST SESSION

Vol. 163 WASHINGTON, WEDNESDAY, JULY 12, 2017 No. 117

Senate

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. HATCH).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal God, You alone reign supreme in our Nation and world. May our lawmakers permit You to direct their steps. Give our Senators a renewed sense of Your sacred presence, filling them with reverence for You. May this reverence engender in them a spirit of profound gratitude for Your goodness and grace.

Lord, inspire them to live such exemplary lives that Your Name will be glorified in the Earth. Help them to relinquish all anxieties to You, as they remember Your promise to supply all their needs. May they dedicate themselves to providing opportunities and justice for all Americans.

And, Lord, bring comfort to the families of our military personnel killed in the C–130 crash in Mississippi.

We pray in Your merciful 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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. ERNST). The majority leader is recognized.

HEALTHCARE LEGISLATION

Mr. MCCONNELL. Madam President, I have often come to the floor to relay the stories of Kentuckians who have suffered under ObamaCare.

Under ObamaCare, Kentuckians have seen their premiums skyrocket—by an average of 75 percent since 2013.

Under ObamaCare, Kentuckians have seen their options for health insurance plummet. This year, families living in 90 percent of the counties in Kentucky will have little or no options of insurers to pick from; that is, two options or less.

We all know the statistics in our own States. We also know the pain of ObamaCare is about far more than just numbers on a page. Behind each of ObamaCare's unaffordable premium increases, there is a family struggling to make ends meet. Behind all the canceled plans and restricted choices, there are countless individuals who have been left behind by this failing law.

Today Vice President PENCE is traveling to Lexington in my State to hear directly from my constituents, including small business owners who have struggled under ObamaCare. As the Vice President knows, ObamaCare's pain is about more than just skyrocketing costs and plummeting choices; its taxes, mandates, and heavy-handed regulations hurt too. They have subjected small businesses across the country to serious challenges.

ObamaCare has been hurting the men and women we represent for many years in many different ways. I am thankful we finally have an administration that seems to care, an administration that has made a real effort to actually listen to those who have been forced to endure the negative consequences of this failing law.

ObamaCare has been spiraling toward collapse for years. Today it teeters on the brink of total meltdown, threatening to hurt even more of our friends and loved ones. We really can't allow that to happen.

Doing nothing about ObamaCare is simply not an option. That is why we have been working hard to move beyond the failures of ObamaCare with Better Care legislation. We want to stabilize and reform the collapsing insurance markets, we want to put downward pressure on premiums, and we want to put upward lift on choice. We want to give States dramatic new tools that can drive a new era of improved health outcomes, especially for those most in need, and we want to put more affordable insurance in reach for Americans ObamaCare continues to leave behind.

If we sit on our hands, families will continue to suffer. If we let this opportunity to move beyond ObamaCare pass us by, what other options will there be? One idea from the Democratic leader is simply to throw money at insurance companies—no reforms, no changes, just a multibillion-dollar bandaid.

Another idea from many other Democrats is to quadruple down on ObamaCare with a government-run single-payer system. It is called single payer because there is just one payer—one payer: the government. Nearly every healthcare decision would be decided by a Federal bureaucrat. Taxes could go up astronomically. The total cost could add up to $32 trillion, according to an estimate of a leading proposal.

Now, Americans deserve better than a massive expansion of a failed idea. Americans deserve better than a bandaid. Americans deserve better than ObamaCare. What they really deserve is better care, and we continue to work together to provide it. We are having productive discussions about the future of healthcare, just like we should be doing, and soon it will be time to move those discussions right out here to the Senate floor.

Once we proceed to the bill, Members—Republicans and Democrats alike—will have the opportunity to engage in robust debate and a robust amendment process right here on the Senate floor. I am sure Members will

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Printed on recycled paper.

have other good ideas then, and I hope they will offer them. They will certainly have the opportunity to offer them, but if the Senate is prevented from even proceeding to the bill, none of us will have an opportunity—not Republicans, not Democrats, not anyone.

I regret that our Democratic colleagues made clear from the outset that they weren't interested in working seriously with us to pursue the kind of comprehensive reforms needed to truly move beyond the pain of ObamaCare, but they will have a new opportunity soon. Once we get on the bill, they will have another chance to offer their solutions. I hope they will offer more than just a bandaid. I hope they will offer more than just a $32 trillion reup of a failed idea.

Whatever they would like to propose, I hope they will take the chance to open debate and advance the legislative process—for every Senator, for every American.

Leaving the American people to suffer under the ObamaCare status quo, I think, is unacceptable. We have seen the pain in our home States. We have seen the heartbreak all across our country. The American people are relying on us to bring them real relief, so we will keep working hard to deliver just that.

NOMINATIONS

Mr. MCCONNELL. Madam President, on another matter, yesterday I shared some data reflecting the historic level of obstruction Senate Democrats have displayed when it comes to confirming our President's nominees. I noted that the opposition they have shown to these nominees most of the time seems to have little to do with the nominees themselves, nor whether or not Democrats even support them. In many cases, our Democratic colleagues actually support the nominees.

Take the nominee before us today for a U.S. district court judge in Idaho. He was reported out of committee on a voice vote. Every single Democrat then voted for cloture on his nomination. Yet Democrats still chose to throw up procedural hurdles to a nominee for whom they have no objection.

In fact, Senate Democrats have continuously forced procedural hurdles more than 30 times, compared to only 8 cloture votes Republicans required on nominees at this point in President Obama's administration.

They are obviously bound and determined to impede the President from making appointments, and they are willing to go to increasingly absurd lengths to further that goal—like requiring 30 hours of debate time on a noncontroversial nominee after having just voted unanimously that debate on the nomination was unnecessary.

If our Democratic colleagues keep up this current rate of obstruction, only allowing about one confirmation every 3½ days, it will take the Senate almost 11½ years to confirm the remaining Presidential appointments that must come before us.

I will say that again. At this rate, it would take us nearly 11½ years to confirm the remaining Presidential appointments. That is why I say to my friends across the aisle, this near total obstruction simply cannot continue.

As the Democratic leader once said himself, ''Who in America doesn't think a president, Democrat or Republican, deserves his or her picks for who should run the agencies? Nobody.'' That is a direct quote from the Democratic leader.

He went on. He said: ''The American people deserve a functioning government, not gridlock.''

So I would again ask my friend the Democratic leader and his party to consider the consequences of their actions and chart a different path. That is the best outcome for the country and for the Senate.

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. SCHUMER. Madam 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.

HEALTHCARE LEGISLATION

Mr. SCHUMER. Madam President, yesterday my friend the majority leader announced he would be extending this work period by 2 weeks so the Republicans can have more time to finish their healthcare bill. With all due respect, time is not the issue. Two more weeks will not help Republicans fix this bill. Remember, the Republican leadership told everyone they would vote on the bill before July 4. Two weeks have gone by, and they don't seem any closer to having a bill that would actually improve healthcare in America. They seem even further away.

When you have a rotten product, time is not on your side. The longer you wait, the more people know about it, the fewer people like it, the less popular it is, and the harder it is to pass it. I don't even have to tell my good friend the leader that. He knows it.

I know why our colleagues are not so unhappy about what the leader said. We know why our Republican colleagues don't want to go home. They don't want to face the wrath of their constituents. If I were a Republican, I wouldn't want to go home either. I wouldn't want to face my constituents and try to defend this deeply unpopular and damaging bill.

Now, the most significant change proposed to their legislation over the course of 2 weeks is an amendment by the junior Senator from Texas that would actually make the bill worse. By allowing insurers to sell cutrate plans that cover very few services, the Cruz amendment creates a very dangerous bait and switch. The bait is that the premiums would come down for a bit for some because insurance will not have to cover very much, and the switch is that deductibles and copays go way up to make up even more than the difference. Under the Cruz amendment, you could be paying a monthly premium for a healthcare insurance plan so threadbare, with a deductible so high that you will not get any benefit. For many, a Cruz policy could be worse than none at all. The Cruz policy leads to junk insurance, something nobody really wants, except maybe a few insurance companies.

Ironically, the Cruz amendment would cause exactly the kind of death spiral my Republican friends keep talking about. A group of patient advocates, including the AARP, the Cancer Action Network, and the American Heart Association—these are hardly political groups; these are patient advocates—said that if the Cruz amendment passed, ''younger and healthier individuals would be allowed to purchase non-ACA compliant plans that have lower premiums but fewer benefits.''

> Without the younger, healthier people in the risk pool, the premiums for ACA-compliant plans would rise quickly and significantly. This same kind of risk pool segmentation occurred prior to the enactment of the ACA when 35 states operated high-risk pools . . . In that experience, most of those states . . . were forced to limit enrollment, reduce benefits, create waiting lists, and raise premiums and out-of-pocket costs to the point of unaffordability. Millions of patients lacked access to care and treatment.

That is not CHUCK SCHUMER, the minority leader, talking. That is the AARP, the Cancer Action Network, and the American Heart Association. Again, those groups said about the Cruz plan that it would ''limit enrollment, reduce benefits, create waiting lists, and raise premiums and out-of-pocket costs to the point of unaffordability,'' because the Cruz plan is very similar to what we had before the ACA. Even the conservative American Action Forum said the Cruz amendment is ''the definition of a death spiral.'' Higher costs, less care, waiting lists, death spirals—that is the Cruz amendment in a nutshell. How many are going to vote for that?

That is the most significant change Republicans came up with after an extra 2 weeks on the bill. Imagine, if they have another 2 weeks, what they will come up with.

My friends on the other side of the aisle should have no illusions. They can't distract our attention from this bill by phony complaints over nominations or any other issue. More time is not going to solve their problem on healthcare. It is much deeper than that. The problem is the substance of

the bill, which so cruelly exchanges healthcare for working Americans for a massive tax cut for the very wealthy.

The idea is so backward that the American people have revolted against this legislation. Even in the deeply conservative parts of my State, where I have met with my constituents, there is a revulsion to this bill. I am not surprised that some polls say that only 12 percent of Americans support it.

There is no fixing a bill as broken as this one. There is no tweaking a bill as fundamentally flawed as this one. An amended bill that only kicks 15 or 17 or 20 million Americans off their insurance, though less than the last CBO estimate, would still be a moral travesty. An amended bill that gives a slightly smaller tax break to the wealthy while still cutting Medicaid to the bone would still be gravely worse than the status quo. The only answer for my Republican friends is simple: Start over. Abandon cuts to Medicaid, abandon tax breaks for the wealthy, and abandon this one-party approach.

Democrats want to work with our Republican colleagues to actually improve our healthcare system, and, it turns out, that is what the American people want as well.

The Kaiser Family Foundation found that 71 percent of Americans favor a bipartisan effort to improve our healthcare system, as opposed to the Republican's partisan effort. That is, again, that 71 percent favor a bipartisan effort—72 percent of Independents and even 46 percent of Trump supporters.

When will my Republican colleagues start listening to the American people? Start over, drop this partisan process and this devastating bill, and work with us. We are willing to stay 2 weeks, 2 months, or 2 years to get a good healthcare bill for the American people, but we should be included in the process.

NET NEUTRALITY

Mr. SCHUMER. Madam President, today is the net neutrality day of action. So I wanted to add a few words to this issue.

We depend on a free and open internet to spur innovation and job creation, and our economy works best when innovators, entrepreneurs, and businesses of all sizes compete on a level playing field. Net neutrality, very simply, says that everyone—consumers, small businesses, startups—deserve the same access to and quality of internet as big corporations.

When I was growing up in Brooklyn, my father owned a small exterminating business. If his competitor down the street had received preferred electricity service, he would have been rightly outraged, and the law would have protected him from that unfair treatment. We don't reserve certain highways for a single trucking company, and we don't limit phone service to hand-picked stores. We shouldn't reserve high-speed internet for a favored few corporations, either, and that was the basis of the FCC's decision to preserve net neutrality back in 2015.

Now, of course, conservative and industry interests see an opportunity to roll back these protections and free access to a free and open internet in order to favor powerful corporations. That seems to be what they want.

President Trump's appointee to the FCC, Chairman Ajit Pai, has already taken several actions to undercut fair internet access. In his first 2 weeks on the job, Chairman Pai stopped nine companies from providing discounted high-speed internet to low-income individuals, and he jammed through nearly a dozen industry-backed actions, including some to begin curtailing net neutrality.

Once again, this administration favors the big, wealthy, special corporate interests over the average American. The American people should realize that is what the Trump administration is doing time and again. They talk like they are for working people, but when it comes to actions like this one on net neutrality, they favor the big special interests that, Mr. and Mrs. American Consumer, are going to make sure that in many instances you pay more. It is another example of the Trump administration sticking up for big corporations and special interests to the detriment of the people and small businesses—exactly the opposite of what President Trump promised in his campaign.

The Open Internet Order is working well, and it should remain undisturbed. If President Trump and Chairman Pai proceed down the path of dismantling net neutrality, they can expect a wall of resistance from Senate Democrats. We will fight tooth and nail to protect fair and equal internet access for all Americans. President Trump, our Republican colleagues, and Chairman Pai can expect a wall of resistance from the American people, as well, who are already making their voices heard in record numbers. So far, over 6 million—6 million—Americans have sent comments to the FCC on this issue. The fight has just begun, and we will not let up until the FCC abandons its wrong-headed plans.

I yield the floor.

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 to resume consideration of the Nye nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of David C. Nye, of Idaho, to be United States District Judge for the District of Idaho.

The PRESIDING OFFICER. All postcloture time is expired.

The question is, Will the Senate advise and consent to the Nye nomination?

Mr. SCHUMER. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

The result was announced—yeas 100, nays 0, as follows:

[Rollcall Vote No. 158 Ex.]

YEAS—100

Alexander	Franken	Nelson
Baldwin	Gardner	Paul
Barrasso	Gillibrand	Perdue
Bennet	Graham	Peters
Blumenthal	Grassley	Portman
Blunt	Harris	Reed
Booker	Hassan	Risch
Boozman	Hatch	Roberts
Brown	Heinrich	Rounds
Burr	Heitkamp	Rubio
Cantwell	Heller	Sanders
Capito	Hirono	Sasse
Cardin	Hoeven	Schatz
Carper	Inhofe	Schumer
Casey	Isakson	Scott
Cassidy	Johnson	Shaheen
Cochran	Kaine	Shelby
Collins	Kennedy	Stabenow
Coons	King	Strange
Corker	Klobuchar	Sullivan
Cornyn	Lankford	Tester
Cortez Masto	Leahy	Thune
Cotton	Lee	Tillis
Crapo	Manchin	Toomey
Cruz	Markey	Udall
Daines	McCain	Van Hollen
Donnelly	McCaskill	Warner
Duckworth	McConnell	Warren
Durbin	Menendez	Whitehouse
Enzi	Merkley	Wicker
Ernst	Moran	Wyden
Feinstein	Murkowski	Young
Fischer	Murphy	
Flake	Murray	

The nomination was confirmed.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, I ask unanimous consent that with respect to the Nye nomination, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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 assistant bill 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 William Francis Hagerty IV, of Tennessee, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

Mitch McConnell, Chuck Grassley, Deb Fischer, Steve Daines, Luther Strange, Bob Corker, Thom Tillis, Tom Cotton, Tim Scott, Johnny Isakson, Richard C. Shelby, Michael B. Enzi, Richard Burr, John Hoeven, David Perdue, Roy Blunt, Todd Young.

The PRESIDING OFFICER (Mr. TILLIS). 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 William Francis Hagerty IV, of Tennessee, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant bill clerk called the roll.

The yeas and nays resulted—yeas 89, nays 11, as follows:

[Rollcall Vote No. 159 Ex.]

YEAS—89

Alexander	Feinstein	Murphy
Baldwin	Fischer	Murray
Barrasso	Flake	Nelson
Bennet	Franken	Paul
Blumenthal	Gardner	Perdue
Blunt	Graham	Portman
Boozman	Grassley	Reed
Brown	Hassan	Risch
Burr	Hatch	Roberts
Cantwell	Heitkamp	Rounds
Capito	Heller	Rubio
Cardin	Hoeven	Sasse
Carper	Inhofe	Schatz
Casey	Isakson	Schumer
Cassidy	Johnson	Scott
Cochran	Kaine	Shaheen
Collins	Kennedy	Shelby
Coons	King	Strange
Corker	Klobuchar	Sullivan
Cornyn	Lankford	Tester
Cortez Masto	Leahy	Thune
Cotton	Lee	Tillis
Crapo	Manchin	Toomey
Cruz	Markey	Van Hollen
Daines	McCain	Warner
Donnelly	McCaskill	Whitehouse
Duckworth	McConnell	Wicker
Durbin	Menendez	Wyden
Enzi	Moran	Young
Ernst	Murkowski	

NAYS—11

Booker	Hirono	Stabenow
Gillibrand	Merkley	Udall
Harris	Peters	Warren
Heinrich	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 89, the nays are 11.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of William Francis Hagerty IV, of Tennessee, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Japan.

The PRESIDING OFFICER. The Senator from Wyoming.

HEALTHCARE LEGISLATION

Mr. BARRASSO. Mr. President, I come to the floor today to talk about what I saw happen over the Fourth of July in Wyoming while visiting with people, visiting with patients, doctors, and nurses. What I am seeing is that the pain of ObamaCare continues to worsen. The healthcare crisis we are seeing across this country continues to grow. The crisis is rising, the choices are disappearing, and the American people are desperate for Congress to step in and do something to help rescue them from the rising costs and collapsing choices of the Obama healthcare law.

It is interesting. When the Democrats passed ObamaCare, the Democratic leader at the time, Harry Reid, said that we would all get an ''earful of wonderment and happiness.'' Those were his words about how great the law was. Well, every weekend at home in Wyoming and I am sure in the Presiding Officer's State of North Carolina, we get an earful, too, and it is not about wonderment and happiness over ObamaCare. What I hear from patients, doctors, and nurses at home is that ObamaCare is hurting them, hurting our communities, hurting our State. I hear about the rise in premiums. I hear about the declining number of options, the collapse of ObamaCare. We have one choice in Wyoming. We used to have two. Both lost money in spite of very high premiums. What we saw is that one ended up going out of business, and the one we have in business—the only one we have—is still losing money.

We are fortunate because we have at least one provider providing coverage. There are now 40 counties across America where no one will be selling ObamaCare insurance next year—no one, not a single company will be selling ObamaCare insurance.

In Nevada, where prior Senator Harry Reid is from, only three counties are going to have anyone selling on the ObamaCare exchange—only three of the counties in the entire State, the State that Harry Reid represented in the Senate for many years. People living everywhere else in his home State will have I think one choice, maybe more, but in terms of these counties, no one is selling ObamaCare insurance at all. The State health insurance exchange put out a statement in his home State that said that the people living in the rest of the State face what they described as a healthcare crisis.

Democrats predicted wonderment and happiness about ObamaCare, but there is a healthcare crisis all across the country. People in that State are going to have no access to the insurance plans the Democrats promised them under ObamaCare. A lot of Americans are not much better off or in better shape right now.

There was a headline in the Independence Day edition of USA TODAY that said ''1,370-plus counties have only one ACA insurer.'' The article was about a study that was done by the Robert Wood Johnson Foundation. They found that people living in 1,300 counties have no choice when it comes to the ObamaCare plan; there is just one company offering the mandated coverage. Washington says you have to buy it; not many people want to sell it. Washington doesn't seem to care.

Democrats don't seem to care about the fact that what they promised was a marketplace and what we have ended up with is a monopoly. Remember when Democrats promised there would be more competition? Essentially there is none. When there is none, we end up with less competition and generally with higher prices, which is what people across the country are seeing. Prices have essentially doubled in ObamaCare marketplaces over the last 4 years. That is why a lot of people are finding out that while they may still have access to coverage, it is so expensive, they can't afford to buy it—because they are down to one choice.

Health insurance companies keep releasing information about how much higher they expect rates to go next year, which continues to be a problem. I have seen the headlines. ''Another ObamaCare Rate Shock.''

Look at what is happening in Tennessee. Earlier this year, Aetna and Humana both said they were dropping out of ObamaCare exchanges completely. Cigna is one of the last big companies that are still willing to sell these plans. Well, they say they are going to have to raise premiums by 42 percent next year.

Look at what is happening in Georgia, just across the border from Tennessee. Blue Cross Blue Shield is asking for an average rate hike of 41 percent in Georgia. The Atlanta Journal-Constitution had an article about it just last week. They said Blue Cross might charge as much as 75 percent more for one plan next year. That is ObamaCare.

Remember President Obama saying that if you like your plan, you can keep your plan? Those plans are gone.

Remember President Obama saying that rates would drop by $2,500 a year for people? That is not what we saw. What we are seeing is what is continuing today.

The Atlanta Journal-Constitution is saying that Blue Cross Blue Shield may charge as much as 75 percent more next year. They quoted one man as saying: ''That's a breath taker.'' Another woman quoted in the article responded to these price increases by saying simply ''Yikes!'' That is what people are facing all across the country.

I remember President Obama, leaving office, forcefully defending it and being proud. There is very little to be proud of here.

People all across America are having the exact same reaction as they see how much their own insurance companies are raising their rates all across the country. That is not the wonderment and happiness the Democrats said we would be hearing about when this was passed. The high prices are a big

reason so many people are dropping their insurance coverage. They can't afford it. The people most likely to drop out, we find out, are, of course, the young people.

Gallup came out with the results of a recent survey on Monday, just 2 days ago, with big headlines all across the country. What they found is that 2 million fewer Americans, under ObamaCare, have insurance today than they did at the end of last year, just 6 months ago. There have been 2 million fewer over the last 6 months.

So, in just 6 months, 2 million people have gone off insurance. Most of them are young, and according to the survey by Gallup, they basically say they dropped it because it was just too expensive. They do not feel that they are getting value for their money. These 2 million people are not talking about the wonderment and happiness of ObamaCare. They are just leaving it behind.

Democrats said people would love ObamaCare. They said ObamaCare would bring down prices. It has not. They said it would increase competition, but they did not get that one right either. None of this is happening. Now the Democrats are starting to say that having Washington-mandated health insurance is not enough. They say we need health insurance to be run entirely by Washington. Apparently, they did not learn the lesson that said that the Washington-mandated insurance—having to buy a Washington product—would be good enough. Now they are recognizing that it is not good enough. They are saying that we need Washington in charge of all of it.

They call it single-payer healthcare, but let's talk about what it is. It is government-controlled healthcare—government-mandated, government-controlled, government-run, one-size-fits-all healthcare. It is a single payer, with the American taxpayers paying the bill.

We see what happened in California when its legislature passed a similar thing in the State senate. They asked: What is the cost? $400 billion. What is the budget of the entire State of California? $190 billion. So what they proposed in the State senate has passed in the State of California and costs twice what the entire budget is in the State of California. To give what the people of California have been promised by the State senate, they are going to have to raise taxes on people, and then you will get the rationing of care and the lines and the waiting time. It is what happens around the world with government-mandated, government-run insurance. We see that in Canada, and we see that in England.

I was practicing medicine prior to coming here to the Senate. I was an orthopedic surgeon in Wyoming. I knew we needed to do healthcare reform, but ObamaCare was the very wrong reform. Democrats were wrong then, and all of the talk about government-run healthcare is wrong today—wrong today for the people of this country.

Look, we understand that we need a better solution than ObamaCare. That is what I hear about every weekend in Wyoming. We need to put patients in charge, not the government. With the Democrats and the speeches they are giving and the bills that have been cosponsored in the House by a majority of the Democrats, they want to put the government solely in charge of healthcare in this country.

We need to have people at home making their own decisions, making their own choices, and not have Washington, DC, imposing its one-size-fits-all approach. We need to give people options, not mandates. People deserve choices. That is what the American people want. That is what Democrats promised years ago, but they never delivered. That is what Republicans are committed to giving the American people today—doing it now so that patients can get the healthcare they need from doctors whom they choose and at lower costs so that patients can make the decisions, not Washington. That is where we are today as we continue to debate and discuss healthcare in this country at this time.

Just coming back from Wyoming, I visited with many folks—many former patients, a number of doctors whom I had worked with over the years, and nurses. I was at several hospitals. I just heard, unilaterally, across the State of Wyoming that ObamaCare continues to be a burden on the people of the State. They want freedom. They want choice. They want flexibility. They want to make decisions for themselves, not have Washington dictate to them and, certainly, not have government controlling healthcare in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. MURPHY. Mr. President, I have had the good fortune of being in both the House and the Senate during the period of passage and implementation of the Affordable Care Act and now the debate over repeal, and I have heard consistently from my Republican colleagues two things. One is that they did not think the Affordable Care Act was the right approach to fixing the problems of America's healthcare system. There were 60-some odd times that the House or the Senate voted to repeal all or parts of the Affordable Care Act. The second thing I heard consistently over that period of time, dating from 2009, is that the Republicans were prepared to offer a replacement to the Affordable Care Act that would be better, that would be an improvement over the Affordable Care Act—indeed, over the status of the American healthcare system when the Affordable Care Act was passed. The ground has shifted mightily since then.

The Congressional Budget Office tells us that, under the Republican plan either passed in the House or in the Senate, a humanitarian catastrophe will result in this country. Tens of millions of people would lose their healthcare. That is not what Republicans said their replacement would do. They said their replacement would be better than the Affordable Care Act.

The CBO says that rates will go up immediately by 20 percent on almost everybody. Then, after that, if you are young and healthy, rates will probably go down, but for everybody else, the amount of money you have to pay in premiums, copays, and deductibles will go up. There is nothing in the Republicans' bill about cost—nothing that addresses the underlying issues with an American healthcare system that, procedure by procedure, costs twice as much as in most other countries—and nothing about quality. There is not a single provision in the bill that encourages higher quality.

As we get ready for Republican repeal bill 3.0 or 4.0—whatever this next version will be that will be released secretly to Republicans tomorrow—I think it is just worth reminding everybody what Republicans said would happen. I will just use our President's words. I understand that many of my Republican colleagues here do not ascribe to all of the beliefs and statements of our President, but he is the leader of the Republican Party. All of my colleagues did support him, and they stood with him in the House of Representatives, arm in arm, when they passed the Republican House's repeal and replacement bill.

President Trump wrote this:

> I was the first and only potential GOP candidate to state there will be no cuts to Social Security, Medicare, and Medicaid. Huckabee copied me.

So no cuts to Medicaid was the promise. Yet the bill that the President has endorsed and is trying to help Leader MCCONNELL push through the Senate involves debilitating cuts to Medicaid—$700 billion to $800 billion worth of cuts to Medicaid—resulting in millions of people being pushed off of that benefit. The cut to the State of Connecticut would be $3 billion. We are a tiny State. Our Medicaid Program is somewhere in the neighborhood of $8 billion. We would lose $3 billion of that. The promise was that we would not cut Medicaid. This bill cuts Medicaid.

President Trump wrote:

> If our healthcare plan is approved, you will see real healthcare, and premiums will start tumbling down. ObamaCare is in a death spiral!

There is always one long sentence and then one very short sentence.

Here are the two claims: ''Premiums will start tumbling down.'' That has been the promise, and that has been a consistent promise—that costs will go down if the Affordable Care Act is repealed and replaced with a Republican plan. The CBO debunks this from beginning to end. It says that premiums will go up. They will start tumbling upwards immediately at rates of 20 percent. If you are older or if you have any history of preexisting conditions, your premiums will continue to go up. The danger, of course, is in thinking

that the only thing that you pay in the healthcare system is premiums. I could pretty easily construct a healthcare reform proposal in which your premium would go dramatically down. How would I do that? I would just shift all of the payments onto deductibles, onto copays, and I would give you nothing with regard to the actuarial benefit of the plan. It is easy to get premiums to go down if you do not care about what you are actually covering and the size of your deductibles and the size of your copays.

Then, ''ObamaCare is in a death spiral!'' The CBO debunks that as well. The CBO says that, if you leave the Affordable Care Act in place over the course of the next 10 years, 2 or 3 million people will lose healthcare insurance. If you pass the Republicans' healthcare bill, that is where the death spiral occurs. There are 23 million people who will lose insurance if you pass the Republicans' bill, but 2 to 3 million people will lose insurance if you do not pass it.

Again, President Trump writes:

> Healthcare plan is on its way. Will have much lower premiums and deductibles—

Here, he is making a commitment on deductibles. Once again, the Congressional Budget Office says that premiums will go up and deductibles will go up, especially for individuals who are older or individuals with preexisting conditions—

> while at the same time taking care of pre-existing conditions!

This bill does not take care of people with preexisting conditions. Why? Because it allows for any State to allow insurance companies to get out from the minimum benefits requirement. If you have cancer, technically, the Senate Republicans' bill says that you cannot be charged more, but you may not be able to find a plan that covers cancer treatments. So that is not protecting people with preexisting conditions. The CBO says this specifically. It says that, especially for people with preexisting mental illness and preexisting addiction, they will be priced out of the marketplace because they will not find plans that cover their illnesses. You cannot just protect people with preexisting conditions by saying that insurance plans have to cover them. You actually have to require insurance plans to offer the medical benefit they need.

Once again:

> Our healthcare plan will lower premiums and deductibles—and be great healthcare!
>
> Insurance companies are fleeing ObamaCare—it is dead.

I have already covered the part about premiums and deductibles, but let's remember that insurance companies were not fleeing ObamaCare until President Trump was sworn into office. The period of open enrollment covered a period prior to his inauguration and a period after his inauguration. Before President Trump's inauguration, open enrollment was on pace to enroll a record number of Americans in exchange plans and Medicaid plans—record enrollment. Enrollment fell off a cliff after President Trump was sworn into office and signed an Executive order that told all of his agencies to unwind the Affordable Care Act. People listened to President Trump, who said that he was going to kill the Affordable Care Act, and they stopped signing up for those plans.

It got worse when he refused to pay insurance companies. Right now, the President will not commit to paying cost-sharing subsidies to insurance companies more than 30 days ahead of time. He stopped enforcing the individual mandate, and it is no surprise that insurance companies are saying they do not want to participate in these exchanges because the President is trying to kill them. He has made it very clear from day one.

I have had the benefit of being on the floor a number of times with Senator BARRASSO, who often came down to the floor, following my remarks, during the period of the implementation of the Affordable Care Act. I heard him talk about the fact that there will be freedom for Americans to have or not to have insurance if this piece of legislation is passed. It is a wonderful idea that people will be free to not be able to afford insurance. The reality is that, yes, some individuals buy insurance today because they are compelled to by the individual mandate, but there is a reason for that. If you do not compel people to buy insurance who are healthy, then you cannot protect people who are sick.

I sat where the Presiding Officer is during Senator CRUZ's 24-hour filibuster. In the middle of that filibuster, he said exactly that. Senator CRUZ, in the middle of the his filibuster, said that we all understand that you have to have the individual mandate in order to prohibit companies from charging higher premiums for people who are sick, and my Republican colleagues know that because they kept the individual mandate in their bill.

So this nonsense about no one's being required to buy insurance is belied by the text of the legislation we are considering. There is a mandate in this bill. There is a penalty in this bill. It is just a far meaner and crueler penalty than was included in the Affordable Care Act.

What do I mean by that?

So the Affordable Care Act doesn't mandate that you buy insurance in the sense that if you don't buy it, you will be locked up in jail; it says that if you don't buy insurance, you will pay a penalty on your income tax. If you don't buy insurance, there will be a penalty.

That is exactly what the Republican Senate bill says. It says that if you don't buy insurance, you will incur a penalty. In their bill, the penalty is that you will be locked out of buying insurance for 6 months. If you are sick, or even, frankly, if you are healthy and you need to go see a doctor for something, you will have to pay for that out of your pocket for those 6 months. If you are sick, and you have a serious condition and you are legally refused healthcare because of this legislation, the consequences could be dire, but whatever the scope of the consequences, it is still a penalty, just like there was a penalty in the bill that the Democrats supported and passed in 2009 and 2010.

So it is just not true to say that now Americans have the freedom not to have healthcare. You don't because you are going to be penalized if you let your health insurance lapse. If you don't make payments for a couple months, you are locked out of the insurance market. That is just a different kind of penalty than the one that is in our bill.

The truth is that while I admit there are some people who buy insurance today because they fear that penalty, it is necessary, as Republicans realize, in order to make sure the markets don't spiral out of control, because if you say that you can't charge people with preexisting conditions more and you don't require healthy people to buy insurance, then why would any healthy person buy insurance? They will just wait until they are sick because they know that once they are sick and need very expensive care, they can't be charged any more for it.

The nature of insurance is that people who have the good fortune to be healthy or to be free of accident or natural disaster subsidize individuals who are not so fortunate—who are sick, who do have an accident occur to their home or who are subject to a natural disaster. That is how insurance works.

Republicans realize that because they put a penalty in their bill, but for as many people who buy insurance because they are forced to, most people buy insurance because they want it because they recognize it is better to have insurance in the case that they or a loved one gets sick, and that is whom we are talking about here. Of the 23 million who lose insurance, according to CBO, under the Republican bill, millions and millions of those are those people who want insurance but will not be able to get it because they are priced out by the Republican bill. I can see there will be some people who will make that choice, but there will be millions more who had insurance today who will not be able to get it moving forward.

As Republicans finish up this latest round of secret negotiations, I just want to make sure we are on the same page about what this bill does. It mandates that you buy insurance, just in a different way. It has a penalty just like the Affordable Care Act has a penalty.

I want to make sure we remember what Republicans stated as their goals for this replacement. The goals were that the system would be better, but by every single metric, this proposal will result in worse healthcare for people. Less people will have insurance. Rates

will go up for everyone except for young, healthy people. Costs will continue to spiral out of control, and no additional measures will be taken to make quality better. Every single problem that Republicans address in the existing healthcare system gets worse.

Senator BARRASSO complains mercilessly about these exchanges. CBO says the exchanges will shed even more people. The costs will go even higher. Senator CORNYN regularly tweets out that the Affordable Care Act still left 28 million people uninsured, but this bill you are debating will double the number of people who don't have insurance.

For all of my Republican colleagues who rightly come to the floor and talk about the fact that the cost is too high for individuals in our system, there is not a single provision in this bill that deals with the actual cost of the service, of the procedure, of the visit, of the surgery.

I am deeply worried that this next version of the Republican repeal and replace bill will result in premiums going up by 15 percent and only 17 million Americans losing healthcare and it will be declared a victory, but that is not what Republicans promised. They promised to repeal the Affordable Care Act and replace it with something that is better, not something that is less bad than the original version of the replacement plan they introduced.

I think the reason that to many people it appears this bill is falling apart is because when my colleagues went home this weekend, they heard an earful from their constituents—from real folks who will be affected by this piece of legislation.

Alison is 28 years old. She is from Milford, CT. She was in my office this week. She came to DC this week, she and her boyfriend, I think—I don't want to ascribe an engagement to them that is not true; I think her boyfriend. They came down here this week. They were supposed to be on vacation this week, and they decided to spend some of their vacation coming to Washington so Alison could tell her story to Members of Congress.

When she was 9 years old, she was diagnosed with a rare liver disease. At the time, she and her family were told that they would need to find a liver transplant in roughly 10 years or she wouldn't survive.

At the start of her sophomore year at Sacred Heart University in Connecticut, she was starting to have symptoms of a condition that results from a buildup of ammonia in her brain. She was having a hard time concentrating, abdominal pain, nose bleeds, nausea, vomiting, and joint pain. Her doctor said it was time for her to get that transplant, that she was at that critical moment when she needed it.

Unfortunately, none of her family or 8 other candidates—friends, I think, of the family—were a match. So in desperation, her parents wrote an email and just sent it out to people who lived in Trumbull and in the Sacred Heart University community. From that email, an anonymous young man stepped forward. He was tested and determined to be a match. The surgery was a success. When she walked on stage to receive her diploma from Sacred Heart University, she was joined by that anonymous donor, and her fellow graduates gave her a standing ovation.

Now, her family was lucky because she had insurance through her father. She is, because of the Affordable Care Act, allowed to do that, at the time being under 26 years old. Her insurance paid for virtually everything that was necessary, but, she says, had my dad not had the healthcare benefits he did, I know my family would not be in the place we are today because my parents would have lost everything they worked so hard for. There was no way we could have afforded to pay for all of those burdens.

Today she worries that if this bill is passed, she, as a young woman with a preexisting condition, will be destined to a life of discrimination because she may not be able to find a plan that covers her condition because of the withdrawal of protection with respect to the minimum benefits requirements. Even in Connecticut, she is vulnerable to that withdrawal of protection, not because Connecticut is likely to allow insurance plans to offer coverage that doesn't include the minimum benefits but because if you work for a big company, and even if you are housed in Connecticut, if that company anchors their plan in a State that does strip away the insurance protections, then you lose the protections even as a resident of Connecticut.

Alison is now a nurse in the neonatal intensive care unit at Yale University Children's Hospital. She is contributing in a big way to our State and to the healthcare system. Yet she is living in fear of this legislation being passed. So she took some of her vacation to come to Washington to share her story with us.

I am with Senator COLLINS. I think the Republicans should scrap this garbage piece of legislation. I hope they understand our offer is sincere—it is not political—that Democrats do want to sit down with Republicans and try to provide some reasonable fix to what still ails our healthcare system.

I will end with this thought: It doesn't have to be like this. Healthcare does not have to be a political football that is just tossed from one side to the other every 10 years. That is what has been happening here for my entire political lifetime. I was elected to Congress in 2006, in part because of the tempest of popular frustration with the way in which Republicans passed the 2003 Medicare Modernization Act, which included the new prescription drug benefit that Democrats saw—and sold—as a giveaway to the drug and insurance industries. Democrats used healthcare as a political cudgel to bludgeon Republicans after the 2003 Medicare Modernization Act. Its implementation was very rocky, just as the implementation of the Affordable Care Act was. The Democrats used it against Republicans.

In 2009, it was the Republicans' turn to bludgeon Democrats. Democrats lost a lot of seats in 2010, in part because Republicans used the passage of the Affordable Care Act to politically harm Democrats. Now, once again, it is the Democrats' turn to politically bludgeon Republicans.

Whether this bill passes or not, the fact that Republicans have walked out on a plank with a partisan piece of legislation that takes insurance from 23 million people across the country and, as every poll shows, is widely unpopular will be a political liability for Republicans.

What if we decided to stop tossing healthcare back and forth? What if we decided to jointly own one-fifth of our economy? What if we decided to sit down and give a little bit, from our side to yours, from your side to ours? What if I said that I understood you cared about flexibility in these marketplaces, that I understood your desire for more flexibility for Governors and State legislatures under Medicaid? What if you said you understood our interest in providing long-term stability in these marketplaces, that you understood our desire to try to get at some of the costs of the actual services and devices and prescription drugs that are sold? What if we sat down and fixed the things that aren't working, kept the things that are working, and held hands together and said that we are going to jointly own the American healthcare system?

It would leave plenty of things to fight over. There would still be no shortage of disagreements that we could run elections on. Whether it be immigration or taxes or minimum wage, there will still be lots of things we could disagree on, but for as long as I have been in politics, this issue has just been thrown back and forth, to hurt Democrats, to hurt Republicans. In the process, we have injected so much uncertainty into the healthcare system and into the economy at large, that we make it impossible for private sector reform to take hold.

Hospitals and healthcare providers have been doing really innovative things since the Affordable Care Act went into effect because they got a signal from the Federal Government that we wanted them to start building big coordinated systems of care, that we were going to reward outcomes rather than volume. So they started making all of these big changes, and then, about a year ago, they stopped because Republicans said they were going to blow up that model and pass something new. We frustrated innovation because we telegraphed that healthcare policy is just going to ping-pong back and forth between left and right. We hurt ourselves politically, we frustrate the

private sector innovation, and get no benefit to us on the economy.

My offer, and I think the offer from most of my colleagues, is sincere. If my Republican friends do choose to throw away this piece of legislation because it doesn't comport with the goals that Republicans have long said were at the heart of their effort to repeal this bill, there is an important bipartisan conversation about keeping what is working in our healthcare system and admitting together that there are big things that aren't working and fixing them together.

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. MERKLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. COTTON). Without objection, it is so ordered.

Mr. MERKLEY. Mr. President, the most important three words in our Constitution are the first three words: ''We the People.''

Our Founders chose to write those words in supersized font so that we could, from some distance away, know exactly what the mission statement was. Their goal wasn't to write a structure for government that would repeat the governments of, by, and for the powerful of Europe but to pursue differently a vision in which the will of the people would be enacted; that government would work not just for the benefit of the citizens at large but also empowered by the citizens at large. This is a vision we have been very concerned about as we see the influence of the concentration of money in American politics.

Indeed, we have five members of the Supreme Court who don't understand the basic, fundamental nature of the first three words of our Constitution. They adopted a court case, Citizens United, which was the opposite of the vision of our Constitution. That vision was articulated by Thomas Jefferson, who said that the will of the people will be enacted only if each and every citizen has an equal voice. But Citizens United gives a dramatic, stadium-sized megaphone to the individuals who are the richest and most powerful in the country, at odds with that fundamental vision that Lincoln so well summarized as government of, by, and for the people.

We have certainly seen the case of government by and for the powerful in the context of the recent TrumpCare bill—the Senate version thereof—crafted in secret by 13 of my colleagues from across the aisle, hiding from the press, hiding from the healthcare stakeholders and experts, hiding from their own citizens. In fact, during this last break, of the 52 Members of the Republican caucus, apparently—reportedly—only a couple had townhalls because they were terrified of what their citizens would say about the bill they have been crafting in secret—the secret 13.

This bill is also known as the zero, zero, zero bill—zero committee meetings, zero amendments considered in committee, zero months of opportunity for Senators to go back and consult with their citizens back in their home States.

Then what do we find as a result of this secret process of government by and for the powerful? A bill to rip healthcare from 22 million Americans in order to deliver hundreds of billions of dollars to the richest Americans. In fact, if you want to summarize it, you can say that this bill gives $33 billion—not $33,000, not $33 million but $33 billion—to the richest 400 Americans while ripping healthcare away from 700,000. That is the number who could be funded by that same $33 billion. That would cover all of the Medicaid recipients in Alaska and Arkansas and West Virginia and Nevada. This has incredibly grave consequences for the peace of mind and the quality of life for these millions of Americans. It rips $772 billion out of Medicaid.

We know the Medicaid expansion in Oregon has enabled 400,000 people to acquire healthcare in my home State—400,000. If they were holding hands, they would stretch from the Pacific Ocean to the State of Idaho, across the entire east-west breadth of my State.

Think about how much of an impact this has on rural Americans. One out of three Oregonians in rural Oregon are on the Oregon Health Plan, Oregon's Medicaid Program. It has a big impact on our seniors—our seniors in long-term care.

Oregon is a leader in helping families, helping individuals stay in their homes as their healthcare deteriorates. But when they can no longer stay in their home because of the extensive nature of their care, many then are, through Medicaid, able to go and get care—long-term care—in a nursing home. That long-term care, paid for by the Oregon Health Plan, covers about 60 percent of the individuals in long-term care, but in rural Oregon, it is much higher.

I was in Klamath Falls at a nursing home. I was citing the national statistic, 60 percent, and the head of the nursing home said: Senator, here, it is virtually 100 percent.

I looked at those residents down that long hallway who needed intensive nursing healthcare, and one woman asked why I was there. Her name was Deborah. When I explained it, she said: I am paid for by Medicaid. If Medicaid goes away, I am out on the street. That is a problem because I can't walk.

It is not just a problem for Deborah. It is a problem for all of our residents in long-term care who need extensive nursing care. It is a challenge. It is a real challenge. It is a real problem for our mothers. One out of three women in maternity care are paid for by Medicaid. Don't we want our children to get a good, strong start in life? Don't we want maternity care from the moment a woman knows she is expecting a child? Don't we want that? Then why do so many of my colleagues support a bill to tear that care away from our expecting mothers?

It is a problem for our older Americans, our older Americans whose rates would go way up. For example, a man who is 60 years old, earning $20,000 a year, who currently pays about $80 a month for healthcare—an affordable policy. Under the Republican TrumpCare bill, that would go to $570 a month.

I challenge my colleagues, find me someone earning $20,000 a year who can pay $570 a month for healthcare. Find that individual and defend your plan on the floor of the Senate as to why that isn't equivalent to just taking healthcare away from that individual.

Then, of course, we have the issue of preexisting conditions. People sometimes have an injury in high school football or maybe it is in softball or gymnastics or in wrestling that they carry with them their entire lives. Maybe it is something that develops further on in life. Maybe it is asthma, diabetes, or an episode of cancer. Now they have a preexisting condition. Under our old healthcare system, prior to 2009, 2010, they couldn't acquire insurance unless they were fortunate enough to get it through that job, which millions of Americans do not get it through their workplace. They were out in the cold, out on the ice.

Now we have this Republican TrumpCare bill. They want to throw those citizens back on the ice who have preexisting conditions, not their friends who are wealthy enough to buy healthcare on their own or heads of corporations who get big benefit packages—not them, no, just the struggling working Americans.

Don't we care about struggling working Americans? Aren't we a ''we the people'' nation, not a ''we the privileged'' nation? I encourage my colleagues to read up on the first three words of our Constitution and what it means.

Then we have the plan my colleague from Texas has presented. It is referred to as the Cruz amendment. The Cruz amendment—the Cruz amendment for fake insurance. It works like this. It says, if an insurance company provides one policy with extensive benefits—that is, benefits essential to ordinary healthcare like maternity care and the ability to go to a hospital, the ability to get a broken bone repaired, the ability to get affordable drugs, just the basics of healthcare—they have one policy with these essential benefits. They can offer policies that cover virtually nothing. These are known as fake insurance.

We have a President who likes to talk about fake news virtually every day. Why do we have a President who

hates fake news but loves fake insurance? Why do I have 52 colleagues here who apparently love fake insurance?

Here is what it does. It means the young and the healthy get those policies because they cost very little, and they make a bet that they aren't going to get hurt and they are not going to get sick. That means that those who are older and those who have preexisting conditions have to go for the policy that has those essential benefits, but now because only the older individuals and the sicker individuals are getting that policy, it is way beyond reach.

Earlier I described how a 60-year-old at $20,000 has a policy that increases seven times, from $80 a month to $570 a month. The Cruz amendment would make that much worse. It makes fake insurance for the young or the wealthy and unaffordable policies for those who are older and have preexisting conditions.

Our President said the House bill is mean, but the Senate bill is meaner. The House bill would knock 14 million people out of healthcare within a single year. The Senate bill, that is 15 million people.

The American Medical Association has long operated under the precept of, first, do no harm. Wouldn't that be a good principle for legislation on healthcare? Is it any wonder that the USA TODAY poll says only one out of eight Americans likes this Republican TrumpCare bill. We can turn to the PBS NewsHour poll, 17 percent. That is quite a small number of Americans who understand that ripping healthcare from 22 million people in order to give hundreds of billions of dollars to the richest Americans is one of the biggest takings this country has ever seen proposed and one that so deeply and profoundly damages the quality of life for these Americans.

Our Presidents—Republican and Democratic—over time have understood this. President Eisenhower said:

> Because the strength of our nation is in its people, their good health is a proper national concern; healthy Americans live more rewarding, more productive and happier lives.

He continued:

> Fortunately, the nation continues its advance in bettering the health of all its people.

Today, on the floor of the Senate, we have a different philosophy, not the Eisenhower strategy of advancing the bettering of the health of all of our people but in fact the Trump policy echoed by so many of my colleagues that is about destroying the healthcare for millions of people, taking us back in time to a place where peace of mind was missing for millions of Americans because they couldn't either afford healthcare or because their policies didn't cover anything. Other Presidents over time have weighed in with very similar sentiments to that which President Eisenhower put forward.

Let's hear it from the citizens back home. Kathryn, from Springfield, has battled cancer three times over the last 12 years. Kathryn says that during her last two bouts with cancer, in 2010 and 2011, she was ''blessed enough to have qualified for the Oregon Health Plan'' and that without it she would not be here today.

Indeed, healthcare coverage has been a blessing to so many. Let's not rip those blessings away.

Let's go to Beth in Bend and her 34-year-old son who is living with a rare genetic condition and relies on the Oregon Health Plan to survive. In 2012, doctors found tumors along his spine and areas of concern in his brain and his lungs. They are benign now but could turn into cancer at any time. Beth's son's life depends on regular, expensive MRIs to monitor them. He is only able to afford those MRIs because of the Oregon health plan.

As Beth says, ''If the ACA is repealed and replaced with TrumpCare, my son will most likely lose his current health insurance . . . the loss of access to affordable insurance is a potential death sentence for my son.''

Medical professionals like Caitlin, a nurse in Portland, tell us how significant this is, and she writes:

> With the passage of ObamaCare, I saw people were finally able to come and be seen by our medical teams. Often their disease processes were so advanced that we would have to take very extreme measures to try to halt or reverse these disease processes.
>
> But as time has passed, we're able to catch things sooner and people can actually go to primary care rather than waiting until it's a matter of life or death and having to be seen in the Emergency Department.

I am struck by Liz from Enterprise, who works at a clinic and told me that the clinic has expanded in this very small, remote town in Northeast Oregon from 20-something employees to 50-something employees. It has doubled in size, which means an incredible improvement in healthcare. She went on to say that they have been able to take on mental health as well, which they never were able to do before. Why could they afford to do this? Because the uncompensated care dropped so dramatically that their finances improved, and they were able to hire more staff.

Let's ask about John in Sherwood. John wrote about his grandmother. He lost his grandmother to Alzheimer's a few months ago, but thanks to the Oregon Health Plan, his grandmother was able to live in a nursing home and get the care she needed 24 hours a day right up until the end.

As John says, ''I'm forever thankful for the work of President Obama and Congress for passing the ACA. If they wouldn't have passed this bill, my grandmother wouldn't have gotten the care she needed from those great men and women at the nursing home.''

These stories go on forever. Over this last weekend, I did a series of townhalls in rural Oregon, parts of Oregon that would be painted red on a political map. I held those townhalls and then went to a series of other Main Street walks with mayors and small incorporated cities. What I heard everywhere I went—inviting the entire community to come to the townhall and talk—was enormous anxiety, enormous anxiety and disappointment that the leaders they are counting on here to make our healthcare system work better care more about giving more American tax dollars away to the richest Americans than they do about fundamental healthcare for struggling working families across our Nation.

Let's listen to those individuals. I know most of my colleagues didn't go home and listen to their constituents. As I mentioned, it has been reported that only a couple of my Republican colleagues held a townhall, even though this bill would affect them so profoundly. Still, their voices are echoing through this building, through the emails, through the phone calls, through the individuals who are coming and visiting our offices both here and back home. Let's listen to those voices. Let's be a ''we the people'' nation that works in partnership with the American people to make this world, this Nation, provide a foundation for every family to thrive.

That means we have to take an oak stick and pound it through the heart of TrumpCare and bury it 6 feet under and then work together in a bipartisan fashion. Think of all we could do. We know that when you strip away reinsurance, you destroy the market for insurance companies to go into new areas and compete. Let's restore that reinsurance.

We know that when the President holds on to the cost-share payments and will not say whether he is releasing them, our companies don't know how to price their policies, and they are dropping out of the exchanges across this Nation. County after county health insurance companies are fleeing because the President will not tell them whether he is releasing these cost-share payments. We can fix that.

We know we have a meth and opioid epidemic across this country. I have heard my colleagues on both sides say we have to take this on in a more courageous, more substantial fashion. We passed authorizing legislation, but let's put funds behind that. Let's do that, and let's take on the high cost of pharmaceuticals.

These four things we can do together. The country would love to see Democrats and Republicans working together to make our healthcare system work better. That is exactly what we should be doing in representing the citizens of the United States of America in a ''we the people'' democratic republic.

The PRESIDING OFFICER. The Senator from Utah.

TAX REFORM

Mr. HATCH. Mr. President, I rise to once again discuss the ongoing effort to reform our Nation's Tax Code. Over the past several years, I have come to the floor often to make the case for tax reform by highlighting the many shortcomings of our current tax system and

discussing the benefits we could reap by making the necessary changes.

Over the last years while I have been serving as chairman or the lead Republican on the Senate tax-writing committee—both as ranking member and as chairman—I have made tax reform my top priority, and right now, I believe there is more momentum in favor of tax reform than we have seen in decades.

To capitalize on that momentum, reform advocates like myself need to continue to make the case for updating and fixing our broken tax system. Toward that end, I intend to come to the floor often in the coming weeks and months to discuss various aspects of our tax system and make the case for reform. In my view, we need to go back to the drawing board and fundamentally rethink our entire tax system. This includes both the individual, as well as the business side of the tax ledger.

Today, I want to talk specifically about our Nation's business tax system, with a particular focus on the corporate tax.

Let's get the obvious out of the way first: The United States has the highest statutory corporate tax rate in the industrialized world. Looking at the effective corporate tax rates tells an equally gloomy story of the lack of American competitiveness. I will have more to say on that in a minute.

I know some like to rail on corporate America and claim they aren't paying their fair share, but the facts tell a different story. Companies doing business in the United States are saddled with statuary tax rates that are higher than any other industrialized country. This isn't just a Republican talking point; Members and commentators from both parties and across the ideological spectrum have acknowledged that this is the problem.

For example, just last year, former President Bill Clinton argued for a reduction in corporate tax rates, noting that he had urged for the corporate tax to be raised to 35 percent when he was President because ''it was precisely in the middle of OECD countries. It isn't anymore.''

Early in his Presidency, President Obama said: ''Our current corporate tax system is outdated, unfair, and inefficient.'' He also said that our corporate tax system ''hits companies that choose to stay in America with one of the highest tax rates in the world.'' I might add, he did nothing about it, though.

In addition, my counterpart on the Senate Finance Committee, Senator WYDEN, has introduced legislation that would reduce corporate tax rates by more than 10 percent.

In a Finance Committee report in 2015 on international tax reform, put out by a working group cochaired by my friends and colleagues Senators PORTMAN and SCHUMER, it was clearly stated that ''no matter what jurisdiction a U.S. multinational company is competing in, it is at a competitive disadvantage.''

There are plenty of other examples of prominent Democrats who recognized the impact of our obnoxiously high corporate tax rate.

I want to turn back to Bill Clinton's point, though, because it is an important one. We must always remember that businesses are, by and large, rational actors, making decisions based on what will help grow their business and what will cause their businesses to stagnate or move backward. Such decisions inevitably include where a company will do business and where it will be incorporated.

According to the Organization for Economic Cooperation and Development, or OECD, businesses contemplating investment and other similar matters—especially incorporation in the United States—must first come to terms with the largest combined corporate tax rate among OECD member countries, which is currently at 39.1 percent.

Some of my friends on the other side of the aisle like to counter these inconvenient facts by acknowledging the difference between effective tax rates, which are rates after accounting for deductions and credits, and statutory tax rates. Of course, even when taking those differences into account and focusing solely on effective rates, the United States only falls from the highest to the fourth highest corporate rate among countries in the G20—and that is according to 2012 data that doesn't yet capture recent tax reforms in the UK and elsewhere.

In other words, whether we are talking about effective rates or statutory rates in the United States, we are talking about some of the highest corporate tax rates in the world, and, as the working group cochaired by Senators PORTMAN and SCHUMER made clear, this translates into American companies constantly being put at a competitive disadvantage. It doesn't take a Ph.D. in economics to recognize that this has had a major, negative impact on our economy and the ability of the American job creators to compete on the world stage.

As a result of the astronomically high corporate tax rates in our country, we have seen companies—that, keep in mind, have duties to their shareholders—engage in inversions, earnings stripping, and profit shifting, all of which erode our tax base and drive away American ingenuity and innovation. These types of activities ship jobs, economic activity, intellectual property, and capital offshore, rather than keeping them right here in America. The primary driver behind most of these practices—practices that have been decried in the harshest rhetoric by some of our friends here in the Senate—is the desire to avoid or at the very least mitigate the impact of the U.S. corporate tax.

While I am no fan of inversions or foreign takeovers or aggressive tax-planning techniques that shift profits around the globe in search of low taxes, and I don't want to see any unnecessary erosion of the U.S. tax base, I can hardly fault any company for simply responding to the incentives created by our business tax system and the competitive actions of other countries that have been lowering their corporate tax rates.

Unfortunately, instead of recognizing the perverse incentives of our current tax system, coupled with companies' duties to their shareholders, many of my Democratic friends—most notably, prominent officials in the previous administration—have derided the executives and board members making these decisions, claiming that they lack, in the words of our previous U.S. Treasury Secretary, ''economic patriotism.'' The truth is that when it comes to our business tax system, some of our friends have buried their heads in the sand.

Let's take a quick stroll through recent history. In the 20 years between 1983 and 2003, there were just 29 corporate inversions in the United States. In the 11 years between 2003 and 2014—a period spanning both Democratic and Republican Presidencies—there were 47 tax inversions—nearly double the number in half the amount of time. A quick review of changes in other industrialized nations' tax schemes will show that while the United States has stubbornly maintained the same corporate tax rate for more than three decades, other countries have nimbly adapted to the growing competition in the global marketplace.

I have spoken at length about inversions before, so I will not belabor the issue now. What I do want to say is that when I talk to board members and CEOs of some of the largest companies in the country, they tend to be unequivocal when asked why they feel pressure to invert. Almost uniformly, their answer is our outrageously high corporate tax rate.

Personally, I think this is one of the reasons why my friends and colleagues who sit on committees that regularly engage in these topics have come to recognize the level of our corporate tax rate as the major problem that it is.

When I talk to constituents in Utah and Americans across the country, I hear of stagnant growth in wages and income, concerns over lack of opportunities and jobs, and worries about whether their employers will continue to operate here in the United States of America.

Of course, the problem with our corporate tax system isn't just that it incentivizes companies to move offshore or discourages businesses from forming here in the United States in the first place; the problems actually run much deeper.

Since 1947, the average growth of inflation-adjusted GDP in the United States has been 3.2 percent. Unfortunately, in the 8 years of the Obama administration, the growth rate was an anemic 1.8 percent.

I know that several of my colleagues would, in response to those data points, argue that much of that is due to the great recession that took place at the initial stages of President Obama's time in office; however, a quick review of the quarterly growth rates since 1947 will show that there are normally periods of growth following recessions as the economy rebounds and the values of assets normalize again. In the case of the great recession of 2008 to 2009, that normal rebound did not occur, and a big reason why is the downward pressure imposed by our outdated tax scheme. Let's remember that the recession ended in June 2009—more than 8 years ago.

Others still might argue that this is all academic. They might even be brazen enough to claim that when we talk about the corporate tax rate, we are talking about the problems of the rich and not the middle class. Again, anyone making such an argument would simply be ignoring the facts and could be considered an idiot. Make no mistake—the crippling corporate tax rate in our country has stifled growth and investment in American businesses. This doesn't just impact Wall Street investors or rich CEOs, it has a negative effect on the middle class and on lower income workers. That effect comes in the form of fewer jobs, less investment in America, and sluggish growth and productivity that fuels wage and income growth.

Since 1953, real median family income in the United States—meaning that half of the country earned more and half of the country earned less—has grown at an average rate of 1.3 percent. Under the Obama administration, that same indicator—one of the best indicators of the true status of the middle class—grew at approximately half that rate, or 0.7 percent. The growth of the average hourly earnings of production and nonsupervisory workers during the Obama administration was half of the historic long-run average. What is more, labor force participation was set firmly on a downward trajectory throughout the Obama administration and has yet to recover.

As you can see, there is clear evidence that the economy is not working well for many American workers and middle-class families. Anyone arguing that our current tax system is a benefit to the middle class is, in my view, sadly misinformed or being deliberately misleading.

Over the years, I have seen many of my friends on the other side come to the Senate floor demanding new standards, higher wages, and increased protections for middle-class workers. Yet many of the tax policies they tend to support would have the opposite effect.

There is almost universal agreement among economists that the corporate tax is the most inefficient tax in existence. In addition, a large percentage—some economists say as much as 75 percent—of the burden imposed by the corporate tax is borne by a corporation's employees. In other words, our high corporate tax rate isn't just a burden on faceless corporations or rich shareholders, the burden is disproportionately borne by the factory workers and scientists and even the janitors who work for corporations, large and small.

A reduced corporate tax rate would allow American companies to compete with their international counterparts on a more level playing field. A reduced corporate tax rate would mean fewer businesses would move offshore, taking their jobs and investments elsewhere. A reduced corporate tax rate would incentivize more new companies to set up shop in the United States and lead more established companies to invest their capital and hire workers here rather than in lower tax jurisdictions found in places like Canada, the UK, Ireland, or elsewhere.

Mr. President, our shared goal should be to make the United States an inviting place to locate a business, invest, hire workers, and create new ideas and products, but that will not be the case so long as we cling to our punitive corporate tax system.

Now, of course, when it comes to tax reform, our focus needs to move beyond the corporate tax rates. We need to talk about making the individual tax system simpler and fairer and offer tax relief to the middle class and small, passthrough businesses. We need to talk more about fixing our international system to further improve the competitiveness of American job creators and prevent further erosion of our tax base. And we need to remove burdens on savings and investment that keep middle-class Americans from generating and accumulating wealth for the future.

I am going to talk more about all of these topics and others in the coming weeks and months.

All of the improvements that we can make on these tax issues will become key elements of an effective tax reform package. In addition, I believe they are all areas where Republicans and Democrats can find agreement if we are all committed to the same goal—growing our economy to benefit the middle class.

As I have said here on the floor many times, tax reform does not have to be another partisan exercise. I hope my Democratic colleagues will opt to join Republicans in this effort. As they have acknowledged the problems with our current tax system, I sincerely hope they will want to work with us to find a way to fix that tax system.

As I said, I will have more to say in the near future, but these issues—our outdated business tax system and profanely high corporate tax rate—will not simply go away. I personally am committed to fixing these problems and will work with anyone who is willing to join the effort in good faith.

Mr. President, I yield the floor.

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.

Ms. CANTWELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TOOMEY). Without objection, it is so ordered.

NET NEUTRALITY

Ms. CANTWELL. Mr. President, I come to the floor this afternoon with my colleague, the Senator from Hawaii, who has been leading our efforts on coordinating a very loud and resounding voice on trying to stop the FCC from running over an open internet, and I thank him for his organization for today. I know we will be joined by our colleague, Senator WYDEN from Oregon—and perhaps the other Senator from Oregon and several others—to talk about this important issue.

We are here today to try to draw attention to one of those important economic issues before us: the need to preserve an open internet with strong net neutrality laws.

We are facing a pivotal moment in the fight to preserve an open and fair internet. A strong and open internet is, without question, one of the great innovations of our time and one of the great job creators of our time. Yet the Trump administration stands poised to undo the bedrock principle of net neutrality in the face of evidence it would undermine our economy and undermine future job growth.

The FCC has announced its intention to go against the demands of 5 million American consumers and reverse what is an existing rule so that big cable companies and telecom providers can erect toll lanes; that is, if you want fast internet speed, you have to pay more. This would threaten the fundamental nature of our internet and the innovation economy.

Last week, FCC Commissioner Clyburn and I held a townhall meeting on net neutrality in Seattle. More than 300 people attended, and not one was in favor of paying higher prices to their cable company for worse or inhibited internet services.

Many people shared their personal stories about how an internet with toll lanes would affect them negatively. We heard from many small businesses and startups that they were afraid of losing business because they might have to charge higher prices to their customers if these important protections were reversed.

I heard from people with health problems and their concerns about health emergencies while away from home. The absence of net neutrality rules would mean that a doctor in their small hometown could not get critical information to the medical practitioners who are dealing with a patient in an emergency so that they could get important lifesaving treatments. Whether you are a doctor examining a patient via telemedicine or in an emergency room in Seattle or a student in a rural community trying to access the

internet to get information, take a test or do research, a fast connection is necessary. Your ability to have a fast connection is something you are more than just a little concerned about. Being artificially slowed down in favor of big companies that buy faster lanes would turn our economy in the wrong direction.

Our economy is in the midst of a massive technological transformation. As technology advances, incredible opportunities and new jobs are created. Every business plan of every startup relies on the ability to get content to consumers.

Largely as a result of innovation and the proliferation of hundreds of startups in the United States, the internet economy today is now worth $966 billion and accounts for almost 6 percent of our U.S. GDP. This is a higher percentage of the U.S. economy than many other industry sectors, including construction, mining, utilities, agriculture, and education.

Net neutrality—meaning you have an open internet that is not artificially slowed down unless you pay a ransom—is important for small businesses and startups and entrepreneurs who rely so much now on an integrated business model where internet access, marketing, and advertising their products and services to reach customers is critical. We need an open internet. We need it to foster job creation, competition, and innovation for the almost 3 million Americans workers who already rely on the internet economy today.

When net neutrality was implemented a year-plus ago, we were protecting and making sure there was no uneven playing field. Basically, because of the regulations, we were able to help small businesses and entrepreneurs thrive. But our internet providers are internet gatekeepers, and without net neutrality, they would seize upon the opportunity to change that.

One slice of the internet economy—the app economy, which is growing every single day—consists of everyone who makes money and has a job, thanks to mobile apps powered by an open internet. Today, 1.7 million Americans have jobs because of this economy. Nearly 92,000 of those jobs are in my State of Washington.

Over the past 5 years, the app economy jobs have grown at an annual rate of 30 percent. I don't know of another sector that is growing that fast. The average growth rate for all other jobs is about 1.6 percent. By 2020, the app economy could grow to over $100 billion. Why is this so important? Because we all know that these various applications and apps make our lives better. They make it easier. In a busy world, they are helping us do the things that are so important to us with more ease and more certainty.

The internet economy is dynamic and supercharged in creating job growth. This phenomenon of economic growth trajectory would not be possible without the internet as a platform for economic activity. This is why it is so important that the FCC not, in the dark of night, put down a rule without public comment to try to stop and change this direction that has already been protected by past FCC Commissioners. This is why my colleagues and I are here today on a date when everybody is trying to raise awareness—because the FCC could act as early as August 18 to try to change these rules.

It is important that we oppose any new FCC actions trying to dismantle an open internet. We need to make sure we are talking about the harm to consumers, the harm to innovation, and the fact that internet speeds for American consumers are important and consumers shouldn't be burdened by a cable company holding you at ransom to pay more just to get faster speeds.

Consumers are already struggling with high prices. Cable bills rose 39 percent from 2011 to 2015, eight times the rate of inflation. In 2015, the average consumer cable TV bill was $99 a month; just a year later, the average consumer cable bill had risen by 4 percent to over $103. My guess is a lot of people listening to this now are probably thinking, boy, where are we today?

One of the most popular arguments by the enemies of an open internet is that it suppresses investment and leaves consumers with poor broadband infrastructure. That is a false claim. Data shows that investment by publicly traded cable companies and big telephone companies was 5 percent higher during the 2-year period following our protection of an open internet. Clearly, people are continuing to make investment.

I want to make sure people understand that we do not want to see a change in this policy. We do not want to see American consumers run over by large cable companies that are demanding higher rates. We want to make sure that we don't end up with a two-tiered internet system—one for big companies who will pay and pay and pay for faster rates, and consumers who are left with a very slowed-down, challenging to use internet, which makes it hard for us to continue to innovate.

I encourage the American consumer to go out and contact the FCC. Yes, your voice can be heard. The FCC has already received 5 million comments, and they have until August 17 to hear more. Today, we are asking everybody in America to say: Please don't slow down my internet connection. Don't hurt our economy; don't hurt American business. Invest in innovation, and keep an open internet for the future.

I yield the floor.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, I thank the Senator from Washington for her leadership on tech and technology issues and, in particular, on net neutrality.

I would like to amend one thing she said. She said that we got about 5 million comments in favor of net neutrality on this question. It is true. Yesterday we had 5 million and change, but I just checked, and we are at 6.728 million, and more and more people are weighing in on this important issue.

As of today, it is important to point out that net neutrality is the law of the land. We are not asking for a change in the way that the internet operates. We are asking for the internet, as we know it, to be preserved.

What does that really mean? It means you have an arrangement with your ISP. You pay your internet service provider for access to the internet, and you get the whole internet. Your provider does not get to decide what you access. You do. Whether it is NBC or ABC, Hulu or Netflix or Breitbart or Google or Yahoo or Facebook or the New York Times or RedState or HotAir or whatever you want, you get to go there, and everything comes down from the internet at whatever speed it comes down. But without net neutrality, that arrangement could change.

The free and open internet, as we understand it, is a premise of the way we use the internet. It is a premise of the internet economy. It is a premise of Silicon Valley. It has now become a premise of car companies and real estate companies and anybody who does business online that, of course, you wouldn't have to pay money to an ISP to make sure your website loads fast enough so that consumers can see it. But that freedom, that free and open internet, really is in danger.

Here is what is happening: The FCC, the Federal Communications Commission, is trying to change the internet by ending the net neutrality rules that were put in place. If they succeed, your ISP will have the power to stop you from seeing certain kinds of content. They will be the ones that get to make decisions about what you can access and how fast—not you. It is a foundational change in the way the internet operates.

Now, some people—including the internet company lobbyists and their CEOs—will say: Look, the companies aren't going to change the internet even if the law goes away. In fact, we are committing to voluntary net neutrality. That is what they say.

But I want you to think about how likely it is that a publicly traded company will not at least explore the possibility of different business models, and here is the problem: There may be opportunities without net neutrality for them to make more money.

Right now I have basic cable in my apartment. I don't have HBO. Back in Hawaii I have HBO and the whole deal, but in my apartment here I have more basic cable. I pay for a certain number of channels. I don't get access to the entire TV universe. I pay for packages. There is no reason under the law, should they repeal net neutrality, that

an ISP couldn't give the liberal package, which you could pay $75 for, or the conservative package, which you could pay $75 for, or the NBC-related families package, which you could pay $120 for—or maybe it is free because it is part of a vertical, which is included in your ISP.

The whole idea is that there is nothing preventing them—except these net neutrality laws—from deciding whom you get, where you get to visit, and how fast the downloads come. This is especially important, of course, in the entertainment space, when we are all streaming TV, news, movies, and even gaming online so the relationship between the person who creates the content and you is going to be intermediated by an ISP.

If you have a great app idea, right now you just have to have a great app idea. If you have a great website, people can log on to your website and you are in business. If you have the next great website, if you have eBay or Craigslist or Amazon, but it is post-net neutrality and the FCC goes through with this, you will not need a bunch of engineers but a bunch of lawyers and business sharks to try to negotiate with the ISP to even get in the door.

Students could have less access to online resources, including online classes. Realtors would be stopped from using online tools to sell their homes. Patients might not able to use the internet to communicate with their doctors or monitor their health. Musicians, photographers, entrepreneurs will use the tools everybody depends on to make a living or share their art online.

I was talking to somebody I know in the tech community, and they were saying that this is a parade of horribles. None of this is going to come true.

I asked: Why do you think that is true? Why do you think this is just some apocryphal scenario I am describing? If you were an ISP, why wouldn't you slice up the internet and sell it for more? If you are the one controlling the access to it and you are a publicly traded company, you have no duty to a free and open internet. You have a duty to maximize shareholder profits.

If your board of directors comes to you and says: You know what, this whole ''you pay a flat fee and you get the whole internet,'' that is not the right business model. Look at these areas where ISPs are the only provider in many communities. The idea that the consumer has a choice in lots of rural communities, you have only one broadband provider in the first place.

Why wouldn't a broadband provider slice and dice up the internet and charge you a la carte? They can get more money for this. It is not that they are bad people. It is that they are duty bound to maximize profits.

Today, July 12, is the day of action. The internet is pushing back. Today we stand up to the FCC so the internet remains free and open. As we speak—I mean literally as we speak—thousands and thousands of people across the country by the minute are logging on to the FCC website to express themselves.

I have to say, this has become a Democratic issue. This has become a progressive issue, but it wasn't so long ago that people in the conservative movement were worried about media consolidation and the conservative movement was saying: Hey, listen, I don't know who is going to own my media company, but I want to get to my websites to get my content at whatever rate it comes down. Don't tell me what information I get to have access to.

Everybody uses the internet. Many people are spending dozens of hours a week on the internet via their phones, via their television, via their broadband connection at home, and the innovation economy that underlies our economic growth is really in jeopardy.

I know it is an arcane process. I know most people probably haven't even heard of the FCC. To talk about net neutrality and lay all this jargon on you, it is concerning that the free and open internet is really in danger. We have this unique opportunity because unlike what happened a few months ago with consumer privacy, where very quickly this body reversed a rule that provides for privacy so your broadband providers can't resell your personal browsing data to a third-party advertiser or any other company—that happened very quickly and without any public input.

Here is the really good thing about the FCC process. The statute provides for public input. We are in a public comment period, and July 17 is the deadline. There is an opportunity for people to let their voices be heard. The internet should be in the hands of people, not in the hands of companies.

I yield the floor.

The PRESIDING OFFICER (Mr. GARDNER). The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I join with the Senator from Hawaii, the Senator from Washington State, and I know the Senator from Oregon is going to be joining us very soon and taking this long, hot summer day in Washington and turning up the heat on the Trump administration and the big broadband companies.

Today the internet is having a protest. More than 80,000 websites are participating in today's national day of action on net neutrality to stand up for the fundamental right for a free and open internet.

Today's action involves some of the internet's biggest names: Netflix, Twitter, Amazon, Snapchat, Mozilla, Yelp, Airbnb. It also includes many others. My own website and other Democratic Senators and House Members have joined in today's protests.

Earlier today, right outside on the Capitol lawn, I gathered with many of my Senate and House colleagues, along with businesses and advocacy, consumer protection, nonprofit, and political organizations to send a singular message: We will defend net neutrality.

Net neutrality is the basic principle that says that all internet traffic is treated equally. It applies the principles of nondiscrimination to the online world, ensuring that internet service providers—AT&T, Charter, Verizon, Comcast, among others—do not block, do not slow down, do not censor or prioritize internet traffic.

Yet today, the internet—this monumental, diverse, dynamic, democratic platform—is under attack. President Trump and his FCC Chairman, Ajit Pai, are threatening to disrupt this hallmark of American innovation and democracy by gutting net neutrality rules. They have put internet freedom on the chopping block. We are facing a historic fight.

If Trump's FCC gets its way, a handful of big broadband companies will serve as gatekeepers to the internet. We cannot let this happen. That is why millions of Americans are standing up and making sure their voices are heard at the Federal Communications Commission.

They know the internet—the world's greatest platform for commerce and communications—is at stake. It is net neutrality that ensures that those with the best ideas, not merely the best access, can thrive in the 21st century economy; that a garage-based startup in Malden, MA, can have the same online reach and scope as a major tech firm in Silicon Valley.

It is net neutrality that has made the Internet an innovation incubator and job generator for the entire Nation. It is net neutrality that has been the internet's chief governing principle since its inception.

Consider that today essentially every company is an internet company. In 2016, almost half of the venture capital funds invested in the United States went toward internet-specific and software companies. That is $25 billion worth of venture capital funding in our country. Half of all venture capital went into that sector, this innovation sector that continues to transform not only our own economy but the whole world's economy. At the same time, to meet America's insatiable demand for broadband internet, U.S. broadband and telecommunications industry companies invested more than $87 billion in capital expenditures in 2015. That is the highest rate of annual investment in the last 10 years by the broadband companies.

We have hit a sweet spot. Investment in broadband and wireless technologies is high. Job creation is high. Venture capital investment in online startups is high. That is what we want. We want both the broadband companies and all of these smaller companies—whose names escape us because there are tens of thousands of them—to have a chance to coexist and have the innovation continue, even as the large companies continue to invest in broadband expansion.

It is the free and open internet that has allowed us to enter a new phase of the digital revolution—the internet of things era—where our devices, our appliances, and everyday machines now connect with one another.

The digital revolution is a global economic engine, and net neutrality is its best fuel. Taking these rules off the books makes no sense. With these net neutrality protections in place, there is no problem that needs fixing. It is working right now perfectly.

In May, Chairman Ajit Pai and the Republican FCC voted to begin a proceeding that will effectively eliminate net neutrality protections, allowing a handful of broadband providers to control the internet. Chairman Pai's proposal would decimate the open internet order and the net neutrality rules that are protecting the free flow of ideas, commerce, and communications in our country.

Now the big broadband barons and their Republican allies say we need a light-touch regulatory framework. Let's be honest. When the broadband behemoths say ''light touch,'' what they really mean is ''hands off''—hands off their ability to choose online winners and losers.

We are not fooled when AT&T engages in alternative facts and says they support net neutrality and today's day of action. They don't support title II, and they don't support net neutrality. We must shine light on this kind of corporate deception.

What the broadband providers really want is an unregulated online ecosystem where they can stifle the development of competing services that cannot afford an internet easy pass.

Chairman Pai says he likes net neutrality but simply wants to eliminate the very order that established today's net neutrality rules. That is like saying you want to have your cake and eat it too. It makes no sense.

President Trump and his Republican allies are waging an all-out assault on every front that they can on our core democratic values. Whether it is healthcare, immigration, climate change, or net neutrality, they want to end the vital protections that safeguard our families and hand over power to corporations and special interests. We know better.

We need to make our voices heard. A political firestorm of opposition will protect our economy, protect our free speech, protect our democracy. We must protect net neutrality as a core principle in a modern 21st century America, in a modern America where the smallest company online can aspire to reach all 320 million Americans in a nondiscriminatory way, where the smallest company can raise the capital in order to accomplish that goal, where the smallest company doesn't have to ask for permission to be able to innovate in our society, where the smallest doesn't have to first raise the money to ensure they can pay to have access to this incredible economic engine of entrepreneurial expression that has been the internet for this last generation, where free speech, the First Amendment, this ability to be able to speak unfettered, uncontrolled by corporate America and whether or not you can afford to speak, is something that continues to be protected in our country.

That is what net neutrality is all about. The principles of nondiscriminatory access is what gave us Google and eBay, Amazon and Hulu, YouTube and Etsy, Zulily, Wayfair, TripAdvisor, and company after company that knew they could access every single potential consumer in our country and could, as a result, raise the capital necessary to ensure that engine of economic entrepreneurial innovation could be deployed from their minds in changing fundamentally the economy of our country and the economy of the world.

In 2017, every company is an internet company. Every company depends upon free and open access to the internet. That is what we have been transformed into in just the last 20 years.

I was the Democratic coauthor of the Telecommunications Act of 1996. In 1996, not one home in America had broadband. Can I say that again? Just 20 years ago, not one home in America had broadband. But we changed the rules to create this chaotic entrepreneurial world where all of a sudden all of these companies whose names are now common household names could be created, transforming our economy.

There is no problem. They are trying to fix a problem that does not exist.

We need to give the next generation of entrepreneurs the same opportunity to innovate that the last generation had—not to get permission, not to ask: Pretty please, may I reach all 320 million Americans? No, ladies and gentlemen, that is not what this revolution is about. That is not what young people all across this country—with brilliant new ideas to further transform our American economy online—want to have as an obstacle.

What will happen now is you will have an idea, but if you can't raise the money to pay for this fast-lane broadband access, that is going to throttle back your ability to be able to move in this agile way that the internet provides. Instead of agility, it will be hostility that you will be feeling as an entrepreneur, feeling you can't take the risk—you are not sure you can reach your customers; you are not sure you can pay the broadband company—rather than ensuring that you can reach all these consumers for your revolutionary idea.

This internet day of action we are having across the country is going to raise from 5 million, to 6 million, to 7 million, to 10 million, to 15 million, to 20 million, the number of Americans who are going to be saying to the Federal Communications Commission and to the U.S. House and Senate that something is fundamentally wrong with this FCC and its potential change of the internet—Open Internet Order.

If they do move, we are going to court. If they do move, we are going to be taking this all the way to the Supreme Court of the United States of America because that is how important this issue is. It goes right to the fundamental nature of what has happened to our economy in the last 20 years. And that is all it took. We moved from the black rotary dial phone to a world where everyone is carrying a computer in their pockets. It happened just like that. It could have happened before that, but it wasn't possible because the broadband companies didn't even exist. There were just telephone companies and cable companies that did not have a vision of the future. Their vision of the future is a lot like their vision of the past before that law passed, which is, let's go back to total control by a small handful of companies in our communications cocktail, rather than thinking of the future, as tens of thousands, hundreds of thousands of smaller companies can be started up in dorm rooms and garages across our Nation.

This is a dangerous and harmful plan the FCC has on the books today. Today's day of internet action will be increasing as each moment goes by between now and the day they make that decision at the FCC.

Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I want to build on the last point my colleague—a great advocate and champion of net neutrality—made about the rule of law and about the need to go to court when there is utter disrespect and contempt for the rule of law, which is reflected in the prospective plan of the Chairman of the FCC to undo that agency's net neutrality rules. It reflects an astonishing lack of respect and care for that agency's rules—in fact, the rules that apply to all agencies under the Administrative Procedure Act.

Chairman Pai wants to overturn a rule that was established after a fact-finding—an elaborate process of comment and response—without going through that same process that is required under the Administrative Procedure Act, a fact-based docket that requires him to show that something has changed—not a little bit; something significant has changed—in the market since the Open Internet Order was established in February 2015. The burden is on the FCC to make that finding. That finding is impossible, which is why they are avoiding the attempt to do it.

The fact is, the Open Internet Order was established based on 10 years of evidence about how internet access service provides people with broadband. It has been upheld by the DC Circuit Court of Appeals twice over the last year. The thicket of law that the Chairman wants to simply leap over—it is not within his discretion to do.

The most recent evidence shows that net neutrality has not inhibited network investment at all, in contrast to Chairman Pai's claims. According to statements this year by the internet service providers—AT&T, in fact, is expanding fiber deployment and calling fiber a growth opportunity. Comcast is saying that it doubles its network capacity every 18 to 24 months. Verizon is announcing a new $1 billion investment in cable. That is why we are here saying we will not and we cannot allow Chairman Pai to succeed in this plan to gut neutrality at the behest of big cable companies.

I am proud to speak today in support of the Day of Action to Save Net Neutrality and against the FCC proposal to undo the Open Internet Order because it is really a consummate pro-consumer measure. The Open Internet Order serves the best interests of consumers directly but also the best interests of competition in promoting innovation, new ideas, and insights—an open platform that is necessary for innovation and insights that benefit consumers, as well as the products and services that companies generally provide.

The Open Internet Order created three bright-line rules: No blocking, no throttling, and no pay prioritization. These rules apply to both fixed and mobile broadband service, which protects consumers no matter how they access the internet, whether on a desktop or a mobile service. Consumers deserve equal access, an open platform—no walls benefiting the companies that may want their gardens walled in. The walls are against consumer interest, and breaking down those walls is what the open internet rule sought to do.

It also has real First Amendment significance. In one of the most recently proposed megamergers—AT&T and Time Warner—clearly content, access, and neutrality are at stake. This merger gives the combined company, if the merger is approved, both the incentive and the means to throttle First Amendment expression. There have been reports that the White House will use this merger, in fact, to throttle the First Amendment rights of CNN, which is owned by Time Warner. This would be a direct threat to all First Amendment liberties.

Using antitrust policy and power to diminish or demean the rights of free expression would be a grave disservice to this country, as well as the rule of law. That is why I have written to the nominee for the Department of Justice Antitrust Division chief, the Assistant Attorney General for Antitrust, Makan Delrahim, and asked for a meeting so he can ensure us that, in fact, antitrust policy will be independently enforced, that these reports do not reflect his view or the administration policy. I want him to assure us that this merger will in no way be used to influence or impede any media outlet.

But access and an open internet are principles that go beyond the enforcement of antitrust law; they are principles enforced by the FCC for the public good. That is why this Day of Action to Save Net Neutrality is so critically important, because the grassroots movement here is what will save the day. The grassroots and consumer-driven impetus to make sure that the internet remains a free and open platform for consumers and innovators, not a walled garden for wealthy companies, is what we seek today.

That is why I am proud to stand with other colleagues who have spoken and to continue this battle and to say to all of our colleagues that we will go to court, because the rule of law and the Administrative Procedure Act are not technical, abstruse, arcane, unimportant rules; they are at the core of fairness and administrative regularity, not just regulation, the rule of law.

Thank you, Mr. President.

I yield the floor to my colleague from Oregon.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, let me just commend my friend from Connecticut on a very thoughtful statement. He has worked on these issues for many years since his days as attorney general in Connecticut. He is, in my view, the Senate's best lawyer. So it is great to have a chance to team up with him and our colleagues.

I think this issue can really be summed up in a sentence, and that is this: Without net neutrality, you do not have a free and open internet because the essence of the internet—and I will explain what we have today—would simply not be the same.

Today—and this is what net neutrality is all about, in a sentence—after you pay your internet access fee, you get to go where you want, when you want, and how you want, and everybody is treated the same. From the most affluent person in America to those who are walking on an economic tightrope every single day, they all can use the internet to get access to those fundamental opportunities that are so essential to increasing the quality of life for our people. This, for example, is how a young person will have a chance to learn. If they are in a small, rural community in Colorado, Oregon, or elsewhere, this is how they get access to the kind of information that affluent kids get, who might live in Beverly Hills or Palm Beach or in any one of a number of communities where there are affluent people. This is what puts that youngster on the same plane as the affluent person. This is how, for example, those who are searching for jobs can go to the net and quickly get access to information where they will have a chance to get ahead.

The internet—and a free and open internet—is particularly important to our startups, the innovators, and the small businesses that we are all counting on to have a chance to grow big. When you talk, particularly, to the small tech startups, they will say: Our goal is to be Google or Facebook. Innovation is what makes it possible to have those kinds of dreams. If you are starting small, with real net neutrality, as I have described it, you have the same chance to succeed as everybody else in America.

Now the challenge here is that very powerful interests—the cable companies, for example—want to change that. They want to change what I described as net neutrality. They would like to set up what they call priority lanes, special lanes, or toll lanes, where, if you pay more, you can get access to more. You can get access to more content, and you can get access to data and information more quickly.

What this really does is that it means those other people I was talking about—that startup trying to come out of the gate and be a success in the marketplace, students, and people who need information about healthcare and jobs and the like—are not treated the same way as the people with the deep pockets. All of a sudden their access to data and information is going to be different. It might be slower. Maybe they will not get it at all.

The big powerful interests aren't going to tell everybody in America that they are against net neutrality. They will not be holding rallies saying: We have gotten together to oppose net neutrality. They will not be showing up in Denver, Minneapolis, Portland, or anywhere else and saying: We are against net neutrality. The reason they can't is because the public overwhelmingly supports net neutrality, as I have described it.

They are going to say things like this: They are for net neutrality, but they just don't want all this government associated with what they have. They will be for voluntary net neutrality.

I know the Presiding Officer of the Senate has young children as well. I can tell you that we are about as likely to make voluntary net neutrality work as we are to get William Peter Wyden, my 9-year-old son, to voluntarily agree to limit himself to one dessert with his deciding whether he has met his limit. It is not going to happen.

Voluntary net neutrality isn't that different than what we have had in a lot of instances before we had real net neutrality. The big cable companies and others were always looking for dodges and loopholes, and they found ways to tack on fees and the like because that has always been their end game. Boy, it is a lawyer's full employment program because they have the capacity to litigate this.

So this idea that people are going to hear a lot about in the next few weeks—that they are really for net neutrality, but we will just make it voluntary—I want people to understand that the history of those kinds of approaches is not exactly sterling. I think it is about as likely to be successful as limiting my kid to voluntarily holding back on dessert.

I also want to make clear what our challenge is going to be about because the Federal Communications Commission—Senator BLUMENTHAL talked about it and others—is going to be making decisions on this before too long. We know where the votes are. This is going to be a long battle, but one of the reasons I wanted to come to the floor today is to say that this is another one of these issues that is going to show that political change doesn't start in Washington, DC, and then trickle down to people. It will be bottom-up, as more and more Americans find out what is at stake here.

A few years back, I would say the Presiding Officer of the Senate—and I see my colleague from the Finance Committee here, as well—and my colleagues will remember the PIPA and SOPA bills. These were the bills, PIPA and SOPA, that were anti-internet bills. As with so much, people can have a difference of opinion, and the sponsors said: We have to fight piracy. We have to fight piracy, people ripping everybody off online. To fight piracy, we will use these two bills to kind of change the architecture of the internet, particularly the domain name system, which is basically the phone book of the internet.

I looked at it, and I said: We are all against piracy. We are against people selling fake Viagra, or whatever it is online, but why would we want to wreck the architecture of the internet in order to deal with it? There are other kinds of remedies.

So I put in a bill with a conservative Republican in the other body to come up with an alternative approach, and I put a hold on PIPA and SOPA. Here in the Senate, at that time, 44 Senators were cosponsors of that bill. That is an army—out of the 100, 44 Senators.

Everybody said: You know, RON is putting a hold on it, and, well, he is a nice guy and, you know, he is from Oregon.

Everybody smiled, and I said: OK, I understand that you think this is going to be a slam dunk, but I think I will tell you that you should know that there are more Americans who spend more time online in a week than they do thinking about their U.S. Senator in 2 years, and they aren't going to be happy with a whole bunch of powerful interests messing with the internet, just as we are doing with this situation where people want to unravel real net neutrality.

So a vote was scheduled on whether to oppose my hold—in effect, lift my hold—on this flawed bill, and 4 days before the vote, more than 10 million Americans called, texted, tweeted, and logged in to say to their Senator: Do not vote to lift RON WYDEN's hold.

About 36 hours after Americans had weighed in, the Senate leadership called me, not very happy, and said: You won. We are not going to have a vote. Your hold has prevailed.

I bring this up only by way of saying that it is going to take that same kind of grassroots uprising for Americans who want to keep real net neutrality, which is what you have after you pay your internet access fee, and you get to go where you want, when you want, and how you want, and everybody is treated equally in those efforts. For all of us who want to keep that, we need to understand that we are in for a long battle. We know where the votes are at the Federal Communications Commission, but that is just the beginning. That is just the beginning.

So now is the time to make your voice heard. Go to battleforthenet.com so your voices can be heard. Make sure that Donald Trump's FCC Commissioner knows your view that the internet is better and stronger with real net neutrality protections. Americans have only until July 17 to do this.

I have already been speaking out in other kinds of sessions. So I think I will leave it at that.

I wish to close by saying again that without real strong net neutrality, which is what we have today, we will not have a free and open internet for all Americans to enjoy. So I come to the floor to say this is going to be a long battle. Nobody thought we had a prayer to win the fight to protect the internet that was PIPA and SOPA, and I am sure a lot of people are saying that this is another one where the powerful interests are going to win.

I say to the Senate again: Not so fast. You are going to see the power of Americans speaking out. I urge all the people of this country who are following what goes on in the Senate today and in the days ahead to be part of this effort, because I think if they do, if we show that political change isn't top-down but bottom-up, it is going to be a long battle, but we will win, and our country will keep a bedrock principle of the free and open internet, which is real net neutrality.

I yield the floor.

The PRESIDING OFFICER (Mr. LEE). The Senator from Texas.

HEALTHCARE LEGISLATION

Mr. CORNYN. Mr. President, as we continue to discuss the Better Care Act, which is an alternative bill that we will propose next week and vote on, which takes the disaster known as ObamaCare which for millions of Americans has led to sky-high premiums and unaffordable deductibles, if they can even find an insurance company that will sell them an insurance product—we will propose a better care act, as we call it, not a perfect care act but a better care act.

It would be even better if our Democratic colleagues would join us and work with us in this effort, but as we have come to find out, they are unwilling to acknowledge the failures of ObamaCare. So we are forced to do this without their assistance. It would be better if it were bipartisan, if they would work with us, but they have made it very clear that they are not interested in changing the broken structure of ObamaCare. What I predict is that what they would offer is an insurance company bailout, throwing perhaps hundreds of billions of dollars at insurance companies in order to sustain a broken ObamaCare that will never work—no matter how much money you throw at it. So people will continue to suffer from the failures of ObamaCare unless we will have the courage to step forward and to say we are going to do the very best we can with the tough hand we have been dealt to help save the American people who are being hurt right now.

Basically, there are four principles involved. One is we want to stabilize the individual insurance market, which is the one that insurance companies are fleeing now because they are bleeding red ink. They can't make any money, and they are tired of losing money so they basically pull their roots up and leave town, leaving customers in the lurch.

Secondly, we want to make sure we actually lower insurance premiums. Under the original discussion draft bill that we introduced about a week or so ago, the Congressional Budget Office said we will see premiums go down as much as 30 percent over time. Now, I wish I could say we were going to be able to have an immediate effect on those premiums, but the truth is this is much better than our friends across the aisle have offered us with the offer to basically sustain a broken ObamaCare system.

The third thing we want to do is protect people who might have their health insurance hurt or impeded by preexisting conditions. We want to maintain the current law so people are protected when they leave their work or when they change jobs.

The fourth is, we want to put Medicaid on a sustainable path. Medicaid is one of the three major entitlement programs, and now we spend roughly $400 billion on Medicaid in this country. Our friends across the aisle don't want to do anything that would keep that from growing higher and higher and higher, to the point where basically the system collapses. We believe that is not the responsible choice. What we propose is to spend $71 billion more on Medicaid over the budget window and to work to transition those States that have expanded Medicaid and offer their people a better option in the private insurance area, but I just want to mention that I have shared a number of stories about, for example, a small business owner in Donna, TX, who was forced to fire their employees so they could afford to keep the doors open and provide health insurance for the remaining people. You have to ask: What in the world could lead us to a system which would discourage people from hiring more folks and basically put them in a position where they had to fire them in order to make ends meet? But that is what the employer mandate did under ObamaCare. If you have more than 50 employees, you are subject to

the employer mandate. You get punished unless you make sure your employees are covered with insurance, and many times it is unaffordable so it had the perverse impact of small businesses saying: We can't afford to grow the number of people who are working in our business or we are going to need to shrink it in order to avoid that penalty. Stories like this remind me of just how important our efforts are to repeal and replace ObamaCare.

The status quo is not working. In fact, every year ObamaCare gets worse for the millions of people in the individual market in particular. It is important that ObamaCare is not just about insurance. ObamaCare is about penalties that are being imposed on businesses that hurt their ability to grow and create jobs. That is one reason I believe that since the great recession of 2008, where ordinarily you would see a sharp bounce up in the economy, that the economy has been largely flat and has not been growing, in part, because of the penalties, mandates, and regulations associated with ObamaCare.

Not only has ObamaCare made health insurance more expensive while taking away choices, it also has compounded fundamental problems with important safety net programs like Medicaid. I wish to share a story from an emergency room employee in Lake Granbury, TX, who wrote to me about the alarming trend she has noticed in the hospital where she works. She says, because fewer and fewer physicians will see a Medicaid patient, she has seen an influx of these Medicaid patients who ostensibly have coverage coming to the emergency room for their primary care. As she points out, this is not a good situation for patients and hospitals. In my State, according to the latest survey of the Texas Medical Association that I have seen, only 31 percent of doctors in Texas will see a new Medicaid patient. That may sound crazy, but let me explain why. Because Medicaid basically pays a physician about half of what private insurance pays when it comes to see a patient, many of them simply say: Well, I can't afford to see a lot of Medicaid patients. I need to balance that or at least make sure I see enough private insurance patients to make sure I can keep the doors open and meet my obligations. What happens when fewer and fewer doctors actually see Medicaid patients is, people end up showing up in the emergency room for their primary care because they can't find a doctor to see them. The truth is, medical outcomes based on many studies that have been done in recent years are that Medicaid coverage in those instances can be no worse and no better than not having insurance at all. ObamaCare was put in place ostensibly to avoid reliance on emergency rooms for access to care, but as we all know, ObamaCare hasn't lived up to many of its promises and unfortunately making stories like this one commonplace.

I mentioned this earlier, but just to see the trend line, in 2000, 60 percent of Texas physicians accepted new Medicaid patients; today that number is 34 percent. I think I may have earlier said 31 percent. It is actually 34 percent, due to lower rates of provider reimbursement, leaving places like Lake Granbury in the lurch and causing them to have to turn to the emergency room for their primary care as a last resort.

Every 2 years, Texas doctors fight with the Texas legislature to raise payments for the Medicaid system, but the reality is, there is not enough money to go around, even though it is the No. 1 or No. 2 budget item in the Texas legislature's budget every year, and it is growing so fast it is crowding out everything from higher education to law enforcement and other priorities.

Across the country, Medicaid spending has ballooned out of control. In Texas, 25 percent of the State's budget, as I indicated, is dedicated to this program, 25 percent of its overall budget—usually No. 1 or No. 2.

So we have to be honest with ourselves and the people we represent that this situation is not sustainable. We owe it to the millions of people to make sure the people who really need it—the fragile, elderly, disabled adults and children—that it is there for them, not only now but in the future. That is why we have been discussing ways we might strengthen the sustainability of Medicaid to ensure that families who actually need it can rely on it, and they don't have the rug pulled out from under them. This requires doing some hard work of reforming the way States handle Medicaid funding.

For example, Medicaid, as is currently applied, States are only allowed to review their list of Medicaid recipients once a year, but a lot can happen in a period of a year. Somebody can get a job, and they may be no longer eligible based on the income qualifications for Medicaid. If they can only check once a year, then people remain on the rolls, even though they may no longer qualify. Regardless of whether somebody gets a job or moves or passes away or no longer needs Medicaid, they are still in the system, and there is nothing the States can do about it. We would like to change that. While it sounds like a simple matter, when the average Medicaid patient costs the State more than $9,000 each and as high as almost $12,000 per elderly individual, it adds up.

One of the things we saw that ObamaCare did in the States that expanded Medicaid coverage is that those States decided to cover single adults who are capable of working. This bill would also allow States to experiment with a work requirement as part of the eligibility for Medicaid. We are not mandating it, saying they have to do it, but if the State chooses to do it, then they can do so. We need to give the States the flexibility they need so they can use the Medicaid funding they have more efficiently so more people can get access to quality care.

I want to be clear: 4.7 million Texans rely on Medicaid. Of course, those rolls tend to churn based on people's employment and their family circumstance, but it is not going anywhere. We want to make sure we preserve Medicaid for the people who actually need it the most. We are working to make it stronger, more efficient, and, yes, more sustainable. I guess some people live in a fantasy world, where they think we can continue to spend money we don't have and there will never be any consequences associated with it. The fastest items of spending in the Federal budget are entitlement programs including Medicaid. Right now we are at $20 trillion. We have done a pretty good job—I know we don't get much credit for it—we have done a pretty good job of controlling discretionary spending, but the 70 percent of mandatory spending, including Medicaid, has been going up, on average, about 5.5 percent a year. That can't happen in perpetuity. Right now, we know we have $20 trillion, roughly, in debt—$20 trillion. It is frankly immoral for those of us who are adults today to spend money borrowed from the next generation and beyond because somebody ultimately is going to have to pay it back, and it is going to have real-world consequences.

We know that since the great recession, the Federal Reserve has kept interest rates very low through their monetary policy, but we know as well that as the economy tends to get a little bit better and unemployment comes down, they are going to begin inching those interest rates up little by little, which means we are going to end up paying the people who own our debt, our bondholders, more and more money strictly for the purpose of giving them a return on their investment for the debt they buy. This is an opportunity for us not only to put Medicaid on a sustainable path, to do the responsible thing, to give the States ultimate flexibility in terms of how they handle it, it is also a matter of keeping faith with the next generation and beyond when it comes to this unsustainable debt burden.

I hear people talk about slashing Medicaid despite the fact that the Congressional Budget Office estimates that Medicaid spending will grow by $71 billion over the next 10 years. Only in Washington, DC, is that considered a cut, where spending next year exceeds what it is this year and the next and so on, and it goes up by $71 billion. Yet you will hear people come to the Senate floor and say that is a cut and that we are slashing Medicaid. It is nothing of the kind.

To me, the choice is clear. Do we want to continue with the failures of ObamaCare or do we want to do our very best to try to provide better choices and better options?

Do we want to continue to allow the status quo, which is hurting families,

putting a strain on doctors and our emergency rooms and hospitals like I mentioned in Lake Granbury or do we actually want to address the fundamental flaws of our healthcare system?

I wish we could do something perfect, but certainly with the constraints imposed by the fact that our Democratic friends are not willing to lift a finger to help, and given the fact that we have to do this using the budget process—those are some pretty serious constraints. We basically have to do this with one arm tied behind our back, but we are going to do the best we can because we owe it to the people we represent. I encourage our colleagues on both sides of the aisle to try to take a fresh look at this and figure out how we can be part of the solution, not just to compound the problem.

There is one thing I haven't mentioned that I am particularly excited about in the Better Care Act; that is, for States like Texas that did not expand Medicaid to cover able-bodied adults in the 100 to 138 percent of Federal poverty level, in the Better Care Act, we provide them access to private health insurance coverage and access for the first time. About 600,000 Texans—low-income Texans—who, for the first time under the provisions of this bill, will have access to a tax credit, and States, using the Innovation and Stability Fund and something called the section 1332 waivers, will be able to design programs which will make healthcare more affordable in the private insurance market.

One reason people prefer the private insurance market to Medicaid is for the reason I mentioned earlier, that Medicaid reimburses healthcare providers about 50 cents on the dollar compared to private health insurance. This actually will provide them more access to more choices than they have now, certainly. Certainly, for that cohort of people between 100 percent of Federal poverty and 138 percent of Federal poverty in those States that didn't expand.

I am excited about what we are trying to do here and its potential. Again, to stabilize the markets, which are in meltdown mode right now and we all know are unsustainable, our friends across the aisle will say: We will talk to you if you take all the reforms off the table, which translates to me: We will talk to you about bailing out a bunch of insurance companies but doing nothing to solve the basic underlying pathology in the system. So we are going to do that in our bill, the Better Care Act.

Secondly, we want to make sure that we do everything in our power to bring down premiums. I know the Presiding Officer cares passionately about this. This may well be the litmus test for our success. Under the discussion draft we released earlier, the CBO said that in the third year, you could see premiums as much as 30 percent lower, but we would like to see even more choices and premiums lower than that and more affordable.

The third thing our Better Care Act will do is to protect people against preexisting conditions. Right now, people sometimes refuse to or are afraid to leave their jobs in search of other jobs because, if they have preexisting conditions, then they cannot get coverage with the new insurance companies for a period of time. That is called the preexisting condition exclusion. We would like to protect people against that eventuality so that people do not have to be worried about changing jobs or losing their jobs and losing their coverage.

Fourth, as I have taken a few minutes to talk about here today, we want to put Medicaid—one of the most important safety net programs in the Federal Government—on a sustainable path, one that is fair to the States that expanded Medicaid under the Affordable Care Act and to those that did not. I think any fair-minded person who is looking at what we have proposed here would agree with me that it is not perfect but that it, certainly, fits the name that we have ascribed to it. It is a better alternative than people have under the status quo.

I urge all of our colleagues to work with us in good faith to try to improve it.

Here is the best news of all, perhaps, to those who would have other ideas. We do have an opportunity to have an open amendment process, and sometimes that does not happen around here. People say: Here it is. Take it or leave it. You cannot change it. All you can do is vote for it or vote against it.

That is not what we are going to do. We are going to have an open amendment process. As long as Senators have the energy to stay on their feet and offer amendments, they can get votes on those amendments. I cannot think of a better way to reflect the will of the Senate and to come out with the very best product that we can under the circumstances.

We are on a trajectory next week to begin this process and will have, probably, some very late nights and early mornings come Thursday and Friday.

I yield the floor.

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. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I would like to take a moment today to talk about the ongoing efforts by the Senate Republicans to take away health insurance from millions of Americans by repealing the Affordable Care Act.

I was here on the floor just a couple of weeks ago reading letters from my constituents about how they have benefited from the ACA and what TrumpCare would mean for them based on what we had seen of their bill so far. Since then, my colleagues on the other side of the aisle have continued forging ahead in their effort to repeal the ACA, in spite of overwhelming opposition. Indeed, nearly every major healthcare organization representing patients, doctors, nurses, and hospitals, among others, is opposed to this misguided effort, and that is on top of the millions of Americans who know firsthand how devastating TrumpCare would be for them and their families.

Senate Republicans are working on tweaks to convince their colleagues to vote for this disastrous bill. Unfortunately, their so-called ''fixes'' are not improvements. That is because, in my view, TrumpCare is fatally flawed and cannot be fixed. My constituents know better and have continued to write and call—even stopping me in stores and on the streets—to express their opposition and fear, quite frankly, of all versions of the Senate TrumpCare bill.

For example, my Republican colleagues are looking to add a provision that would bring us back to the days when insurance companies could deny coverage or charge exorbitant amounts for those with preexisting conditions. The Affordable Care Act ended this practice once and for all, we hope, and I can't imagine why my colleagues want to bring back those discriminatory policies. However, the amendments that several Senators have proposed would do just that. They would allow insurance companies to sell plans on the marketplace with no protections for those with preexisting conditions, which would create a death spiral in the marketplace, so that the very people who need health insurance the most would be priced out entirely.

Just last week, I heard from Anne in North Smithfield, RI, about this very issue. Anne said:

> I am the parent of a childhood cancer survivor. The last 11 months of my life have been fighting alongside my warrior, my hero, my 9-year-old osteosarcoma survivor, Julia. She loves unicorns, horses, the beach, and going for walks. Due to no fault of her own, she hasn't been able to walk for the past 11 months.
>
> I am writing to ask for your support to ensure that all children fighting cancer have access to affordable, quality healthcare. If enacted into law, the current proposal for the healthcare bill will have devastating impacts on the hundreds of thousands affected by childhood cancer. Without quality health insurance and access to treatment, my child would not have survived.

Anne went on to explain that the Republican efforts to undermine preexisting conditions protections would be devastating for childhood cancer survivors. Even parents who get their insurance through their employer would be at risk. Anne pointed out that nearly half of families of children with cancer will experience gaps in coverage because one or both parents often need to stop working or reduce their hours to care for the child.

Further, TrumpCare erodes other critical consumer protections by allowing annual and lifetime limits on care.

Anne continues her message:

Additionally, childhood cancer patients must be assured of access to essential health benefits without the threat of lifetime or annual caps that would effectively price patients out of lifesaving treatments. Two-thirds of childhood cancer survivors will develop serious health conditions from the toxicity of treatment. My child's future is already uncertain enough. We should not have to worry about annual or lifetime caps on coverage.

I agree with Anne. What use is healthcare coverage that expires just when you need it the most? Why would anyone think it makes sense to sell a health insurance policy for thousands of dollars that doesn't actually cover anything—or nothing—when you need it? This is a step in the wrong direction, and I continue to urge my Republican colleagues to reverse course.

I would also like to talk about what this bill would do to those suffering from opioid addiction, a public health crisis that has taken a tremendous toll on our country and particularly on my home State of Rhode Island.

I, along with many of my Democratic colleagues, have been talking about how the Senate TrumpCare bill would pull the rug out from many of those who are suffering from substance use disorders, like opioid addiction, by decimating Medicaid, which is how many people suffering from the opioid crisis access treatment.

News reports suggest that Republicans are considering adding a fund for opioid addiction treatment as another so-called fix to the TrumpCare bill. While we absolutely need more Federal funding to expand access to drug treatment—in fact, I have been urging Republican leaders to do just that for years—what they are proposing cannot make up for the bill's nearly $800 billion in cuts to Medicaid with a $45 billion opioid fund. The math simply doesn't work.

Second, short-term drug treatment programs do not provide a full spectrum of healthcare coverage over the long term, like Medicaid or other health insurance coverage. The Medicaid expansion under the ACA has provided the security of reliable healthcare coverage and long-term stability to help people with chronic conditions such as substance use disorders seek treatment and turn their lives around. TrumpCare takes that away.

In addition, people with opioid addiction suffer from other mental health conditions at twice the rate of the general population and higher rates of physical health conditions as well, which would still go unaddressed in this so-called fix. We will be setting people up for failure if we provide immediate drug treatment services but cut access to the other mental and physical healthcare services they need.

An opioid fund alone will not solve this public health crisis and, in fact, would be a drop in the bucket compared to how the rest of this bill would worsen the crisis.

The cuts to Medicaid under the Senate TrumpCare bill are beyond repair. The Senate TrumpCare bill fundamentally changes the structure of the Medicaid Program, making massive cuts, representing a 35-percent cut over the next two decades. Simply put, this will end the Medicaid Program as we know it, which will hurt not only those suffering from the opioid crisis but also seniors, children, and people with disabilities. We may see Republicans try to spread out this harm over more years to hide the damage, but do not be fooled. Whether they make massive cuts to Medicaid in 2021 or 2022 or even 2026, for that matter, the cuts will be devastating.

In short, no fix can undo the damage this bill will cause. This bill is a massive tax break for the wealthiest Americans at the expense of everyone else. No amendment or tweak to the bill will change that.

Sharon from Wakefield, RI, wrote to me just a couple of days ago and summed this up very well. She said:

I do not support the so-called American Health Care Act because it is not a health care plan, it is a tax cut for the rich. I am 67 years old, and I have a mild version of muscular dystrophy, and I have Medicaid. Since the GOP wants to end Medicaid, I am asking you to vote NO on the bill.

Republicans must abandon this effort and come to the table to work with Democrats on a new path forward. Let's have productive conversations about how we can improve access to care and bring down costs. Let's harness this interest in improving access to drug treatment and work together on those efforts. But, coupled with the TrumpCare bill, those efforts will not mitigate the damage this bill will inflict on my constituents and those across the country.

I hope those on the other side of the aisle who have expressed misgivings will oppose TrumpCare in all of its forms so that we can work together on a bipartisan solution and attempt to do something positive for our constituents.

With that, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, there was an interesting press conference earlier today in which I joined with Senator HEITKAMP, Senator CAPITO, and Senator BARRASSO on a common piece of legislation that will help address climate change. That does not happen often, so it was a good sign.

This is not a comprehensive solution. It may not even make much of a measurable difference, but it will make some difference. It will help drive America's technological edge, and it will help, as it gets implemented, reduce our carbon emissions. It was very good to be working with those Senators.

The fundamental problem we face with carbon capture and utilization and the reason so little of it now happens is economics. There is a flaw in the market economics related to carbon capture utilization and sequestration. Here is the flaw: There is no business proposition for stripping out the carbon dioxide, and in a market economy, if no one will pay for something, you don't get very much of it.

LINDSEY GRAHAM and I flew up to Saskatchewan to see Boundary Dam, a carbon capture plant at a coal-powered electric generating facility where they are removing the carbon dioxide by running the exhaust from the plant through, essentially, a cloud of aminos. They are able to sequester closing on 80 percent of the carbon, and they use it to pump out and into nearby oil fields to pressurize the oil to facilitate extraction. Up in Saskatchewan at Boundary Dam, they have proved that the technology works, and where they are, with a little financing help from the Province, the economics work also.

Unfortunately, not every coal-burning plant is on an oil field where the carbon dioxide can be used for extraction. Other than the facility in Saskatchewan, there is not a lot going on, on this continent. The Illinois facility collapsed, the facility in the South just collapsed, and there is one in Texas that is going on. But the bill the four of us got together on—which would be to create a tax credit paid for each ton of carbon that is captured and utilized or sequestered—could really make a difference. Knowing those credits are out there is the kind of reliance industry needs in order to invest in the technologies to make this happen.

Of course, a real market for carbon reduction technologies ultimately requires putting a price on carbon emissions. We can fiddle around with payments for reduced carbon, but ultimately a price on carbon is the sensible economic solution. I think that is pretty much universally agreed by economists. Everyone agrees that carbon dioxide emissions are not a good thing. Everyone also agrees that carbon dioxide emissions are free to emitters now, so we get a lot of them.

A harmful thing that is free to the emitter is called, in economic terms, an externality. It is an externality because the cost of the harm is external to the price of the product. A basic tenet of market economics is that the cost of a harm should be built into the price of the product that causes the harm.

It is basically an economic version of being polite. If you throw your trash over into your neighbor's yard instead of paying for your trash collection, well, your neighbor has to clean up

your mess and you are being really rude—a bad neighbor.

In essence, that is what the fossil fuel industry has been doing with their carbon dioxide emissions for years—not paying to clean them up, dumping them all into our common atmosphere and our common oceans, making their neighbors pay because they don't want to pay for their own waste.

Like that bad neighbor, they have come up with various excuses: Oh, it would be too expensive for us to pay for our trash collection. Or, our trash is actually good for your yard; it kind of composts it a bit. You will love it. It is better for you to clean it up.

Then there is my personal favorite: If you make us take care of our own waste, we will beat you up—politically, at least, which is why the fossil fuel industry spends so much money on politics, just to be able to make that threat credible. And around here, boy, is it credible. It explains virtually fully our failure as an institution to address this patently obvious problem that our own home State universities are telling us is real. From Utah to Rhode Island, the universities we support and root for know and teach climate science.

Anyway, I have a carbon price bill that would cause a technological boom in carbon capture and carbon utilization because, at last, there would be a reason to pay for it, and the free market could get to work. American ingenuity could get to work. With that market signal and with funding from revenues that the fee would generate, we could actually extend the life of existing coal plants being shuttered by competition from natural gas, by stripping their carbon dioxide emissions so that they actually didn't do the damage that they are doing now, they stopped throwing their trash into their neighbors' yard, and they paid for trash collection. The technology needs to be there and the economics need to be there, and then it can be done.

We really ought to pass the carbon fee bill. I would add that the carbon fee bill also creates a lot of revenue. We, I think, have agreed that revenue ought not go to fund the government—not to make Big Government—but there are other things we can do with it that would be very helpful. One would be to make coal country whole for the economic losses coal country has sustained.

Remember Huey Long's old slogan: ''Every man a king.'' We could make every miner a king—with a solid pension, retirement at any time, full health benefits for life for the family, a cash account based on years worked, a voucher for a new vehicle, a college plan for their kids. It all becomes doable if we pass a carbon fee and use the revenues to help coal country. Otherwise, nothing will change.

Coal country will just keep suffering as natural gas keeps driving coal out of the energy market. There is no mechanism now to remedy that inevitability. People will suffer. There is a remedy right there—a carbon fee—that can help fund and encourage the development of the technologies so that we can strip the carbon dioxide out of the emitting powerplants and so that we can go into these coal countries where pensions and benefits have been stripped by bankruptcy, by the collapse of this industry, and make those folks whole again.

Give them their dignity. Let them retire now. It is not their fault that the coal industry has collapsed. They worked hard. They did dangerous work. They went down in the mines. They worked big equipment. It is a dangerous occupation to be a coal miner, and it is entitled to respect. Retire any time, full health benefits for you and the family, a cash account to help, a new vehicle voucher, a college plan for the kids, to make sure they are well-educated—you could do a lot of those things. You could help those people pass a carbon fee and make every coal miner a king.

In the meantime, I am willing to find funding to flip the social cost of carbon—the way we did in our bill, announced today—and create a positive fee, a tax credit for carbon capture and carbon utilization. I am willing to work with Republican colleagues to find a way to pay our nuclear fleet for the carbon-free nature of its nuclear power.

It is crazy to be closing safely operating nuclear power facilities just because they get zero economic value for the carbon-free nature of their power. The carbon-free nature of their power has value. The carbon-free nature of power has significant value. That is why we are offering in our legislation a tax credit of $30 to $50 per avoided ton of carbon dioxide emissions. That implies that an avoided ton of carbon dioxide emissions is worth $30 to $50.

If nuclear power avoids that, I am willing to work with my Republican colleagues to figure out a way so that our nuclear fleet can enjoy the actual economic advantage of the carbon-free power they produce.

We close a nuclear plant so we can open a natural gas plant which pollutes more than the nuclear plant because the economics are so fouled up that the nuclear plant gets no value for carbon-free power and the natural gas plant pays no costs for the harm of its carbon emissions. It is economic madness.

We know that carbon-free nature has value. We know that the carbon-free nature of nuclear power has value. We just will not pay for it, and plants close due to that market failure, and jobs are lost, and power is lost, and new investments have to be stood up in polluting plants to make the difference. It is crazy.

In closing, the Heitkamp-Whitehouse-Capito-Barrasso bill, the FUTURE bill, to provide a tax credit for carbon capture utilization and sequestration in powerplants, in factories, and in a variety of applications, is small. It is in some respects a gesture, but everything begins with small steps and small gestures. I am proud to be a part of it, but I want to remind my colleagues that there are also big win-win ways that we can solve the larger problem. I look forward to working together to accomplish just that.

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. CRUZ. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CALLING FOR THE RELEASE OF LIU XIAOBO

Mr. CRUZ. Mr. President, I stand here today on behalf of a hero of freedom and democracy in the People's Republic of China. Liu Xiaobo and his wife Liu Xia are the faces of liberty in China. They have sacrificed comfort and normalcy to chart a path toward political liberalization. For that, they have been detained, imprisoned, and abused.

In 2008, Liu Xiaobo coauthored ''Charter 08,'' a manifesto that shined a light on the Communist Party of China and its totalitarian abuse of power. Though many brave souls signed their names and their fates to that document, Dr. Liu's name was at the very top. For this reason, he received the Nobel Peace Prize. He also received charges of ''inciting subversion of state power'' and an 11-year prison sentence. It is impossible to neglect the stark irony: a man dedicated to nonviolence, imprisoned for promoting peace.

Motivating Dr. Liu's tremendous courage and self-sacrifice was a determination to remember what the People's Republic of China desperately wants the world to forget: Tiananmen Square. A poet, author, and political scientist, Dr. Liu was, in 1989, a visiting scholar at Columbia University, but when the pro-democracy protests broke out in Beijing in June of that year, he raced back to China to support them. He staged a hunger strike in Tiananmen Square in the midst of the historic student protests and insisted that they would remain nonviolent in the faces of the tanks, which the Chinese military deployed to smash them.

In 1996, the party subjected him to 3 years of ''reeducation through labor'' for continuing to question China's one-party system.

In 2008, on the eve of the 100-year anniversary of China's first Constitution and the 30-year anniversary of Beijing's Democracy Wall movement, Dr. Liu dedicated his work on ''Charter 08'' to the martyrs at Tiananmen Square.

Today, 8 years into his unjust imprisonment, Dr. Liu needs our help more than ever. Last month, it was revealed that Dr. Liu has contracted an aggressive, late stage form of liver cancer. Although PRC authorities ''released'' him ''on medical parole,'' both Liu Xiaobo and Liu Xia linger without freedom. Even worse, Liu Xiaobo is dying.

His condition is critical, and we are running out of time to act on his behalf.

Although Chinese authorities compelled the Lius to sign an affidavit allegedly attesting to their satisfaction with the medical care they have received in China and their wish to remain there, Liu Xia has communicated to their attorney their desire to spend Liu Xiaobo's final days in America. PRC doctors insisted that Dr. Liu was too ill to travel, but medical experts from the United States and Germany—one of them being Dr. Joseph Herman of the MD Anderson Cancer Center of the University of Texas—visited Dr. Liu and attested to the contrary. Issuing a joint statement, they agreed that Dr. Liu ''can be safely transported with appropriate medical evacuation care and support.'' They then issued this stark warning: ''However, the medical evacuation would have to take place as quickly as possible.''

The urgency of this situation goes beyond Liu Xiaobo. Liu Xia's livelihood is inextricably linked to the ability of the two of them to leave China. Due to his imprisonment, Liu Xiaobo has been unable to receive his $1.5 million in prize money from the Norwegian Nobel Committee. The holdup of transferring the funds is merely routine: a signed form from Dr. Liu and an open bank account with his name on it. But China has prevented these technical steps from progressing. If Liu Xiaobo dies without receiving this account, Liu Xia will be left destitute with no money. I shudder to think what a life would hold for the wife of China's boldest political prisoner.

Only one man stands between a dying man's wish and his wife's livelihood and freedom: Xi Jinping. Although no one action can undo the turmoil that the Lius have suffered over the past 28 years, it is not too late to do the right thing and to allow this man and his wife to spend their last days together according to their wishes.

It wouldn't be the first time that Xi has made a similar decision. Earlier this year, he agreed, after consultations with the Trump administration, to release an imprisoned Houstonian, Sandy Phan-Gillis, who was incarcerated on false charges. Although nothing could bring back the 2 years of separation from her family, she and her family are now reunited—something I spent considerable time urging and encouraging and was grateful to see come to pass.

Lest Xi forget, even Kim Jong Un, the dictator in North Korea, allowed Otto Warmbier, a young American college student from Ohio—in the prime of his life before torture and abuse left him in a coma—to return home for his final hours. Surely, Xi can show the same degree of humanity shown by Kim Jong Un.

Indeed, toward that end, the bill that I have introduced numerous times to rename the street in front of the Chinese Embassy in honor of Liu Xiaobo is an instrument of leverage that can help produce his freedom. In 2015, I came to this floor and asked on three separate occasions for unanimous consent to pass my bill to rename the street in front of the Chinese Embassy after Liu Xiaobo. Over and over again, sadly, Democratic Senators stood up and objected, stymieing the effort. Each time I advocated on behalf of Liu Xiaobo and Liu Xia, my colleagues expressed procedural concerns: This is counterproductive. Doing so will only antagonize China.

Well, some of us are less concerned about antagonizing Chinese Communist dictators.

My fellow Senators assured me that they have negotiated the release of many political prisoners behind the scenes. Well, that is wonderful, and I encourage them to do so now in the few days and weeks Liu Xiaobo has ahead.

Even so, despite repeated Democratic objections—repeated Democratic obstructionism—ultimately, the U.S. Senate was able to pass my bill by voice vote in the 114th Congress, and the reason at the time was evident: China's stubbornness—wrongly imprisoning a Nobel Peace laureate—required public action to force the issue. The end goal should be clear. It is not merely to rename a street, but rather to use the action to shine light on the Lius and to pressure the PRC to do the right thing.

No Member can explain the success of this tactic better than my good friend Senator GRASSLEY, the senior Senator from Iowa, who led a very similar effort in 1984 to rename the street in front of the Soviet Embassy after Andrei Sakharov, the famed Soviet dissident. Senator GRASSLEY led that effort under Ronald Reagan, and when the street was renamed, it meant anytime a Soviet had to write to their Embassy, they had to write Sakharov's name. It meant anytime you had to pick up the phone and call the Embassy and say ''Where exactly do I find this Embassy?'' they had to address and highlight the dissident.

For the PRC, they do not want to highlight Liu Xiaobo because he is a powerful voice for freedom and against tyranny. Just as it worked against the Soviet Union, as Reagan demonstrated, public shaming, shining light, telling the truth can bring down the machinery of oppression. So, too, can public shaming—shining light—secure Dr. Liu's freedom.

As we stand here today, we don't know if Xi is going to allow Dr. Liu to come to freedom, to live out his last days in peace, and to receive the Nobel Peace Prize that he was so justly awarded. If Xi does the right thing, we can all commend the action. But if not, I am announcing my intention to continue to press this bill, to seek its passage again in this Congress, just as the Senate passed it in the prior Congress. I intend to press forward and seek passage of this bill.

If Dr. Liu is not released—if he dies in China, still under their oppression—I intend to continue to fight until the day when the street is named in front of the Embassy and the Chinese Communists can bow their heads in shame at their injustice. If they don't want to be publicly shamed, there is an easy path: Don't commit shameful acts. Truth has power. Sunshine and light have power.

I urge my colleagues on both sides of the aisle—Republicans and Democrats: If there is an issue that should unite us all, it is that a Nobel Peace laureate speaking out for peace and democracy should not be wrongly imprisoned in Communist China. That should bring us together—and the full force of the United States.

I commend President Trump for leading on this issue, and I am hopeful that China will see its way to doing the right thing.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TILLIS). The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. MCCAIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

GETTING OUR WORK DONE

Mr. MCCAIN. Mr. President, as we know, yesterday the majority leader announced that he plans to delay the start of the August recess by 2 weeks. He stated that this delay is necessary in order to ''complete action on important legislative items and process nominees that have been stalled by a lack of cooperation from our friends on the other side of the aisle.'' Those are the majority leader's words.

I have no problem with the leader's decision. I will happily stay here an additional 2 weeks. I will stay 3, 4, or even 5 weeks as long as we have a plan to address the serious issues that face this Nation.

My friends, when the Senate completes its work this week, we will have considered a whopping total this entire week of three nominations, one of them being a noncontroversial district judge nominee on which the majority leader was forced to file cloture. That cloture vote was unanimous, 97 to 0. Yet we were still forced to burn postcloture time—30 hours—before being allowed to vote earlier today on his confirmation—a vote that was again unanimous at 100 to 0. What? That is the way we are doing business in the Senate? I will repeat. The vote to stop debate was 97 to 0 after 30 hours. After we burned 30 hours, then we were allowed to vote earlier today—a vote that was again unanimous at 100 to 0. Why?

We have a war on. We have men and women in harm's way. We have nominees stacked up, and so we are spending an entire week with three nominees. So with an incredible act of another chapter in ''Profiles in Courage,'' rather than say, OK, we will stay here

Friday, we will stay here Saturday, we will stay here Sunday, but by God we are going to do the people's business—we are not doing the people's business.

I can't go through all the machinations between the Democratic leader and our majority leader, and I can't go through all the tos and fros and all of that, but I am supposed to go back and speak to a high school civics class and say: I am happy to be here. I have had a very tough week this week in the Senate, my young friends who may want to be engaged in public service someday, and we voted on a district judge 97 to 0. Thirty hours later, we were allowed to vote on his nomination, and the vote was 100 to 0.

That is what the Senate is supposed to do? There was no reason why we needed to take 3 days on this nominee.

I say to my friend the Democratic leader and I say to the Republican leader: This type of obstruction has gone on long enough, and it has to stop.

As I said, I am happy to stay here for the entire August recess to do the work the American people sent us here to do, but we must first have a plan of what we are going to do and how. What are we to say to the American people if we stay here for several weeks, have no legislative plan, and accomplish nothing? We have been in for 6 months now. What have we done? We have done Gorsuch, and we have done Gorsuch, and we have done Gorsuch, and we have repealed some regulations—all of it with my party in control of all three branches of government. I am not proud to go back to Arizona and talk about that record of nonaccomplishment.

Right now, we have no consensus on how to repeal and replace the failed policies of ObamaCare. I can't tell you the number of hours I have heard the same arguments go around and around and around and around. As far as I know, there is no consensus on how to best fund the government, no plan to do a bipartisan budget deal, and no path forward on appropriations bills. This is disgraceful.

What I am asking for is simple. If we are going to stay here to work, then let's get some work done. Why aren't we working now? Why aren't we working tonight? There are nominees in the Department of Defense who are before this body, and we are in a war, and what are we doing? We are doing a vote on a district judge that we took 30 hours—30 hours—to discuss.

If we are going to stay here, let's get the work done. Let's come in early, stay late, negotiate a healthcare bill, and process nominations to make sure the administration is adequately staffed so the executive branch can function. Let's renew FDA user fees to streamline the regulatory process for lifesaving prescription drugs. Let's fund the Veterans Choice Program to ensure our veterans are able to access care in their communities. Let's address the debt limit before we default on our payments. Let's debate, amend, and pass the fiscal year 2018 National Defense Authorization Act. Perhaps, most importantly, let's get to work on the budget so we can begin moving individual appropriations bills to fund the government and not have to resort to a continuing resolution or omnibus.

To those who may be watching, the fact is that a continuing resolution and an omnibus means that we have two choices—yes or no. We don't have an amendment. We don't have a way to improve it. We are talking about trillions of dollars, but we are going to wait until we are right at the edge of the cliff, and then my distinguished friends and leaders on both sides will say: You have to vote aye; you have to vote aye because the government is going to be shut down. I am tired of that choice. We know it is coming. We know the cliff is here. So what did we do this week? We spent 30 hours discussing a district judge—30 hours debating a district judge. Is that the right use of American taxpayers' dollars?

Have we no shame?

The Senate Armed Services Committee successfully reported out the fiscal year 2018 National Defense Authorization Act 27 to 0, supporting $650 billion for the base budget for national defense and an additional $60 billion for Overseas Contingency Operations. At these levels, the national defense budget would be $91 billion above the Budget Control Act spending cap. To put it another way, there was unanimous, bipartisan support for an increase in defense spending of the Budget Control Act, capped by more than a quarter of this body—more than a quarter of this body, on both sides of the aisle. In one sense this consensus isn't surprising because after years of budget cuts under the BCA sequestration, our military faces a serious crisis. As we ask them to do more and more in an increasingly dangerous world, Congress has failed to provide our men and women in uniform with the training, resources, and capabilities they need.

I will repeat that. Congress has failed to provide our men and women in uniform with the training, resources, and capabilities they need.

However, simply passing an authorization bill at higher defense spending levels will not solve the funding problems for our military. We know we must pass a bipartisan budget deal to undo the Budget Control Act caps and set an agreed upon budget top line to allow the appropriations bills to move forward. Absent a bipartisan budget deal, we will be stuck with another continuing resolution, which, I might add, will be below the BCA budget caps for defense, or, worse, we will be facing—guess what—a shutdown of the government.

Has it been that long since we had the last shut down?

I have come to this floor several times already this year demanding that we start negotiating a budget deal. We are 2 months away from the start of the fiscal year. We know that a budget deal must be done. The failure to begin negotiations means we are knowingly driving toward an outcome that will fund our military at levels below the Budget Control Act caps.

I don't understand why we haven't started. It is not because we think the BCA levels are acceptable. It is not because we believe there is a way to responsibly fund the government without adjusting the BCA caps. Even our leader, Senator MCCONNELL, has publicly stated that we will need to adjust the caps. This leads me to believe that there is only one reason why we are stalling negotiations on a budget deal and forcing the government and our military to start the year on a ''continuing resolution'' and that is one word, and that word is ''politics.''

The same tactic that the Democratic leader is employing on nomination stalling is being applied to a budget deal. I find that to be shameful.

There is plenty of blame to go around. The White House has also been surprisingly absent. Their own budget submission asked for defense spending above the budget control caps and repeal of the defense sequester, but none of that—none of that—is possible without negotiating a bipartisan budget deal. Yet we have heard nothing from the White House—nothing. Any budget deal that would pass both the House and Senate and be signed by the President will be extremely difficult to negotiate. That is why we should have started long ago, and we must start now.

I have been ready and willing all year to begin working. My door and, I know, the majority of my colleagues' doors are open to any Senator, Republican or Democrat, but what we really need is for a select group of key Members to come together with leadership's blessings to begin negotiating.

Unless and until this body gets to work on a bipartisan budget deal, we will continue down the path we have been on for years, lurching from crisis to crisis, with no strategy for how to meet our budget responsibilities or fund our national security needs.

My friends, colleagues, and fellow Americans, we must summon the political courage to do the hard work the American people expect of us to do a budget the way we are supposed to—a budget that is sufficient to meet the complex threats of today's world. Our brave servicemembers who are facing those threats every single day deserve no less.

Finally, every year for many years now, I have taken my time on the Fourth of July to have the honor of spending that national holiday in Afghanistan with the men and women who are serving in the military with courage, sacrifice, and skill. As part of our activities there, we have a townhall meeting with several hundred of the men and women in uniform who are serving. My friend LINDSEY GRAHAM,

who occasionally has a good idea—once every decade—asked the group: How many of you are here not for the first time? Almost everybody in that room raised their hand.

He said: How many of you have been more than twice? Two-thirds of the men in that room raised their hand.

He said: How many of you have been here multiple times? A good number of them raised their hand.

The point is that they are out there serving time after time after time, away from their homes, away from their families, working more than maybe 2 weeks in August. And what are we doing? What are we doing for them?

There are a lot of things they need, and there are a lot of things we need to give them. Yet, somehow, we can't see our way clear—Republicans and Democrats—to sit down and do the right thing for these men and women—to do the right thing so they can win.

We now have a new President, a new National Security Advisor, and a new Secretary of Defense. I don't agree with this President very often, but I do know that this President is committed to rebuilding the military and a winning strategy. The strategy for the last 8 years has been ''don't lose.'' I know that General Mattis and General McMaster are people who want to win, and they have a strategy to win, and we have to be of assistance to them to provide the men and women with what they need to win.

So I ask my colleagues, with passion, that we sit down and figure out the budget deal, move forward with it, and not spend a week like we just spent this week with 30 hours in order to confirm one district judge.

I yield the floor.

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. PERDUE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. PERDUE. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I wish to submit to the Senate the budget scorekeeping report for July 2017. The report compares current-law levels of spending and revenues with the amounts the Senate approved in the budget resolution for fiscal year 2017, S. Con. Res. 3. This information is necessary for the Senate Budget Committee to determine whether budget points of order lie against pending legislation. The Republican staff of the Senate Budget Committee and the Congressional Budget Office, CBO, prepared this report pursuant to section 308(b) of the Congressional Budget Act (CBA).

My last filing can be found in the RECORD on June 7, 2017. The information contained in this report captures legislative activity from that filing through July 10, 2017.

Republican Budget Committee staff prepared tables 1 through 3 of this report. They remain unchanged since my last filing.

In addition to the tables provided by Budget Committee Republican staff, I am submitting CBO tables, which I will use to enforce budget totals approved by the Congress.

CBO provided a spending and revenue report for fiscal year 2017, which helps enforce aggregate spending levels in budget resolutions under CBA section 311. CBO's estimates show that current-law levels of spending fiscal year 2017 are below the amounts assumed in the budget resolution by $303 million in budget authority and $6.4 billion in outlays. CBO also estimates that revenues are $1 million above assumed levels for fiscal year 2017, but $21 million below assumed levels over the fiscal year 2017–2026 period. Social Security levels are consistent with the budget resolution's fiscal year 2017 figures.

CBO's report also provides information needed to enforce the Senate pay-as-you-go, PAYGO, rule. The Senate's PAYGO scorecard currently shows increased deficits of $226 million over the fiscal year 2016–2021 and $227 million over fiscal year 2016–2026 periods. For both of these periods, outlays have increased by $201 million, while revenues decreased by $25 million over the 6-year period and $26 million over the 11-year period. The Senate's PAYGO rule is enforced by section 201 of S. Con. Res. 21, the fiscal year 2008 budget resolution.

Finally, included in this submission is a table tracking the Senate's budget enforcement activity on the floor. No budget points of order have been raised since my last filing.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the tables be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

TABLE 1.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (−) BUDGET RESOLUTIONS

[In millions of dollars]

	2017	2017–2021	2017–2026
Agriculture, Nutrition, and Forestry			
Budget Authority	0	0	0
Outlays	0	0	0
Armed Services			
Budget Authority	0	0	0
Outlays	0	0	0
Banking, Housing, and Urban Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Commerce, Science, and Transportation			
Budget Authority	1	1	1
Outlays	1	1	1
Energy and Natural Resources			
Budget Authority	0	0	0
Outlays	0	0	0
Environment and Public Works			
Budget Authority	0	0	0
Outlays	0	0	0
Finance			
Budget Authority	−239	468	−204
Outlays	38	763	91
Foreign Relations			
Budget Authority	0	0	0
Outlays	0	0	0
Homeland Security and Governmental Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Judiciary			
Budget Authority	0	0	0
Outlays	0	0	0
Health, Education, Labor, and Pensions			
Budget Authority	0	0	0
Outlays	0	0	0
Rules and Administration			
Budget Authority	0	0	0
Outlays	0	0	0
Intelligence			
Budget Authority	0	0	0
Outlays	0	0	0
Veterans' Affairs			
Budget Authority	0	0	0
Outlays	0	200	200
Indian Affairs			
Budget Authority	0	0	0
Outlays	0	0	0
Small Business			
Budget Authority	0	0	0
Outlays	0	0	0
Total			
Budget Authority	−238	469	−203
Outlays	39	964	292

TABLE 2.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS [1]

[BUDGET AUTHORITY, IN MILLIONS OF DOLLARS]

	2017	
	Security [2]	Nonsecurity [2]
Statutory Discretionary Limits	551,068	518,531
Amount Provided by Senate Appropriations Subcommittee		
Agriculture, Rural Development, and Related Agencies	0	20,877
Commerce, Justice, Science, and Related Agencies	5,200	51,355
Defense	515,977	138
Energy and Water Development	19,956	17,815
Financial Services and General Government	33	21,482
Homeland Security	1,876	40,532
Interior, Environment, and Related Agencies	0	32,280
Labor, Health and Human Services, Education and Related Agencies	0	161,025
Legislative Branch	0	4,440
Military Construction and Veterans Affairs, and Related Agencies	7,726	74,650
State Foreign Operations, and Related Programs	0	36,586
Transportation and Housing and Urban Development, and Related Agencies	300	57,351
Current Level Total	551,068	518,531
Total Enacted Above (+) or Below (−) Statutory Limits	0	0

[1] This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.

[2] Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

[Budget authority, millions of dollars]

	2017
CHIMPS Limit for Fiscal Year	19,100
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies	741

TABLE 3.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)—Continued

[Budget authority, millions of dollars]

	2017
Commerce, Justice, Science, and Related Agencies	8,452
Defense	0
Energy and Water Development	0
Financial Services and General Government	826
Homeland Security	187
Interior, Environment, and Related Agencies	28
Labor, Health and Human Services, Education and Related Agencies	8,009
Legislative Branch	0
Military Construction and Veterans Affairs, and Related Agencies	0
State Foreign Operations, and Related Programs	0
Transportation and Housing and Urban Development, and Related Agencies	857
Current Level Total	19,100
Total CHIMPS Above (+) or Below (−) Budget Resolution	0

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, July 12, 2017.

Hon. MIKE ENZI,
Chairman, Committee on the Budget,
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2017 budget and is current through July 10, 2017. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the technical and economic assumptions of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017.

Since our last letter dated June 7, 2017, the Congress has not cleared any legislation for the President's signature that has significant effects on budget authority, outlays, or revenues.

Sincerely,

KEITH HALL.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF JULY 10, 2017

[In billions of dollars]

	Budget Resolution	Current Level	Current Level Over/Under (−) Resolution
On-Budget			
Budget Authority	3,329.3	3,329.0	−0.3
Outlays	3,268.2	3,261.8	−6.4
Revenues	2,682.1	2,682.1	0.0
Off-Budget			
Social Security Outlays[a]	805.4	805.4	0.0
Social Security Revenues	826.0	826.0	0.0

Source: Congressional Budget Office.

[a] Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2017, AS OF JULY 10, 2017

(In millions of dollars)

	Budget Authority	Outlays	Revenues
Previously Enaeted[a b]			
Revenues	n.a.	n.a.	2,682,088
Permanents and other spending legislation	2,054,297	1,960,884	n.a.
Appropriation legislation	132,558	614,655	n.a.
Offsetting receipts	−834,250	−834,301	n.a.
Total, Previously Enacted	1,352,605	1,741,238	2,682,088
Enacted Legislation:			
National Aeronautics and Space Administration Authorization Act of 2017 (P.L. 115–10)	1	1	0
A joint resolution making further continuing appropriations for fiscal year 2017, and for other purposes (P.L. 115–30)	2	2	0
Consolidated Appropriations Act, 2017 (P.L. 115–31)	1,967,450	1,518,744	1
Total, Enacted Legislation	1,967,453	1,518,747	1
Entitlements and Mandatories:			
Budget resolution estimates of appropriated entitlements and other mandatory programs	8,928	1,795	0
Total Current Level[c]	3,328,986	3,261,780	2,682,089
Total Senate Resolution[d]	3,329,289	3,268,171	2,682,088
Current Level Over Senate Resolution	n.a.	n.a.	1
Current Level Under Senate Resolution	303	6,391	n.a.
Memorandum:			
Revenues, 2017–2026:			
Senate Current Level	n.a.	n.a.	32,351,639
Senate Resolution	n.a.	n.a.	32,351,660
Current Level Over Senate Resolution	n.a.	n.a.	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	21

Source: Congressional Budget Office.

Notes: n.a. = not applicable; P.L. = Public Law.

[a] Includes the budgetary effects of enacted legislation cleared by the Congress during the 114th session, prior to the adoption of S. Con. Res. 3, the Concurrent Resolution on the Budget for Fiscal Year 2017.

[b] Sections 193–195 of Division A of P.L. 114–254 provided funding, available until expended, for innovation projects and state responses to opioid abuse. CBO estimates that, for fiscal year 2017:

The $20 million in discretionary budget authority provided by section 193 would result in an additional $5 million in outlays for FDA innovation projects;

The $352 million in discretionary budget authority provided by section 194 would result in an additional $91 million in outlays for NIH innovation projects;

The $500 million in discretionary budget authority provided by section 195 would result in an additional $160 million in outlays for state response to opioid abuse.

Consistent with sections 1001–1004 of P.L. 114–255, for the purposes of estimating the discretionary budget authority and outlays for these provisions under the Congressional Budget and Impoundment Act of 1974 and the Balanced Budget and Emergency Deficit Control Act of 1985, those amounts are estimated to provide no budget authority or outlays.

[c] For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level does not include these items.

[d] Periodically, the Senate Committee on the Budget revises the budgetary levels in S. Con. Res. 3, pursuant to various provisions of the resolution. The total for the Initial Senate Resolution shown below excludes $81,872 million in budget authority and $40,032 million in outlays assumed in S. Con. Res. 3 for non regular discretionary spending, including spending that qualifies for adjustments to discretionary spending limits pursuant to section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985. The total for the Revised Senate Resolution shown below includes amounts for non regular discretionary spending:

	Budget Authority	Outlays	Revenues
Initial Senate Resolution	3,226,128	3,224,630	2,682,088
Revisions:			
Pursuant to sections 311 and 314(a) of the Congressional Budget Act of 1974	103,161	43,541	0
Revised Senate Resolution	3,329,289	3,268,171	2,682,088

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 115TH CONGRESS, AS OF JULY 10, 2017

[In millions of dollars]

	2016–2021	2016–2026
Beginning Balance[a]	0	0
Enacted Legislation:[b c d]		
Tested Ability to Leverage Exceptional National Talent Act of 2017 (P.L. 115–1)	*	*
Disapproving the rule submitted by the Department of the Interior known as the Stream Protection Rule (P.L. 115–5)	*	*
National Aeronautics and Space Administration Transition Authorization Act of 2017 (P.L. 115–10)	1	1

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 115TH CONGRESS, AS OF JULY 10, 2017—Continued

[In millions of dollars]

	2016–2021	2016–2026
Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues (P.L. 115–14)	*	*
Disapproving the rule submitted by the Department of Labor relating to "Clarification of Employer's Continuing Obligation to Make and Maintain an Accurate Record of Each Recordable Injury and Illness" (P.L. 115–21)	1	1

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 115TH CONGRESS, AS OF JULY 10, 2017—Continued

[In millions of dollars]

	2016–2021	2016–2026
Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by qualified State political subdivisions for non-governmental employees (P.L. 115–24)	*	*
An act to amend the Veterans Access, Choice, and Accountability Act of 2014 to modify the termination date for the Veterans Choice Program, and for other purposes (P.L. 115–26)	200	200

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD FOR THE 115TH CONGRESS, AS OF JULY 10, 2017—Continued

[In millions of dollars]

	2016–2021	2016–2026
Making further continuing appropriations for fiscal year 2017, and for other purposes (P.L. 115–30) [c]	*	*
Consolidated Appropriations Act, 2017 (P.L. 115–31) [f]	24	25
U.S. Wants to Compete for a World Expo Act (P.L. 115–32)	*	*
Modernizing Government Travel Act (P.L. 115–34)	*	*
Disapproving the rule submitted by the Department of Labor relating to savings arrangements established by States for non-governmental employees (P.L. 115–35)	*	*
Public Safety Officers' Benefits Improvement Act of 2017 (P.L. 115–36)	*	*
Follow the Rules Act (P.L. 115–40)	*	*
Department of Veterans Affairs Accountability and Whistleblower Protection Act of 2017 (P.L. 115–41)	*	*
A bill to amend section 1214 of title 5, United States Code, to provide for stays during a period that the Merit Systems Protection Board lacks a quorum (P.L. 115–42)	*	*
Current Balance	226	227
Memorandum:		
Changes to Revenues	−25	−26
Changes to Outlays	201	201

Source: Congressional Budget Office.

Notes: P.L. = Public Law; * = between −$500,000 and $500,000.

[a] Pursuant to the statement printed in the Congressional Record on January 17, 2017, the Senate Pay-As-You-Go Scorecard was reset to zero.

[b] The amounts shown represent the estimated effect of the public laws on the deficit.

[c] Excludes off-budget amounts.

[d] Excludes amounts designated as emergency requirements.

[e] The budgetary effects of this Act are excluded from the Senate's PAYGO scorecard pursuant to section 202(c) of P.L. 115–30.

[f] Division M of P.L. 115–31 contains the Health Benefits for Miners Act of 2017 and the Puerto Rico Section 1108(g) Amendment of 2017. Division N contains the HIRE Vets Act. Pursuant to section 301(b) of Division M, the budgetary effects of Division M and succeeding divisions are excluded from the Senate's PAYGO scorecard.

ENFORCEMENT REPORT OF LEGISLATION POST-S. CON. RES. 3, FY 2017 CONGRESSIONAL BUDGET RESOLUTION

Vote	Date	Measure	Violation	Motion to Waive	Result
—	—	—	—	—	—

ADDITIONAL STATEMENTS

TRIBUTE TO SUZY DEYOUNG

● Mr. PORTMAN. Mr. President, today I wish to recognize Suzy DeYoung from Cincinnati, recipient of the Jacqueline Kennedy Onassis Award for Outstanding Public Service. The Jefferson Awards Foundation was founded in 1972 by Jacqueline Kennedy Onassis, Senator Robert Taft, Jr., and Sam Beard to power others to have maximum impact on the things they care about most.

Suzy cares about helping her community and has a passion for good food. She was born to be a chef. Her father, Pierre Adrian, was head chef at the five-star Maisonette restaurant in Cincinnati and her grandparents were chefs in New York. She and her sister co-ran La Petite Pierre restaurant until Suzy split off to focus on La Soupe.

Now, Suzy is more than a chef. She is a business owner, transportation manager, teacher, and a fundraiser.

In response to growing childhood poverty rates and the fact that one-third of all food produced worldwide is either lost or wasted each year, Suzy DeYoung started La Soupe to close the gap between food waste and hunger. La Soupe rescues otherwise wasted produce to create delicious and highly nutritious meals for customers, nonprofits, and food-insecure families.

In 2016 alone, La Soupe rescued 125,000 pounds of food from going to the landfill and donated over 95,000 servings to people living in food insecurity.

La Soupe partners with Kroger, Jungle Jims, Crosset Company, Sugar Creek, and various local organic farms who provide ingredients allowing La Soupe's team of volunteer chefs to share their culinary magic turning rescued produce into soup or sometimes stew or gumbo or a casserole to feed to people who are hungry.

Suzy also spends time helping parents learn how to feed their kids and teaches weekly cooking classes at area schools, sending kids home with ingredients and recipes to cook for their families. In addition, she operates a retail ''Soupe Shack,'' where sales of the meals made from rich ingredients fuel donations to Cincinnati's food-deprived individuals.

An energetic social entrepreneur, Suzy has inspired chefs to create and give. She has inspired parents to provide healthier options to their families, and she has also inspired kids to pursue culinary careers.

I would like to congratulate Suzy DeYoung and thank her and all of the volunteers at LaSoupe for their dedication to closing the hunger gap for so many in greater Cincinnati.●

MESSAGE FROM THE HOUSE

At 12:02 p.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 bills, in which it requests the concurrence of the Senate:

H.R. 597. An act to take lands in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria of California, and for other purposes.

H.R. 702. An act to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal Government, and for other purposes.

H.R. 954. An act to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes.

H.R. 1306. An act to provide for the conveyance of certain Federal land in the State of Oregon, and for other purposes.

H.R. 1397. An act to authorize, direct, facilitate, and expedite the transfer of administrative jurisdiction of certain Federal land, and for other purposes.

H.R. 1404. An act to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona.

H.R. 1541. An act to authorize the Secretary of the Interior to acquire certain property related to the Fort Scott National Historic Site in Fort Scott, Kansas, and for other purposes.

H.R. 1913. An act to establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such counties, and for other purposes.

H.R. 1988. An act to designate the facility of the United States Postal Service located at 1730 18th Street in Bakersfield, California, as the ''Merle Haggard Post Office Building''.

H.R. 2156. An act to provide for the establishment of a national memorial and national monument to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, and for other purposes.

The message also announced that pursuant to section 703(c) of the Public Interest Declassification Act of 2000 (50 U.S.C. 3161 note), the Minority Leader appoints Mr. John F. Tierney of Massachusetts to the Public Interest Declassification Board.

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 597. An act to take lands in Sonoma County, California, into trust as part of the reservation of the Lytton Rancheria of California, and for other purposes; to the Committee on Indian Affairs.

H.R. 702. An act to amend the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 to strengthen Federal antidiscrimination laws enforced by the Equal Employment Opportunity Commission and expand accountability within the Federal Government, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1397. An act to authorize, direct, facilitate, and expedite the transfer of administrative jurisdiction of certain Federal land, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1404. An act to provide for the conveyance of certain land inholdings owned by the United States to the Tucson Unified School District and to the Pascua Yaqui Tribe of Arizona; to the Committee on Energy and Natural Resources.

H.R. 1913. An act to establish the Clear Creek National Recreation Area in San Benito and Fresno Counties, California, to designate the Joaquin Rocks Wilderness in such

counties, and for other purposes; to the Committee on Energy and Natural Resources.

H.R. 1988. An act to designate the facility of the United States Postal Service located at 1730 18th Street in Bakersfield, California, as the ''Merle Haggard Post Office Building'' ; to the Committee on Homeland Security and Governmental Affairs.

H.R. 2156. An act to provide for the establishment of a national memorial and national monument to commemorate those killed by the collapse of the Saint Francis Dam on March 12, 1928, and for other purposes; to the Committee on Energy and Natural Resources.

MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 954. An act to remove the use restrictions on certain land transferred to Rockingham County, Virginia, and for other purposes.

H.R. 1541. An act to authorize the Secretary of the Interior to acquire certain property related to the Fort Scott National Historic Site in Fort Scott, Kansas, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–2097. A communication from the Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled ''Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits'' (29 CFR Part 4022 and 29 CFR Part 4044) received in the Office of the President of the Senate on June 21, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC–2098. A communication from the Secretary of Education, transmitting, pursuant to law, the report of a rule entitled ''Assistance to States for the Education of Children with Disabilities and the Preschool Grants for Children with Disabilities Program; Early Intervention Program for Infants and Toddlers with Disabilities'' (RIN1820–AB74) received in the Office of the President pro tempore of the Senate; to the Committee on Health, Education, Labor, and Pensions.

EC–2099. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of General Counsel, Department of Education received in the Office of the President of the Senate on June 29, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC–2100. A communication from the White House Liaison, Department of Education, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Secretary, Office of Legislation and Congressional Affairs, Department of Education received in the Office of the President of the Senate on June 29, 2017; to the Committee on Health, Education, Labor, and Pensions.

EC–2101. A communication from the General Counsel, Office of Special Counsel, transmitting, pursuant to law, a report relative to the vacancy in the position of Special Counsel, received in the Office of the President of the Senate on June 27, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC–2102. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Administrator, Federal Emergency Management Agency, Department of Homeland Security, received in the Office of the President of the Senate on June 28, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC–2103. A communication from the Executive Secretary, Office of Personnel Management, transmitting, pursuant to law, the report of a vacancy for the position of Director, Office of Personnel Management, received in the Office of the President of the Senate on June 27, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC–2104. A communication from the Acting Director, Employee Services, Office of Personnel Management, transmitting, pursuant to law, the report of a rule entitled ''Prevailing Rate Systems; Redefinition of Certain Nonappropriated Fund Federal Wage System Wage Areas'' (RIN3206–AN48) received in the Office of the President of the Senate on June 27, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC–2105. A communication from the Acting Director, Office of Personnel Management, transmitting, pursuant to law, the Semiannual Report of the Inspector General and the Management Response for the period from October 1, 2016 through March 31, 2017; to the Committee on Homeland Security and Governmental Affairs.

EC–2106. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–91, ''Primary Date Alteration Amendment Act of 2017''; to the Committee on Homeland Security and Governmental Affairs.

EC–2107. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–92, ''Medical Marijuana Cultivation Center Relocation Temporary Amendment Act of 2017''; to the Committee on Homeland Security and Governmental Affairs.

EC–2108. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 22–90, ''St. Mary's Way Designation Act of 2017''; to the Committee on Homeland Security and Governmental Affairs.

EC–2109. A communication from the Senior Counsel for Regulatory and Legislative Affairs, Patent and Trademark Office, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Revival of Abandoned Applications, Reinstatement of Abandoned Applications and Cancelled or Expired Registrations, and Petitions to the Director'' (RIN0651–AC41) received in the Office of the President of the Senate on June 28, 2017; to the Committee on the Judiciary.

EC–2110. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, an annual report to Congress concerning intercepted wire, oral, or electronic communications; to the Committee on the Judiciary.

EC–2111. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting proposed legislation entitled ''National Defense Authorization Act for Fiscal Year 2018''; to the Committee on the Judiciary.

EC–2112. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, the Uniform Resource Locator (URL) for the report entitled ''2016 Report of Statistics Required by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005''; to the Committee on the Judiciary.

EC–2113. A communication from the Assistant General Counsel, Office of Justice Programs, Department of Justice, transmitting, pursuant to law, the report of a rule entitled ''Juvenile Justice and Delinquency Prevention Act Formula Grant Program'' (RIN1121–AA83) received during adjournment of the Senate in the Office of the President of the Senate on June 16, 2017; to the Committee on the Judiciary.

EC–2114. A communication from the Deputy General Counsel, Office of Hearings and Appeals, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled ''Rules of Procedure Governing Cases Before the Office of Hearings and Appeals'' (RIN3245–AG82) received in the Office of the President of the Senate on June 28, 2017; to the Committee on Small Business and Entrepreneurship.

EC–2115. A communication from the Acting Chairman of the National Transportation Safety Board, transmitting, pursuant to law, the Board's 2016 Annual Report to Congress; to the Committee on Commerce, Science, and Transportation.

EC–2116. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, Office of International Affairs and Seafood Inspection, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Taking and Importing Marine Mammals; Taking Marine Mammals Incidental to Waterfront Construction'' (RIN0648–BG32) received in the Office of the President of the Senate on June 21, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2117. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9571)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2118. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–0573)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2119. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2016–9553)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2120. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Lycoming Engines Reciprocating Engines'' ((RIN2120–AA64) (Docket No. FAA–2016–9512)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2121. A communication from the Management and Program Analyst, Federal

Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Division Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2016–9405)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2122. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pratt and Whitney Division Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2013–0740)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2123. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety Management System for Domestic, Flag and Supplemental Operations Certificate Holders; Technical Amendment'' ((RIN2120–AJ86) (Docket No. FAA–2009–0671)) received in the Office of the President of the Senate on June 20, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2124. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment and Removal of VOR Federal Airways; Eastern United States'' ((RIN2120–AA64) (Docket No. FAA–2017–0107)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2125. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9432)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2126. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9115)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2127. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; The Boeing Company Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–0531)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2128. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; General Electric Company Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2017–0016)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2129. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled '' Airworthiness Directives; General Electric Company Turbofan Engines'' ((RIN2120–AA64) (Docket No. FAA–2016–9490)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2130. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Pilatus Aircraft Ltd. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2017–0194)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2131. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Bombardier, Inc. Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2016–9387)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2132. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; BAE Systems (Operations) Limited'' ((RIN2120–AA64) (Docket No. FAA–2016–4220)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2133. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (Embraer) Airplanes'' ((RIN2120–AA64) (Docket No. FAA–2015–3143)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2134. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace; Aspen, CO; and Pueblo, CO'' ((RIN2120–AA66) (Docket No. FAA–2017–0054)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2135. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class E Airspace; Moses Lake, WA; Olympia, WA'' ((RIN2120–AA66) (Docket No. FAA–2017–0217)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2136. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of VOR Federal Airways; Eastern United States'' ((RIN2120–AA66) (Docket No. FAA–2016–9178)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2137. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment of Class D and Class E Airspace for the following Idaho towns; Lewiston, ID; Pocatello, ID; and Twin Falls, ID'' ((RIN2120–AA66) (Docket No. FAA–2017–0216)) received in the Office of the President of the Senate on June 29, 2017; to the Committee on Commerce, Science, and Transportation.

EC–2138. A communication from the Senior Official performing the duties of the Senior Official performing the duties of the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, Selected Acquisition Reports (SARs) for the Chemical Demilitarization-Assembled Chemical Weapons Alternatives (Chem Demil-ACWA) and Ballistic Missile Defense System (BMDS) programs; to the Committee on Armed Services.

EC–2139. A communication from the Acting Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the ''National Defense Authorization Act for Fiscal Year 2018'' ; to the Committee on Armed Services.

EC–2140. A communication from the Senior Official performing the duties of the Under Secretary of Defense (Personnel and Readiness), Department of Defense, transmitting, pursuant to law, a report entitled ''2017 Report to Congress on Sustainable Ranges'' ; to the Committee on Armed Services.

EC–2141. A communication from the Executive Director, Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the Office of the Comptroller's 2016 Annual Report on Preservation and Promotion of Minority-Owned National Banks and Federal Savings Institutions; to the Committee on Banking, Housing, and Urban Affairs.

EC–2142. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Council's 2016 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC–2143. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13441 with respect to Lebanon; to the Committee on Banking, Housing, and Urban Affairs.

EC–2144. A communication from the Chair of the Board of Governors, 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–2145. A communication from the Chair of the Board of Governors, Federal Reserve System, transmitting, pursuant to law, a report entitled ''Report to the Congress on the Profitability of Credit Card Operations of Depository Institutions'' ; to the Committee on Banking, Housing, and Urban Affairs.

EC–2146. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled ''Availability of Funds and Collection of Checks'' (RIN7100–AD68) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Banking, Housing, and Urban Affairs.

EC–2147. A communication from the Chair of the Board of Governors, 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–2148. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the

report of a rule entitled ''Energy Conservation Program: Energy Conservation Standards for Walk-In Cooler and Freezer Refrigeration Systems'' ((RIN1904–AD59) (Docket No. EERE–2015–BT–STD–0016)) received in the Office of the President of Senate on July 10, 2017; to the Committee on Energy and Natural Resources.

EC–2149. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled ''Annual Report to Congress on the Medicare and Medicaid Integrity Programs Report for Fiscal Year 2015''; to the Committee on Finance.

EC–2150. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Update of Pre-Approved Plan Revenue Procedure'' (Rev. Proc. 2017–41) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Finance.

EC–2151. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Cumulative List of Changes in Plan Qualification Requirements for Pre-Approved Defined Contribution Plans for 2017'' (Notice 2017–37) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Finance.

EC–2152. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Guidelines for the Streamlined Process of applying for Recognition of Section 501(c)(3) Status'' ((RIN1545–BM06) (TD 9819)) received in the Office of the President of the Senate on July 10, 2017; to the Committee on Finance.

EC–2153. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2017–0723); to the Committee on Foreign Relations.

EC–2154. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2017–0722); to the Committee on Foreign Relations.

EC–2155. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2017–0721); to the Committee on Foreign Relations.

EC–2156. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2017–0720); to the Committee on Foreign Relations.

EC–2157. A communication from the Acting Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, of the proposed sale or export of defense articles and/or defense services to a Middle East country (OSS–2017–0719); to the Committee on Foreign Relations.

EC–2158. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of defense articles, including technical data, and defense services for the operational support, maintenance, and overhaul of F110-GE–100/100B/129/129B/129C/129D/129E/132/132A aircraft engines used in F–15 and F–16 aircraft to the Republic of Turkey in the amount of $50,000,000 or more (Transmittal No. DDTC 16–091); to the Committee on Foreign Relations.

EC–2159. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) and 36(d) of the Arms Export Control Act, the certification of defense articles, including technical data, and defense services to support the manufacture and maintenance of South Korea's T–50 aircraft program for ultimate end-use by the Kingdom of Thailand, Royal Air Force in the amount of $50,000,000 or more (Transmittal No. DDTC 17–002); to the Committee on Foreign Relations.

EC–2160. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of 5.56mm carbines with extra magazines and parts to Malaysia in the amount of $1,000,000 or more (Transmittal No. DDTC 17–027); to the Committee on Foreign Relations.

EC–2161. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of M16A4 rifles, spare parts, accessories, and training to the United Arab Emirates in the amount of $1,000,000 or more (Transmittal No. DDTC 16–123); to the Committee on Foreign Relations.

EC–2162. A communication from the Bureau of Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of M4A1 carbines with flash and sound suppressors, associated components and equipment to the Republic of Tunisia in the amount of $1,000,000 or more (Transmittal No. DDTC 16–129); to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BARRASSO for the Committee on Environment and Public Works.

*Susan Parker Bodine, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency.

*Annie Caputo, of Virginia, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2021.

*David Wright, of South Carolina, to be a Member of the Nuclear Regulatory Commission for the term of five years expiring June 30, 2020.

By Mr. CORKER for the Committee on Foreign Relations.

*Mark Andrew Green, of Wisconsin, to be Administrator of the United States Agency for International Development.

Mr. CORKER. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Foreign Service nominations beginning with Nicholas Raymond Abbate and ending with Elizabeth Marie Wysocki, which nominations were received by the Senate and appeared in the Congressional Record on June 6, 2017.

*Foreign Service nominations beginning with Gabriela R. Arias Villela and ending with Haenim Yoo, which nominations were received by the Senate and appeared in the Congressional Record on June 6, 2017.

*Foreign Service nominations beginning with Andrew Anderson-Sprecher and ending with Evan Nicholas Mangino, which nominations were received by the Senate and appeared in the Congressional Record on June 6, 2017.

*Foreign Service nominations beginning with Rameeth Hundle and ending with Loren Stender, which nominations were received by the Senate and appeared in the Congressional Record on June 6, 2017.

*Foreign Service nominations beginning with Andrew K. Abordonado and ending with Peter B. Winter, which nominations were received by the Senate and appeared in the Congressional Record on June 29, 2017.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. YOUNG (for himself and Mr. MANCHIN):

S. 1531. A bill to require reporting by the Secretary of Education on the implementation of recent Government Accountability Office recommendations; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself, Ms. KLOBUCHAR, and Mr. NELSON):

S. 1532. A bill to disqualify from operating a commercial motor vehicle for life an individual who uses a commercial motor vehicle in committing a felony involving human trafficking; to the Committee on Commerce, Science, and Transportation.

By Mr. GRASSLEY (for himself, Ms. STABENOW, Mr. COTTON, Mr. UDALL, Mr. HEINRICH, and Mr. BROWN):

S. 1533. A bill to amend title XIX of the Social Security Act to cover physician services delivered by podiatric physicians to ensure access by Medicaid beneficiaries to appropriate quality foot and ankle care, to amend title XVIII of such Act to modify the requirements for diabetic shoes to be included under Medicare, and for other purposes; to the Committee on Finance.

By Mr. WICKER (for himself and Mr. BLUMENTHAL):

S. 1534. A bill to direct the Federal Communications Commission to amend its rules so as to prohibit the application to amateur stations of certain private land use restrictions, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. HEITKAMP (for herself, Mrs. CAPITO, Mr. WHITEHOUSE, Mr. BARRASSO, Mr. KAINE, Mr. GRAHAM, Mr. SCHATZ, Mr. BLUNT, Mr. BOOKER, Mr. PORTMAN, Mr. TESTER, Mr. COCHRAN, Mr. CASEY, Ms. KLOBUCHAR, Mr. DURBIN, Mr. FRANKEN, Mr. BROWN, Mr.

WARNER, Mr. DONNELLY, Mr. MANCHIN, Ms. DUCKWORTH, Mr. PETERS, Mr. COONS, Mr. BENNET, and Mr. KING):

S. 1535. A bill to amend the Internal Revenue Code of 1986 to improve, expand, and extend the credit for carbon dioxide sequestration; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. THUNE, and Mr. NELSON):

S. 1536. A bill to designate a human trafficking prevention coordinator and to expand the scope of activities authorized under the Federal Motor Carrier Safety Administration's outreach and education program to include human trafficking prevention activities, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARDIN (for himself, Mr. COONS, Mr. VAN HOLLEN, Mr. FRANKEN, Mr. NELSON, Mr. UDALL, Mrs. FEINSTEIN, Mr. CARPER, Mr. LEAHY, and Mr. PORTMAN):

S. 1537. A bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act; to the Committee on Environment and Public Works.

By Mr. PETERS (for himself and Mr. RISCH):

S. 1538. A bill to amend the Small Business Act to establish awareness of, and technical assistance for, the creation of employee stock ownership plans, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. KLOBUCHAR (for herself, Ms. HIRONO, and Mrs. FEINSTEIN):

S. 1539. A bill to protect victims of stalking from gun violence; to the Committee on the Judiciary.

By Ms. STABENOW (for herself, Mr. BROWN, and Mr. PETERS):

S. 1540. A bill to amend the Internal Revenue Code of 1986 to allow a credit against tax for investments in qualified production facilities; to the Committee on Finance.

By Mr. CASSIDY:

S. 1541. A bill to modify the definition of an antique firearm; to the Committee on Finance.

By Mr. HATCH:

S. 1542. A bill for the relief of James Doyle, doing business as Rocky Mountain Ventures and Environmental Land Technologies, Ltd; to the Committee on the Judiciary.

By Mr. BLUMENTHAL:

S. 1543. A bill to amend title 10, United States Code, to improve protections for a member of the Armed Forces who is a survivor of a sexual assault during military service regarding the separation, or the characterization of any separation, of the member from the Armed Forces, to make additional changes to the authorities and procedures of boards for the correction of military records and discharge review boards, and for other purposes; to the Committee on Armed Services.

By Ms. KLOBUCHAR (for herself, Mr. CARDIN, Mr. DURBIN, Mr. REED, Ms. WARREN, Mr. SANDERS, Mr. MARKEY, Ms. DUCKWORTH, Mr. FRANKEN, Mr. BLUMENTHAL, Mr. WHITEHOUSE, Mrs. MURRAY, Mrs. SHAHEEN, Ms. HARRIS, and Mr. MERKLEY):

S. 1544. A bill to prevent Federal funds from being used to establish a cybersecurity unit in cooperation with the Russian Federation; to the Committee on Foreign Relations.

By Mr. WARNER (for himself, Mr. CARPER, Mr. COONS, Mr. NELSON, Ms. BALDWIN, Mr. KAINE, Mr. KING, Mr. PETERS, Mr. TESTER, and Ms. STABENOW):

S. 1545. A bill to amend title XIX of the Social Security Act to provide the same level of Federal matching assistance for every State that chooses to expand Medicaid coverage to newly eligible individuals, regardless of when such expansion takes place; to the Committee on Finance.

By Mr. WARNER (for himself, Mr. MANCHIN, Ms. HEITKAMP, and Mr. KING):

S. 1546. A bill to amend the Patient Protection and Affordable Care Act to provide greater flexibility in offering health insurance coverage across State lines; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOKER (for himself, Mr. MENENDEZ, Ms. HARRIS, Ms. CORTEZ MASTO, Ms. HIRONO, Ms. DUCKWORTH, Mrs. GILLIBRAND, Mr. MARKEY, Mr. REED, Mr. FRANKEN, Mr. DURBIN, Mr. COONS, Mr. BROWN, Mr. CARPER, Mrs. MURRAY, Mr. CASEY, Ms. HASSAN, Mrs. SHAHEEN, Mr. WHITEHOUSE, Ms. KLOBUCHAR, Mr. MURPHY, Mrs. FEINSTEIN, Mr. WYDEN, Mr. UDALL, Ms. WARREN, Mr. BLUMENTHAL, Mr. LEAHY, Mr. SCHUMER, Mr. HEINRICH, Mr. MERKLEY, Mr. SCHATZ, and Ms. CANTWELL):

S. 1547. A bill to nullify the effect of the recent Executive order that establishes an ''election integrity'' commission, which will be used and is designed to support policies that will suppress the vote in minority and poor communities across the United States; to the Committee on Rules and Administration.

ADDITIONAL COSPONSORS

S. 170

At the request of Mr. RUBIO, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 170, a bill to provide for nonpreemption of measures by State and local governments to divest from entities that engage in commerce-related or investment-related boycott, divestment, or sanctions activities targeting Israel, and for other purposes.

S. 194

At the request of Mr. WHITEHOUSE, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 194, a bill to amend the Public Health Service Act to establish a public health insurance option, and for other purposes.

S. 198

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 198, a bill to require continued and enhanced annual reporting to Congress in the Annual Report on International Religious Freedom on anti-Semitic incidents in Europe, the safety and security of European Jewish communities, and the efforts of the United States to partner with European governments, the European Union, and civil society groups, to combat anti-Semitism, and for other purposes.

S. 266

At the request of Mr. HATCH, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 266, a bill to award the Congressional Gold Medal to Anwar Sadat in recognition of his heroic achievements and courageous contributions to peace in the Middle East.

S. 281

At the request of Mr. LEE, the name of the Senator from Arizona (Mr. FLAKE) was added as a cosponsor of S. 281, a bill 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.

S. 301

At the request of Mr. LANKFORD, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 301, a bill to amend the Public Health Service Act to prohibit governmental discrimination against providers of health services that are not involved in abortion.

S. 397

At the request of Mr. ISAKSON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 397, a bill to amend title XVIII of the Social Security Act to ensure fairness in Medicare hospital payments by establishing a floor for the area wage index applied with respect to certain hospitals.

S. 690

At the request of Mr. CARDIN, the names of the Senator from Maine (Mr. KING) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 690, a bill to extend the eligibility of redesignated areas as HUBZones from 3 years to 7 years.

S. 720

At the request of Mr. CARDIN, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 720, a bill to amend the Export Administration Act of 1979 to include in the prohibitions on boycotts against allies of the United States boycotts fostered by international governmental organizations against Israel and to direct the Export-Import Bank of the United States to oppose boycotts against Israel, and for other purposes.

At the request of Mr. PORTMAN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 720, supra.

S. 925

At the request of Mrs. ERNST, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 925, a bill to amend title 38, United States Code, to improve the ability of health care professionals to treat veterans through the use of telemedicine, and for other purposes.

S. 945

At the request of Mr. CORNYN, the names of the Senator from Utah (Mr. LEE) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 945, a bill to amend the Carl D. Perkins Career and Technical Education Act of 2006 to authorize funds to identify and eliminate excessive occupational licensure.

S. 967

At the request of Ms. STABENOW, the names of the Senator from Montana (Mr. TESTER) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 967, a bill to amend title XVIII of the Social Security Act to increase access to ambulance services under the Medicare program and to reform payments for such services under such program, and for other purposes.

S. 1050

At the request of Mr. COCHRAN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1050, a bill to award a Congressional Gold Medal, collectively, to the Chinese-American Veterans of World War II, in recognition of their dedicated service during World War II.

S. 1068

At the request of Mr. WYDEN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1068, a bill to amend the Internal Revenue Code of 1986 to provide tax incentives for increased investment in clean energy.

S. 1104

At the request of Mr. MANCHIN, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1104, a bill to require the Federal Communications Commission to establish a methodology for the collection by the Commission of information about commercial mobile service and commercial mobile data service, and for other purposes.

S. 1179

At the request of Ms. MURKOWSKI, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 1179, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to inter in national cemeteries individuals who supported the United States in Laos during the Vietnam War era, and for other purposes.

S. 1182

At the request of Mr. YOUNG, the names of the Senator from Virginia (Mr. WARNER), the Senator from Mississippi (Mr. COCHRAN), the Senator from Mississippi (Mr. WICKER) and the Senator from Virginia (Mr. KAINE) were added as cosponsors of S. 1182, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 100th anniversary of The American Legion.

S. 1292

At the request of Mr. RUBIO, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1292, a bill to amend the State Department Basic Authorities Act of 1956 to monitor and combat anti-Semitism globally, and for other purposes.

S. 1312

At the request of Mr. GRASSLEY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 1312, a bill to prioritize the fight against human trafficking in the United States.

S. 1343

At the request of Mr. CASEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1343, a bill to amend the Internal Revenue Code to extend and modify certain charitable tax provisions.

S. 1354

At the request of Mr. CARPER, the names of the Senator from Maine (Mr. KING) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1354, a bill to establish an Individual Market Reinsurance fund to provide funding for State individual market stabilization reinsurance programs.

S. 1361

At the request of Mr. CRAPO, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1361, a bill to amend title XVIII of the Social Security Act to allow physician assistants, nurse practitioners, and clinical nurse specialists to supervise cardiac, intensive cardiac, and pulmonary rehabilitation programs.

S. 1462

At the request of Mrs. SHAHEEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1462, a bill to amend the Patient Protection and Affordable Care Act to improve cost sharing subsidies.

S. 1520

At the request of Mr. WICKER, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1520, a bill to expand recreational fishing opportunities through enhanced marine fishery conservation and management, and for other purposes.

S. RES. 201

At the request of Mrs. MURRAY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Res. 201, a resolution affirming the importance of title IX, applauding the increase in educational opportunities available to women and girls, and recognizing the tremendous amount of work left to be done to further increase those opportunities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 257. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 257. Mr. CRAPO (for himself and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 1519, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XXVIII, add the following:

SEC. 2826. LAND CONVEYANCE, MOUNTAIN HOME AIR FORCE BASE, IDAHO.

(a) CONVEYANCE AUTHORIZED.—The Secretary of the Air Force may convey, without consideration, to the City of Mountain Home, Idaho (in this section referred to as the ''City''), all right, title, and interest of the United States in and to a parcel of real property, including improvements thereon, consisting of approximately 4.25 miles of railroad spur located near Mountain Home Air Force Base, Idaho, as further described in subsection (b), for the purpose of economic development.

(b) MAP AND LEGAL DESCRIPTION.—

(1) FINALIZING LEGAL DESCRIPTIONS.—As soon as practicable after the date of the enactment of this Act, the Secretary of the Air Force shall finalize a map and the legal description of the property to be conveyed under subsection (a).

(2) MINOR ERRORS.—The Secretary of the Air Force may correct any minor errors in the map or the legal description.

(3) AVAILABILITY.—The map and legal description shall be on file and available for public inspection.

(c) PAYMENT OF COSTS OF CONVEYANCE.—

(1) PAYMENT REQUIRED.—The Secretary may require the City to cover all costs (except costs for environmental remediation of the property) to be incurred by the Secretary, or to reimburse the Secretary for costs incurred by the Secretary, to carry out the conveyance under this section, including survey costs, costs for environmental documentation, and any other administrative costs related to the conveyance. If amounts are collected from the City in advance of the Secretary incurring the actual costs, and the amount collected exceeds the costs actually incurred by the Secretary to carry out the conveyance, the Secretary shall refund the excess amount to the City.

(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 subject to the same conditions and limitations, as amounts in such fund or account.

(d) USE RESERVATION.—The Secretary may reserve a right to temporarily use, for urgent reasons of national defense and at no cost to the United States, all or a portion of the railroad spur conveyed under subsection (a).

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

AUTHORITY FOR COMMITTEES TO MEET

Mr. TILLIS. Mr. President, I have 11 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to 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 12, 2017, at 9:30 a.m., in open session to consider the nominations.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to hold a meeting during the session of the Senate on Wednesday, July 12, 2017, at 10 a.m., in room 253 of the Russell Senate Office Building.

The Committee will hold a Hearing on ''Force Multipliers: How Transportation and Supply Chain Stakeholders are Combatting Human Trafficking.''

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 12, 2017, at 9:45 a.m., in room 406 of the Dirksen Senate office building.

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 12, 2017, at 10 a.m., in room 406 of the Dirksen Senate office building, to conduct a hearing entitled ''The Use of TIFIA and Innovative Financing in Improving Infrastructure to Enhance Safety, Mobility, and Economic Opportunity.''

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, July 12, 2017, at 10 a.m., to hold a business meeting.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, July 12, 2017, at 10:05 a.m., to hold a hearing entitled ''Consideration of the Taylor Force Act.''

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate, on July 12, 2017, at 9:30 a.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Nominations.''

COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, July 12, 2017, in room SD–628 of the Dirksen Senate Office Building, at 2:30 p.m., to conduct a legislative hearing.

COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Wednesday, July 12, 2017, to conduct a hearing entitled ''Nourishing our Golden Years: How Proper and Adequate Nutrition Promote Healthy Aging and Positive Outcomes.''

SUBCOMMITTEE ON EAST ASIA, THE PACIFIC, INTERNATIONAL CYBERSECURITY POLICY

The Committee on Foreign Relations Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy is authorized to meet during the session of the Senate on Wednesday, July 12, 2017 at 2:15 p.m., to hold a Human Rights, and the Rule of Law.''

COMMITTEE ON THE JUDICIARY SUBCOMMITTEE ON BORDER SECURITY AND IMMIGRATION

The Committee on the Judiciary, Subcommittee on Border Security and Immigration, is authorized to meet during the session of the Senate, on July 12, 2017, at 2:30 p.m., in room SD–226 of the Dirksen Senate Office Building, to conduct a hearing entitled ''Examining the Problem of Visa Overstays: A Need for Better Tracking and Accountability.''

PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Thomas Adamson, be granted privileges of the floor for the remainder of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHATZ. Mr. President, I ask unanimous consent that two fellows from my office, Micaela Klein and Sunmin Kim, be granted floor privileges for the remainder of the calendar year.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. Mr. President, I ask unanimous consent that Andrew Rollo, a detailee on the Senate Committee on Finance, be granted floor privileges for the duration of the Congress.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR THURSDAY, JULY 13, 2017

Mr. PERDUE. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12:30 p.m., Thursday, July 13; 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, and morning business be closed; finally, that following leader remarks, the Senate proceed to executive session and resume consideration of the Hagerty nomination, with all postcloture time expiring at 1:45 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 12:30 P.M. TOMORROW

Mr. PERDUE. 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 6:57 p.m., adjourned until Thursday, July 13, 2017, at 12:30 p.m.

CONFIRMATION

Executive nomination confirmed by the Senate July 12, 2017:

THE JUDICIARY

DAVID C. NYE, OF IDAHO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF IDAHO.

EXTENSIONS OF REMARKS

ANTHONY CERVANTES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Anthony Cervantes for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Anthony Cervantes is a student at Arvada High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Anthony Cervantes is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Anthony Cervantes for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

HONORING COLONEL RALPH L. SCHWADER

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Colonel Ralph L. Schwader, Commander of the Missouri Air National Guard's 139th Airlift Wing. Colonel Schwader has dedicated years of service to not only the people of Missouri, but in defense of the United States of America. It is with great honor that I take a moment to recognize Colonel Schwader today.

On paper alone, Colonel Schwader is an incredibly impressive man. His list of various commands, deployments, decorations and awards could fill volumes. However, what you will never see on paper are the people he has touched while on those deployments or commands. The lives he has touched while earning those decorations and awards. Colonel Schwader may never know the lives he has saved delivering supplies to soldiers in the field while deployed for Operations Desert Shield, Iraqi Freedom, and Enduring Freedom, among many other deployments and service stations. The lives other airmen he saved through training provided under his command by the Advanced Airlift Training Center. He may never fully know the gratitude for aid he helped provide to other Missourians during a flood or tornado or internationally to Haiti following the earthquake of 2010. It is on behalf of those people who haven't been able to give their thanks, myself and everyone in the Sixth Congressional District that I give my deepest thanks to Colonel Schwader for his dedication and service.

Mr. Speaker, I proudly ask you to join me in recognizing Colonel Ralph L. Schwader for his decades of service to Missouri, the Sixth Congressional District and to the United States of America.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI ARMY STAFF SERGEANT (SSG) SCOTTIE LEE BRIGHT

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. KELLY of Mississippi. Mr. Speaker, I am humbled to rise today in memory of Army Staff Sergeant (SSG) Scottie Lee Bright who was killed on July 5, 2005, during Operation Iraqi Freedom. SSG Bright was killed when an improvised explosive device detonated near his military vehicle during patrol operations in Baghdad.

SSG Bright was assigned to the 3rd Squadron, 3rd Armored Cavalry Regiment, Fort Carson, Colorado.

SSG Bright, a Jackson, Mississippi native, was a 1986 graduate of Lanier High School. SSG Bright joined the Army in 1991. His brother Willie Bright said SSG Bright loved the Army and especially younger soldiers. Willie said his brother was his hero.

SSG Bright's funeral was held on what would have been his 37th birthday. More than 200 people filled the New Ebenezer Baptist Church that day. Reverend Dan Day called the event a ''homecoming celebration'' because Heaven was SSG Bright's new address. SSG Bright's wife, Carolyn, told those in attendance that her husband was a wonderful husband and father and loved by his family very much.

At the funeral, Brigadier General (BG) Robert Crear presented SSG Bright's family with military awards including the Bronze Star and Purple Heart.

During the graveside service at Autumn Woods Cemetery, a Mississippi Army National Guard honor guard played ''Taps'' He was also given a 21-gun salute.

SSG Bright is survived by his wife, Carolyn and their children, Breshay Nicole and Scottie Lee Bright, Jr.

SSG Bright gave the ultimate sacrifice to protect the freedoms we all enjoy. His service to our nation will not be forgotten.

RECOGNIZING JULY AS DRY EYE AWARENESS MONTH DURING THE DECADE OF VISION 2010 THROUGH 2020

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. SESSIONS. Mr. Speaker, in 2009, I was proud to co-sponsor with my then-House colleague the Honorable Tammy Baldwin the successfully passed H. Res. 366, which designated 2010 through 2020 as ''The Decade of Vision.'' Accompanied by the Senate's successfully passed companion legislation S. Res. 209, these resolutions recognized the challenges to the vision health of our nation's citizens as the population ages and the incidence of chronic diseases—such as diabetes—grows, causing eye disease and visual impairment.

In the spirit of those resolutions, I am pleased to recognize July as Dry Eye Awareness Month. Dry eye, a growing global problem that affects more than 30 million people in the United States alone, occurs when the eye does not produce tears properly or they are not of the correct consistency and evaporate too quickly. It can range from discomfort to a painful chronic and progressive condition that leads to blurred vision or even vision loss. Dry eye impacts our nation's healthcare policy, as it is one of the most frequent causes of patient visits to eye care providers.

Although past research supported by the National Institutes of Health (NIH) and its National Eye Institute (NEI) on the causes of and treatments for the condition has identified age, sex, and gender as factors, it has now discovered ethnic and racial differences, and that dry eye impacts younger patients. This ''equal opportunity'' disease can have many causes, including environmental exposure; side-effects from medications; eye surgery; eye lid disorders; immune system diseases such as Sjögren's syndrome, lupus, or rheumatoid arthritis; contact lens wear; cosmetic use; aesthetic procedures; and an increasingly common cause—staring at computer or video screens for too long without blinking. Many are calling dry eye the ''Disease of the Millennials'' due to its increased incidence in that population.

Dry eye has also been a major issue for our brave soldiers who were engaged in Operation Enduring Freedom and Operation Iraqi Freedom. The Veterans Administration reports that upwards of 70 percent of Traumatic Brain Injury-exposed veterans have dry eye symptoms.

During the 2017 Dry Eye Awareness Month, the Tear Film & Ocular Surface Society's Dry Eye Workshop II (TFOS DEWS II) Report will be published in The Ocular Surface Journal, updating the definition of dry eye and addressing its greater impact on vision health—the first such re-examination since 2007. Report highlights will be presented at a July 12 Congressional Briefing, accompanied by a ''Test

Your Tears'' Screening and presentation of research posters.

The vision community and its coalition partners are uniting to recognize this growing threat to vision health, and I stand in support of these awareness and educational efforts.

IN APPRECIATION OF THE SERVICE OF EDWARD A. BURRIER

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. ROYCE of California. Mr. Speaker, as Chairman of the Foreign Affairs Committee, I would like to take a moment to express my appreciation for an exceptional individual who has served this House with distinction for the last 18 years, Mr. Edward A. Burrier.

Edward first started in my office interning at the Africa Subcommittee, which I then chaired. At the time, he was still in college at the University of Mary Washington in Fredericksburg, Virginia. Each day he would make the long commute from Fredericksburg, just to volunteer.

He then took a job in my personal office in 1133 Longworth where he met his future wife, a fellow junior staffer, Gretchen. While I may have been unaware about their early dating, I was pleased to have the opportunity to attend their memorable wedding in Adare, Ireland in 2006. They now have a young son, William, and it has been a pleasure watching them grow personally and professionally.

Edward eventually rose to the position of Committee Deputy Staff Director of the House Foreign Affairs Committee. Over the years, Edward was essential in achieving so much, including efforts to prevent the proliferation of MANPADS to terrorists, and major legislation sanctioning the regimes of North Korea and Iran, which are dangerously pursuing nuclear weapons programs. He found a niche in tracking international rogues, some of who are now behind bars for gun-running and creating mayhem, in part because of Edward's efforts. He also produced important reports, including the path-breaking Gangster Regime: How North Korea Counterfeits United States Currency, still relevant today. And he wrote for me hundreds of Foreign Intrigue blog entries, some of the most captivating foreign policy writing in Washington.

Everything he worked on became better. In the last Congress, the Committee succeeded in having 24 bills become public law. That's a big number, and an impressive record. In short, Edward has been involved in all the major foreign policy issues of the day, helping to make our country safer and more prosperous.

Over my time in Congress, I have been fortunate to have had several long-serving staff members. Edward has been part of this group, central to much of what I have been able to accomplish. Most recently, he helped manage what I believe to be the best committee staff in Congress.

Edward is cool, calm, and collected. He is a genuinely good person.

Edward was one of the most talented, competent, and dedicated staff members in the House. His skills and excellent judgment will serve him well as he transitions to a top position at the Overseas Private Investment Corporation. His many friends on the Hill, both Republicans and Democrats, wish Edward continued success.

TRIBUTE TO RYAN AND TODD AARHUS

HON. ROD BLUM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. BLUM. Mr. Speaker, I rise today to honor two brothers from the First District of Iowa on their retirement after their 31 years of service in the Iowa National Guard.

Ryan and Todd Aarhus are a shining example of citizenship and servitude to our great nation. During their 31 years of service, both brothers were deployed. Todd served as part of Operation Enduring Freedom, and both brothers served in Operation Iraqi Freedom.

Ryan and Todd have both had distinguished careers of service —not only have they served their country and state in the Iowa National Guard, but both also serve as Iowa State Patrol Officers, volunteer firefighters, and EMTs. Additionally, Todd also served on Governors Culver and Branstad's State Security details.

It is my pleasure to honor both Ryan and Todd Aarhus on their retirement and to thank them for their dedication and service to our community, the State of Iowa, and our nation.

COMMANDER MARK COONEY

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Wheat Ridge Police Commander Mark Cooney for his decades of service to the City of Wheat Ridge, Colorado. For thirty eight years, Commander Cooney has been active within the community and the police department serving constituents of Wheat Ridge.

Commander Cooney started his career in 1979 after graduating first in his class at the Police Academy. Mark's career has consistently shown his commitment to law enforcement and building community partnerships. His work as a Field Training Officer and later Detective showed his special acumen in investigations, being recognized by the First Judicial District Attorney's office as Investigator of the Year by solving a difficult burglary case. Mark was promoted to Sergeant, then Lieutenant, and finally serving as Commander—all the while excelling at investigations and as a leader in the department's emergency management planning. Mark has shown his thirst for learning by earning a Master's of Criminal Justice degree from the University of Colorado, graduating from the Northwestern University School of Staff and Command as well as graduating from the FBI National Academy. As the Chief of Police for the City of Wheat Ridge noted, Mark's dedication exemplifies their vision statement of ''Exceptional People Providing Exceptional Service.'' His hard work and dedication every day to making the community of Wheat Ridge a great place to live and work demonstrates his exemplary work as a police officer in Wheat Ridge.

I extend my deepest thanks to Commander Cooney for his service to the community. Thank you for your continuous dedication to serving the people and the City Wheat Ridge, Colorado.

IN RECOGNITION OF THE 35TH ANNUAL METRO DETROIT YOUTH DAY

HON. DEBBIE DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mrs. DINGELL. Mr. Speaker, I rise today to recognize the organizers and participants of the 35th annual Metro Detroit Youth Day. This annual event provides southeast Michigan youth with a day of fun, games and opportunities to engage with local officials and role models.

Originally started in 1981 to promote stronger relations between residents of Detroit and the business community, Metro Youth Day has expanded significantly and now provides approximately 35,000 Detroit-area children with a day of education and recreation on Belle Isle in the Detroit River. As the largest youth event in the State of Michigan, Metro Youth Day hosts over 360 organizations and 260 businesses from Metro Detroit to provide participants with opportunities to build connections with civic leaders and nonprofit groups. These include Grow Detroit Youth Talent, an organization that provides summer jobs for young people in Detroit, as well as educational events by local community groups. Youth Day also offers college scholarships to several dozen graduating high school students each year.

Metro Detroit Youth Day helps build a culture of civic engagement while also providing important resources and educational resources to area youth. The event has received widespread acclaim, including a Point of Light Award from President George H.W. Bush, as well as a Michigan Governor's Award on Physical Fitness for its promotion of physical activity and health. These accolades underscore the positive impact that Metro Youth Day has on the Detroit community. Additionally, the event has provided more than 1,800 college scholarships to graduating seniors since 1991, making it an important engine of opportunity for area youth. These efforts have helped create a stronger and more cohesive Detroit, and it is my hope that Metro Youth Day continues to grow and serve the Detroit area youth while promoting improved community relations in the coming years.

Mr. Speaker, I ask my colleagues to join me in recognizing the organizers and participants of the 35th annual Metro Detroit Youth Day. The event provides important resources and opportunities for participants.

RECOGNIZING GRANT MAY

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Grant May for his hard work and dedication to the people of Colorado's Fourth District as an intern in my Washington, D.C. office for the Summer of 2017.

The work of this young man has been exemplary, and I know he has a bright future. He served as a tour guide, interacted with constituents, and learned a great deal about our nation's legislative process. I was glad to be able to offer this educational opportunity, and look forward to seeing him build his career in public service.

Grant plans to continue pursuing his degree at the end of this internship. I wish him the best as he pursues his career path. Mr. Speaker, it is an honor to recognize Grant May for his service the last several months to the people of Colorado's 4th district.

ADALBERTO GARZA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Adalberto Garza for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Adalberto Garza is a student at Arvada K–8 School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Adalberto Garza is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Adalberto Garza for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

MORLEY NELSON SNAKE RIVER BIRDS OF PREY NATIONAL CONSERVATION AREA BOUNDARY MODIFICATION ACT OF 2017

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. SIMPSON. Mr. Speaker, I would like to thank the following people who have worked with me to achieve the Morley Nelson Snake River Birds of Prey National Conservation Area Boundary Modification Act of 2017 which was legislation I drafted and was included in the Fiscal Year 2017 Consolidated Appropriations Act. They each played a role in their own way and because of their help, the West is building critical energy infrastructure that will improve reliability and efficiency and also increase continuing conservation efforts while saving Idaho ratepayers money.

Let me start by thanking Brian O'Donnell and Danielle Murray from the Conservation Lands Foundation. Their solution oriented attitude helped guide the success of this effort. I would also like to thank Rick Johnson, Craig Gehrke, Will Whelan, Kai Anderson, and Amelia Jenkins from the conservation community.

I want to thank Jeff Malmen and his terrific team at Idaho Power, including Mark Stokes and Mitch Colburn who were there every step of the way to ensure the project recognizes conservation and saves Idaho ratepayers. Their friends at Rocky Mountain Power, including Pat Reiten, were also great partners.

I would also like to thank the hard working men and women at the Bureau of Land Management. Tim Murphy and his team in Idaho include Peter Ditton and Erin Curtis. Their work was instrumental throughout the entire Gateway West project and I thank them for their public service in Idaho.

Additionally, I need to thank Governor Otter and his team of John Chatburn and Scott Pugurd for their diligent work. I also want to thank Senator RISCH and his staff members John Sandy, Darren Parker, and Melanie Steele.

Thanks to Chairman BISHOP and the House Natural Resources Committee for their thoughtful consideration of the Gateway West legislation. Erica Rhoad and Aniela Butler were a huge help to guiding this legislation through Chairman TOM MCCLINTOCK'S subcommittee.

I want to thank Gregory Kostka, Lisa Daly, and Hank Savage at Legislative Counsel. They drafted and redrafted countless versions of this bill under tight deadlines.

I would also like to thank the Senate and House Interior and Environment Appropriations Subcommittee Chairmen LISA MURKOWSKI and KEN CALVERT along with their ranking members TOM UDALL and BETTY MCCOLLUM. Their staff were relentless in guiding this agreement to the finish line and a special thanks is owed to Dave LesStrang, Betsy Bina, and Rita Culp for their efforts in finalizing the agreement in the Fiscal Year 2017 Consolidated Appropriations Act.

Finally, I want to thank my staff, Lindsay Slater, Jamie Neill, Nikki Wallace, and Craig Quarterman who helped in many different ways to ensure this was the best possible deal for my constituents in Idaho.

DOROTHY A. BURLEY

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. NORCROSS. Mr. Speaker, I rise today to honor Dorothy A. Burley, a woman of strength, character and commitment, on the occasion of her 75th birthday. Ms. Burley is a friend, mentor, educator and inspiration to many across New Jersey's First Congressional District and beyond.

After receiving her Associate's Degree in Human Services at Camden County College and her Bachelor's Degree in Elementary Education at Glassboro State College (now Rowan University), Ms. Burley taught for 16 years at various Camden City schools, shaping young minds.

Ms. Burley's commitment to community continued beyond the classroom when, in 1993, she made history by taking the oath of office as the first African American female municipal clerk in the City of Camden.

Ms. Burley would go on to hold other positions of distinction in the community, in both appointed and elected offices, including Commissioner for the Camden County Board of Elections, Chairperson of the Housing Authority of the City of Camden, Chairperson of the Alcohol Beverage Control Board, President of ''Girls on the Move'' Youth Foundation, and a member of the National and Camden Education Association. Ms. Burley would also serve as director of human resources at CAMcare Health Corporation until her well-deserved retirement.

Separate from her professional commitments, Ms. Burley has selflessly dedicated her time and talents to organizations that enhance the lives of Southern New Jersey constituents.

Though she's been honored and recognized for her many meaningful efforts, Ms. Burley is especially deserving of this special recognition, as she continues her mission to inspire everyone she encounters.

Mr. Speaker, for that reason and so many others, I ask you to join me in wishing this devoted mother, grandmother, public servant, and mentor, Ms. Dorothy A. Burley, a very happy 75th birthday.

PERSONAL EXPLANATION

HON. LUIS V. GUTIÉRREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. GUTIÉRREZ. Mr. Speaker, I was unavoidably absent in the House chamber for votes on Tuesday, July 11, 2017. Had I been present, I would have voted Yea on Roll Call votes 345 and 346.

RICARDO GOMEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ricardo Gomez for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Ricardo Gomez is a student at Jefferson High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Ricardo Gomez is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Ricardo Gomez for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

LESLIE H. GALLAGHER, JR.

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. NORCROSS. Mr. Speaker, I rise today to honor retired U.S. Air Force Technical Sgt. Leslie H. Gallagher, Jr. of the Borough of Pine Hill, Camden County, in New Jersey's First Congressional District, for his service to our nation and our community.

Mr. Gallagher graduated from Overbrook Regional High School in 1976 and enlisted in the United States Air Force that same year. He would continue to serve in the Air Force until his retirement in 1997. During his years of service in the Air Force, Mr. Gallagher would hold many roles, including assignments in law enforcement, the financial office, and as load master for large military transport aircrafts.

During his career, Mr. Gallagher served as a non-commissioned officer-in-charge of military pay operations at four different military bases, and as travel operations and deputy finance officer, where his work was instrumental in support of Operation Desert Storm.

While stationed in Delaware and Oklahoma, Mr. Gallagher taught high school physical education to students and served as a high school basketball and track coach.

After twenty one years of service to the Air Force, Mr. Gallagher would return to Pine Hill where he served as Vice Commander and ultimately as Adjutant of Pine Hill Post 286 of the American Legion. His commitment to his community continued in his roles as chairman of the Environmental Commission of Pine Hill, Commissioner of Parks and Recreation, and secretary of the Planning and Zoning Board.

Mr. Gallagher's ongoing commitment to education is evidenced by his leadership positions on the Pine Hill Board of Education, as Pine Hill's representative to the Camden County School Boards Association, as a delegate to the New Jersey State Board of Education, and as a Sunday school teacher at his church.

After his retirement from Local 322 as an HVAC technician, Mr. Gallagher's public service would continue through his employment with the Borough of Pine Hill, where he has become an invaluable resource to the community.

Mr. Speaker, Technical Sergeant Leslie H. Gallagher, Jr. is a great American who exemplifies the true meaning of leader, community servant, and patriot. I ask you to join with me and the constituents of Southern New Jersey in honoring this exceptional man.

INTRODUCTION OF A BILL TO DIRECT THE JOINT COMMITTEE ON THE LIBRARY TO ACCEPT A STATUE DEPICTING PIERRE L'ENFANT FROM THE DISTRICT OF COLUMBIA AND TO PROVIDE FOR THE PERMANENT DISPLAY OF THE STATUE IN THE UNITED STATES CAPITOL

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Ms. NORTON. Mr. Speaker, today I introduce a bill to direct the Joint Committee on the Library to accept a statue depicting Pierre L'Enfant from the District of Columbia and to provide for the permanent display of the statue in the United States Capitol.

Pierre L'Enfant was born in France in 1754. He was an engineer and an architect, and he traveled to the United States to serve with the United States in the Revolutionary War. In March 1791, L'Enfant was hired to develop the design for the District of Columbia. L'Enfant's design for the city was so remarkable that it remains and is cherished today in the nation's capital and throughout this country. L'Enfant's design envisioned a federal and residential city with diagonal streets propelling from Congress and the President's home, beautiful boulevards on local streets and neighborhoods, and open spaces for monuments, memorials and historical structures, all of which largely remain intact, protected as a historical treasure.

In 2006, the residents of the District of Columbia chose L'Enfant as one of the top ten Americans that have given distinguished service to the District, and the selection committee created by the D.C. Commission on the Arts and Humanities chose L'Enfant as the second statue from the District of Columbia to be placed in the United States Capitol. The District's first choice for a statue was Frederick Douglass, and I am pleased that the Douglass statue now sits in Emancipation Hall. Because the United States Capitol does not currently appropriately recognize the contributions of Pierre L'Enfant, and because D.C. residents and stakeholders chose L'Enfant as a distinguished Washingtonian, this bill would require the Joint Committee on the Library to place the Pierre L'Enfant statue in the United States Capitol.

I urge my colleagues to support this bill.

ROMEO GONZALES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Romeo Gonzales for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Romeo Gonzales is a student at Arvada High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Romeo Gonzales is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Romeo Gonzales for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

NATTALIE NORCROSS

HON. DONALD NORCROSS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. NORCROSS. Mr. Speaker, I rise today to honor my granddaughter, Ms. Nattalie Norcross, on the occasion of her graduation from Cherry Hill High School West.

Nattalie was born on September 7, 1999, and raised in Cherry Hill, New Jersey. Nattalie received her high school diploma at the Cherry Hill High School West Commencement Ceremony on June 15, 2017, which was held at Temple University in Philadelphia.

Nattalie has been actively involved in the South Jersey community. She has volunteered her time at the Camden Children's Garden in the City of Camden, Grace Episcopal Church in Haddonfield and at various nursing homes and senior centers across Southern Jersey.

Nattalie is also proud to be a Girl Scout. The Girl Scouts of the United States of America is a premier youth organization that promotes compassion, courage, confidence, and leadership, all qualities that Nattalie possesses in great abundance.

In the fall, Nattalie will matriculate to Rowan University in Glassboro, where she plans to pursue degrees in English and Education.

Mr. Speaker, I ask you to join me in congratulating Ms. Nattalie Norcross on the occasion of her high school graduation, and wishing her the best of luck as she begins a new chapter in her academic career.

THE RETIREMENT OF LAKEWOOD CITY MANAGER HOWARD CHAMBERS

HON. ALAN S. LOWENTHAL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. LOWENTHAL. Mr. Speaker, Howard L. Chambers, who has served as the city manager of the City of Lakewood for more than four decades, has announced that he will be retiring from his role at the administrative helm of the city. Howard has served longer as city manager of the same city longer than any other city manager in California—this in a profession where the average length of service in California cities is about seven years.

A true "native son," Howard is a lifelong member of the Lakewood community, growing up near Mayfair Park, going to neighborhood schools, even working at the local YMCA.

After earning his degree at Cal State Long Beach, Howard interned at the City of Lakewood for two years, handling youth services. He then went to work with the City of Rosemead as an assistant city manager. Howard returned to Lakewood in 1972 in the role of an executive assistant to the city manager. In 1976, the same year he earned a Master of Arts degree in Planning and Administration from Pepperdine University, Howard was named acting city administrator and shortly thereafter hired to permanently fill the position. The city council later officially re-titled the position as city manager.

Always looking to push his skill level further, he earned a Master of Public Administration

degree from the University of Southern California in 1981 and was a Fellow of the Program for Senior Executives in State and Local Government at Harvard University's Kennedy School of Government in 1988. In 2005, he completed a rigorous evaluation process and became a Credentialed Manager under the auspices of the International City/County Management Association.

Howard eventually served 34 years as Lakewood City Manager, retiring in 2011. However, within a year, the city council asked him to return to the role. He returned in 2012 and remained until his retirement this year. In total, his 41 years as city manager represent nearly two-thirds of the 63-year-old city's entire existence. It is safe to say that the vast majority of the city's 80,000 residents have known no one but Howard as city manager.

During his tenure as Lakewood city manager, Howard managed the city's largest public works project in its first 50 years: the $16 million improvement of the Lakewood Civic Center and construction of The Centre at Sycamore Plaza. He later oversaw the $21-million expansion and modernization of the Lakewood Sheriff's Station, the largest single project in the city's history. The sheriff's station expansion project was completed without a new tax, tax increase, or special assessment.

None of this has gone unnoticed and on his watch, Lakewood has deservedly earned many awards for the quality of its services, its commitment to responsive government, and its innovations.

Over his record-setting 40 years behind the city manager's desk, Howard has become a respected leader among area city managers, always willing to take the time to share his professional experience with his colleagues on issues affecting Southern California, its residents, and its infrastructure.

Howard has also worked tirelessly and effectively on ad hoc committees and coalitions to address federal, state, and local issues, and has never shied away from a principled battle. As a long-term member of the International City/County Management Association (ICMA), Chairman of the Southeast Los Angeles County Municipal Management Group, the California Contract Cities Association, and a member of the League of California Cities' City Managers Division, Howard has worked with elected and appointed city officials, legislators, regulators, the business community, residents, and others to achieve solutions to the critical issues affecting local governments.

In addition to his public service, Howard has made community service a priority. His involvement includes the Lakewood Rotary Club, the Weingart-Lakewood Family YMCA, Lakewood Special Olympics, the American Heart Association, Su Casa Ending Domestic Violence, Lakewood Regional Hospital, Kris Kringle Charity Golf Tournament, and Project Shepherd.

For his sustained excellence, he has been recognized throughout his career by a variety of organizations including ICMA, Harvard University John F. Kennedy School of Government, California Jaycees, YMCA, Lakewood City Council, Lakewood City Employees Association, and Su Casa Ending Domestic Violence.

Howard is considered a legend in the city management profession and is known for his ability to build working relationships with city staffers, civic leaders, and state legislators. He also is a role model for his peers. Known for his "teachable moments," he has become a mentor and teacher to an entire generation of new city managers. He has been and will continue to be passionate about local government, and his involvement in community activities and achievements in public service have resulted in significant benefits to Lakewood and surrounding communities.

I have truly appreciated the time I have spent working with Howard. He has a great sense of humor and even when we have disagreed, he is respectful and thoughtful. I will miss Howard's leadership and his guidance.

MARKUS HAMRE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Markus Hamre for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Markus Hamre is a student at Drake Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Markus Hamre is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Markus Hamre for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

IN RECOGNITION OF THE SACRAMENTO CENTER FOR THE PUBLIC POLICY INSTITUTE OF CALIFORNIA

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Ms. MATSUI. Mr. Speaker, I rise today in recognition of the Public Policy Institute of California's (PPIC) Sacramento Center. As 2017 marks the 10th anniversary of this vital center for political thought, I ask all my colleagues to join me in honoring PPIC for its leadership and commitment in the community to providing nonpartisan, well-formulated opinions and data for the benefit of California's policymakers.

The Public Policy Institute of California was founded in San Francisco in 1994 by a trio of California visionaries seeking to provide our state with a world-class political think tank Since then, PPIC has lived up to its mission of "informing and improving public policy through independent, objective, non-partisan research." By 2007, PPIC had opened a second office in Sacramento, enabling its team of experts to operate in the heart of California's state government.

PPIC boasts a staff of 75 people, including experts in economics, demography, political science, sociology, and environmental resources. It focuses on a wide range of concerns and opportunities facing our state, including higher education, water issues, and government investment strategies. Additionally, PPIC conducts surveys of voters and constituents to provide lawmakers with election statistics, approval ratings, and public opinion. Utilizing its unparalleled access to survey data and predictive analytics, PPIC seeks to understand the forces that drive societal change in the long term, which helps inform the political short term.

Mr. Speaker, I am honored to pay tribute to the Public Policy Institute of California's Sacramento Center as it celebrates the 10th anniversary of its founding. I ask all my colleagues to join me in honoring PPIC's dedication to providing California's government with information and illumination.

COMMEMORATING THE BEGINNING OF THE DIAMOND JUBILEE FOR THE ISMAILI MUSLIM COMMUNITY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to commemorate the beginning of the Diamond Jubilee for the North Texas Ismaili Muslim community, and the broader Ismaili Muslim community across the world.

On July 11, 1957, The Aga Khan became the 49th hereditary Imam of the Shia Imami Nizari Ismaili Muslims. In these past six decades, the Aga Khan has guided the world's 15 million Ismaili Muslims in both their spiritual and material lives, providing religious interpretation, ensuring their safety, and improving the quality of life for the community.

While serving as the leader of the Ismaili Muslims, the Aga Khan has also played a major role in the philanthropic arena. The Aga Khan Foundation, established by the Aga Khan in 1967, works on projects such as disaster relief and historical restoration of cities and artifacts through the various programs in the Aga Khan Development Network. The AKDN along with its partners across the globe provides quality education and healthcare, along with promoting social and economic development to some of the world's most impoverished and isolated communities.

The Ismaili Muslim community has contributed greatly to the cultural diversification and economic development in North Texas. Their volunteers have served the North Texas community by participating in local cleanups efforts after severe weather. The volunteers have also worked alongside other faith based groups and local nonprofits to provide meals to those who are less fortunate.

Mr. Speaker, the Diamond Jubilee presents an opportunity to the Ismaili Muslim community to reaffirm their faith and serve the communities in which they live through various programs established by the Aga Khan. I congratulate the Aga Khan and the Ismaili Muslim community on this momentous milestone.

HONORING THE CENTRAL HEIGHTS BLUE DEVILS, 2017 CLASS 3–A TEXAS STATE BASEBALL CHAMPIONS

HON. LOUIE GOHMERT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. GOHMERT. Mr. Speaker, it is truly a great honor to recognize the Central Heights Blue Devils baseball team, which completed a stellar season culminating with the capture of the 2017 Class 3–A State Baseball Championship title.

This exceptionally talented team from just north of Nacogdoches rolled to victory with a 10–0 shutout against an aggressive challenge from the Wall High School Hawks of San Angelo, Texas.

With the support of coaches, teachers, administrators and their entire community, these young men bear witness that anything is achievable through hard work and determination. These are guiding principles that lead to success not only on the field, but will undoubtedly resonate through every endeavor these valiant championship players undertake in their lifetimes.

Among the individual team members to be congratulated are: Matthew Taylor, Cade McCarty, Clayton Ray, Sam Nortch, Wyatt Allen, Ryan McClellan, Cade Watson, Will Haley, Braden Thomas, Dillon Burris, Cole Reneau, Tyler Burris, Michael Badders, Devin Yates, Grayson Rodriguez, J'Kolvin Wallace, Rowan Arrant, and Jacob Miller.

Their sportsmanship, humility, determination, hard work, and skill are to be commended, admired, and emulated.

The talented Blue Devils team was led to victory by an outstanding coaching and administrative staff, including: Travis Jackson, Head Coach; Brett Thornell, Collin Wallace, & Nathan Williams, Assistant Coaches; Temple Rodriguez, Statistician; Kevin Herron, Athletic Director; David Russell, Principal; and Bryan Lee, Superintendent.

Accolades must also be given to the players' families and the entire community of supporters who reside in Nacogdoches County, who embraced the fighting spirit which was evident in every team member throughout the season. Without these devoted fans' support and encouragement, the Blue Devils' road to the championship would have undoubtedly been much more arduous.

It is with great pride that I join the constituents of the First District of Texas in congratulating the players and athletic staff of the 2017 Class 3–A Champion Central Heights Baseball Team.

Their legacy will endure as long as there is a United States of America.

LUKAS KNIGHT

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lukas Knight for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Lukas Knight is a student at Warren Tech North and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Lukas Knight is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lukas Knight for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

CELEBRATING THE FIRST ATHLETIC STATE CHAMPIONSHIP FOR MEYERSDALE AREA HIGH SCHOOL—A HISTORIC WIN FOR THE RED RAIDER BASEBALL TEAM

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. SHUSTER. Mr. Speaker, I rise today to celebrate the achievements of the Meyersdale Area High School Varsity Baseball team of Meyersdale, Pennsylvania. The Red Raiders baseball team brought home the long awaited PIAA Class A State Championship on Thursday, June 15. This is a monumental moment for the school; it is the first state championship the school has won in any sport since its opening in the late 1940's. In fact, this was the first PIAA crown earned by any team in the Somerset County school district. The Red Raiders defeated the Clarion Bobcats 2–0, finishing their season with a record of 21–6.

Baseball is a team sport, Mr. Speaker, and this championship is a team championship. The Red Raiders were led to victory against the Bobcats by their five seniors and captains, Riley Christner, Zach Hotchkiss, Max Caton, Cody Welker, and David Swank, and head coach Wayne Miller. This headlining win gave Wayne Miller an overall record of 183–44 during his ten years of coaching the Red Raiders.

Mr. Speaker, I am honored to congratulate the players, coaches, and families of the Meyersdale Area High School Varsity Baseball team on their state championship. The passion, commitment, and teamwork shown by these young men will surely follow them in their future endeavors as well as inspire the Meyersdale community for years to come.

PERSONAL EXPLANATION

HON. BILLY LONG

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. LONG. Mr. Speaker, on Monday, June 26, 2017, Tuesday, June 27, 2017, Wednesday, June 28, 2017, Thursday, June 29, 2017, and Friday, June 30, 2017, I was unable to vote on any legislative measures due to having surgery on my foot. Had I been present, I would have voted the following:

Roll No. 323, On passage of H.R. 2547—Veterans Expanded Trucking Opportunities Act, I would have voted yes;

Roll No. 324, On passage of H.R. 2258—ADVANCE Act, I would have voted yes;

Roll No. 325, On ordering the previous question providing for consideration of H.R. 1215—the Protecting Access to Care Act of 2017, I would have voted yes;

Roll No. 326, On adoption of the rule providing for consideration of H.R. 1215—the Protecting Access to Care Act of 2017, I would have voted yes;

Roll No. 327, On approval of the journal, I would have voted yes;

Roll No. 328, On passage of H. Res. 397—Solemnly reaffirming the commitment of the United States to the North Atlantic Treaty Organization's principle of collective defense as enumerated in Article 5 of the North Atlantic Treaty, I would have voted yes;

Roll No. 329, On passage of H.R. 497—Santa Ana River Wash Plan Land Exchange Act, I would have voted yes;

Roll No. 330, On passage of H.R. 220—To authorize the expansion of an existing hydroelectric project, I would have voted yes;

Roll No. 331, On ordering the previous question providing for consideration of H.R. 3003—the No Sanctuary for Criminals Act, I would have voted yes;

Roll No. 332, On adoption of the rule providing for consideration of H.R. 3003—the No Sanctuary for Criminals Act, I would have voted yes;

Roll No. 333, On approval of the journal, I would have voted yes;

Roll No. 334, On agreeing to the amendment of Mr. Hudson of North Carolina No. 4 to H.R. 1215—the Protecting Access to Care Act of 2017, I would have voted yes;

Roll No. 335, On agreeing to the amendment of Mr. Barr of Kentucky No. 5 to H.R. 1215—the Protecting Access to Care Act of 2017, I would have voted no;

Roll No. 336, On motion to recommit with instructions to H.R. 1215—the Protecting Access to Care Act of 2017, I would have voted no;

Roll No. 337, On passage of H.R. 1215—the Protecting Access to Care Act of 2017, I would have voted yes;

Roll No. 338, On passage of H.R. 1500—the Robert Emmet Park Act, I would have voted yes;

Roll No. 339, On ordering the previous question providing for consideration of H.R. 3004—Kate's Law, I would have voted yes;

Roll No. 340, On adoption of the rule providing for consideration of H.R. 3004—Kate's Law, I would have voted yes;

Roll No. 341, On motion to recommit with instructions to H.R. 3003—the No Sanctuary for Criminals Act, I would have voted no;

Roll No. 342, On passage of H.R. 3003—the No Sanctuary for Criminals Act, I would have voted yes;

Roll No. 343, On motion to recommit with instructions to H.R. 3004—Kate's Law, I would have voted no; and

Roll No. 344, On passage of H.R. 3004—Kate's Law, I would have voted yes.

KELLAN LANGFIELD

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kellan Langfield for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Kellan Langfield is a student at Standley Lake High School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Kellan Langfield is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kellan Langfield for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS BILL REPORT LANGUAGE—ICE JAMS

HON. GRACE MENG

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Ms. MENG. Mr. Speaker, I rise today in support of my report language that was included in the Energy and Water Development, and Related Agencies Appropriations bill to prevent and mitigate flood damage associated with ice jams. I'd like to thank Chairman FRELINGHUYSEN and Ranking Member LOWEY, as well as Chairman SIMPSON, Ranking Member KAPTUR, and the entire subcommittee for their work on this bill.

I offer a special thank you to the Energy and Water subcommittee staff for working with me to include this necessary language to encourage the U.S. Army Corps of Engineers to pursue projects to prevent and mitigate flood damage associated with ice jams in regions comprised of cities whose historic flooding has been caused predominantly by winter snowmelt and ice floes.

Every year, flooding that results from the piling up of frozen ice in rivers across the United States costs our economy millions of dollars. When free-floating ice catches on obstructions, such as bridge pilings, rocks, or logs, flooding can result upstream from the blockage and, again, downstream when the ice finally releases.

During my time in the New York State Assembly, I can remember hearing horrible stories from my colleagues in upstate New York and wondering what more could be done to prepare for these events.

In my home state of New York, the Mohawk River Basin is particularly susceptible to flooding associated with ice jams. I am pleased that the bill encourages the Army Corps to pursue projects and technologies to mitigate the damage caused by flooding associated with ice jams in areas, like the Mohawk River Basin, that truly need this support.

I appreciate the time today to highlight this problem, and I thank my colleagues for their support on this issue.

CELEBRATING THE 100TH ANNIVERSARY OF YOUNG, OAKES, BROWN, & COMPANY, P.C.

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. SHUSTER. Mr. Speaker, I rise today to celebrate the 100th Anniversary of Young, Oakes, Brown, & Company, P.C.

Young, Oakes, Brown, & Company, P.C. is the oldest professional firm in Blair County and one of the largest independently owned accounting and consulting firms based in Central Pennsylvania. Founded in Altoona, Pennsylvania in 1917, the firm has grown to employ 30 individuals that maintain the company's reputation of Excellency in the accounting, tax preparation, and auditing profession. Throughout their 100 years, Young, Oakes, Brown, & Company, P.C. has continuously been an active community partner supporting charities, service and fraternal clubs and contributing to the 9th District of Pennsylvania.

Young, Oakes, Brown, & Company, P.C.'s current stakeholders are an outstanding example of integrity and professionalism in the workforce, and I know their founder, Robert E. Young, would be proud of the legacy they have continued.

I ask that all of my colleagues in the United States House of Representatives join me in congratulating Young, Oakes, Brown, & Company, P.C. on this historic milestone, and wishing this business nothing but continued success.

MALACHI LAWSON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Malachi Lawson for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award.

Malachi Lawson is a student at Mandalay Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Malachi Lawson is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Malachi Lawson for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all of his future accomplishments.

RECOGNIZING THE LIFE OF FALLEN MISSISSIPPI MARINE CORPORAL (CPL.) CLIFTON BLAKE MOUNCE

HON. TRENT KELLY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. KELLY of Mississippi. Mr. Speaker, today I rise in memory of Marine Corporal (Cpl.) Clifton Blake Mounce, who paid the ultimate sacrifice while defending our nation on July 14, 2005, during Operation Iraqi Freedom. Cpl. Mounce was killed when his vehicle was struck by an improvised explosive device while he was conducting combat operations near Trebil, Iraq. Cpl. Christopher D. Winchester was also killed.

Cpl. Mounce was assigned to the 3rd Battalion, l0th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force (Forward).

Cpl. Mounce, a Pontotoc native, graduated from North Pontotoc High School in 2000. His mother, Pat Mounce, says Blake loved playing football and baseball. In 2001 Blake enlisted in the United States Marine Corps following the terror attacks on 9/11. Pat says he joined because he wanted to protect his three younger brothers; Shea, Winston, and Nate.

''I'm real proud,'' Pat said. ''He said he had to go over there and fight or the enemy will be on our soil. I supported him 100 percent.''

Additionally, Pat says her son was close to the end of his four years in the Marine Corps when he was deployed.

An estimated 300 people came to the funeral which was held at West Heights Baptist Church in Pontotoc. Cpl. Mounce's father, Johnny Mounce, read letters to the crowd that he received from his son shortly before his death. In the second letter read, Cpl. Mounce addressed each family member with a special message.

Following the service, hundreds of cars were in the funeral procession. Residents lined the streets of Ecru waving American flags as some 200 cars drove by.

The American flag was presented to Cpl. Mounce's wife, Tiffany, during the graveside service at Ecru Cemetery. Cpl. Mounce's family was given the Purple Heart medal.

Cpl. Mounce is survived by his parents Johnny and Pat Mounce; wife Tiffany; brothers Shea, Winston, and Nate; and grandparents Flake and Dorothy Mounce.

In 2013, the Blake Mounce Memorial Run for the Park 5K was started in Ecru in memory of this brave soldier who gave all to protect the freedoms we all enjoy. We will always remember Cpl. Mounce's sacrifice to protect our nation.

RECOGNIZING TRINIDAD BENHAM CORPORATION ON THEIR 100TH ANNIVERSARY

HON. KEN BUCK

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. BUCK. Mr. Speaker, I rise today to recognize Trinidad Benham Corporation on their 100th Anniversary. This is truly a remarkable milestone which has been reached through

the hard work and innovation of their founders and employees.

Trinidad Benham is a thriving, nationwide corporation, originally founded in Colorado, with a bean and rice processing and packing facility in the 4th Congressional District. Over the last 100 years, this company has grown from a small family-owned bean and elevator business to the prosperous company it is today. They have created many jobs and made notable contributions to improve the communities near their operations as well as their employees' livelihoods.

Trinidad Benham is an excellent example of what enterprising and forward thinking businesses can accomplish in America's great economy. They should be commended for their effort to offer consumers a great product, employee ownership model, commitment to sustainability, and innovative spirit. Their inspiring success over the last century confirms that the American Dream is alive and thriving in Colorado and the United States.

Mr. Speaker, it is an honor to recognize the Trinidad Benham Corporation for celebrating their 100th Anniversary.

RON MARQUEZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud the contributions of Ron Marquez during his tenure with Developmental Disabilities Resource Center (DDRC).

Ron started his career as an Assistant Principal and then as Principal of Margaret Walters School. When the school closed, Ron took on the role of Director of Community Relations at DDRC.

Ron became a key public presence for DDRC, creating dynamic connections throughout the community, including the people served by DDRC.

The work Ron has accomplished during his 36 year tenure helped to provide an enhanced quality of life for so many, and it is one of the reasons DDRC enjoys an outstanding reputation and ongoing success today.

I extend my deepest appreciation to Ron Marquez for his service and commitment to Developmental Disabilities Resource Center and the people they serve. I wish him all the best in retirement.

COMMEMORATING THE 60TH ANNIVERSARY OF THE NEW MEADOW RUN COMMUNITY IN FARMINGTON, PENNSYLVANIA

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. SHUSTER. Mr. Speaker, I rise today to commemorate the 60th Anniversary of the New Meadow Run Community in Farmington, Pennsylvania, and submit the following Proclamation:

Whereas, In July of 1957 members of the Bruderhof purchased Gorley's Lake Hotel in Farmington, Pennsylvania calling it first Oak Lake and subsequently New Meadow Run.

Whereas, this Assembled Body is justly proud to commemorate the 60th Anniversary of the New Meadow Run Community in Farmington, Pennsylvania; and

Whereas, the Bruderhof was founded in 1920 in Germany by Dr. Eberhard Arnold, and since then, has grown into an international Christian communal movement, inspired by the first century Christian church in Jerusalem; and

Whereas, the Bruderhof has been a living example of the sanctity of family life, peace, racial equality and brotherhood and has been an advocate for religious freedoms, education and welfare of children and care of the elderly and downtrodden; and

Whereas, Bruderhof members are involved in a wide range of social services on a volunteer and charitable basis which include visiting those in prison, providing food, shelter, and medical care to those in need—locally and internationally, serving as police chaplains, and volunteering on local ambulance and fire departments; and

Whereas, the Bruderhof is known for publishing quality books and a quarterly magazine through the Plough Publishing House, and working for peace and reconciliation through "Breaking the Cycle," a conflict resolution program for schools that reaches thousands of students each year; and

Whereas, since its arrival in the United States, the Bruderhof has become well-known for its businesses: Community Playthings, which manufactures quality wooden toys and durable nursery furniture; and Rifton Equipment, which produces Innovative equipment for people with motor disabilities; and

Whereas, since 1954, the Bruderhof movement has expanded to include sixteen communities in the United States, including three in Pennsylvania and ten in New York State. Internationally there are three communities in England, two in Germany and three in Australia, one in Paraguay; and

Whereas, Bruderhof members appreciate the freedoms the United States has afforded them and have participated in the political process, supporting the leadership of their representatives; and

Whereas, the Bruderhof's distinguished record of valuable, practical, economic, and spiritual contributions to Pennsylvania and the United States merit the recognition and respectful tribute of this Assembled Body; now, therefore, be it

Resolved, that this Legislative Body pause in its deliberations to commemorate the 60th Anniversary of the New Meadow Run Community in Farmington, Pennsylvania and look forward to a continuing association with the Bruderhof as it works to improve the quality of life of every person and serve the common good; and be it further.

CONGRATULATING AGA KHAN ON HIS 60TH YEAR AS IMAM OF THE ISMAILI MUSLIMS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. OLSON. Mr. Speaker, I'm proud to represent one of the most diverse districts in America. Our diversity is an important part of what makes the greater Houston area such a unique example of the fabric of the American experience.

The Ismaili Muslim community is a great contributor to Texas' cultural richness and economic growth. I appreciate the Ismaili Muslim community's engagement with the community as a whole, from public affairs to business to education.

Sixty years ago today, the Aga Khan became the 49th hereditary Imam of the Shia Imami Ismaili Muslims. The role of the Imam is to interpret the faith to the community, as well as improve the quality and security of their daily lives. Aga Khan has accomplished this role with success and pride for many years.

The Aga Khan emphasizes the view of the religion of Islam as a thinking, spiritual faith: one that teaches compassion and tolerance, promotes the role of intellect and upholds the dignity of a man, God's noblest creation.

I congratulate the Aga Khan on his Diamond Jubilee as Imam and wish both he and the U.S. Ismaili Muslim community continued success in their efforts to improve the lives of people around the world.

CONGRATULATING HANOVER PARK

HON. PETER J. ROSKAM

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. ROSKAM. Mr. Speaker, I rise today to congratulate Hanover Park on being named one of the safest cities in the United States.

The Hanover Park Police Department reported that for the seventh consecutive year crime in Hanover Park has declined to a new record low. Hanover Park was also named thirty-seventh on Neighborhood Scout's list of America's 100 Safest Cities.

The Hanover Park Police Department utilizes a strong community outreach initiative, Police and Citizens Connected, which employs several social media channels for enhanced communication with residents. Working together, law enforcement, local officials, and Hanover Park residents have positioned the town as safe place to live, work, and raise a family.

Day in and day out the men and women of the Hanover Park Police Department risk their lives to protect their community. The shrinking crime rate is a direct result of their courageous leadership, which will continue to protect this wonderful community. Police Chief Michael Menough credited the hard work of his officers, neighbors, and community leaders stating, "We have made community policing the central focus of our service delivery, and this will remain our top priority." With all hands on deck I am sure Hanover Park will continue to see record lows in crime for many years to come.

Mr. Speaker and distinguished colleagues, please join me in recognizing the community of Hanover Park, Illinois and congratulating them on being named one of the safest cities in America.

MISSOURI CITY DOCTOR NAMED MEDICAL DIRECTOR

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Melissa Allen, D.O., of Missouri City for being named the medical director of the University of Texas (UT) Harris County Psychiatric Center.

Melissa has worked as an assistant professor in the Department of Psychiatry and Behavioral Sciences at McGovern Medical School and as an attending physician in the Bipolar Specialty Unit at UT Health Harris County Psychiatric Center since 2012. She has received the Dean's Teaching Excellence Award, which honors the top teaching faculty of each department, each year since 2013. Her colleague, Jair Soares, M.D., Ph.D., said she "brings innovation and enthusiasm that will lead the hospital." That's great.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Melissa for being named the medical director of UT Harris County Psychiatric Center. We all benefit from her commitment to helping others, and we thank her for her hard work to keep Houstonians healthy.

TRIBUTE TO CHANCELLOR PAUL HARDIN

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. PRICE of North Carolina. Mr. Speaker, I rise to honor the life and legacy of Paul Hardin III, former Chancellor of the University of North Carolina-Chapel Hill, who died on July 1 after a courageous battle with ALS.

My wife Lisa and I treasure the friendship of Paul and his wife Barbara and were privileged to join his family in a moving memorial service at University United Methodist Church last Saturday.

Paul was a man of great intelligence and insight, moral seriousness and integrity, and irrepressible enthusiasm and dedication—qualities abundantly evident throughout his career in higher education.

As was said more than once in the memorial service, Paul pledged allegiance to "two shades of blue." The deeper hue belonged to Duke University, where he earned his undergraduate and law degrees and edited the Duke Law Journal.

Paul then served in the Army's Counter Intelligence Corps and practiced law in Birmingham before returning to Durham to spend ten years on the faculty of Duke Law School. He was appointed to his first college presidency, at Wofford College, at age 37, and went on to serve as president of Southern Methodist and Drew Universities. In 1988 he became the seventh chancellor of UNC–CH, where he served until his retirement in 1995.

As a young man, Paul made a credible run for Mayor of Durham, and throughout his life he was attentive and involved in national, state, and local politics. In recent years, Paul, along with Barbara, brought his trademark high energy to the leadership of Democrats in their retirement community, Carolina Meadows.

They also shared, as children of ministers, deep roots in the Methodist Church. Paul, his son Russell reported at the memorial service, seriously considered entering the ministry as a young man. But his father, who was a Methodist bishop, assured him that he could render faithful service and powerful witness in his chosen fields of education and the law.

Paul's father was right, as the thousands whose lives Paul touched can attest. I am honored to join this chorus of tribute, and include in the RECORD a piece by Paul's friend and mine, Village Communications President Jim Heavner, from the Raleigh News and Observer of July 5.

PAUL HARDIN—A GOOD MAN WHO MADE UNC BETTER

When Paul Hardin slipped away last week, North Carolina lost a brilliant and fine man, a UNC chancellor whose leadership was endearing, its lessons enduring.

"This may be audacious, but here's an idea," I heard him say so often as a way to prepare us to hear how he might see the future differently. The good fortune of my work and home town gave me much time with Paul and a friendship that grew. He and I were pulled together in work when my company owned the school's sports network.

It was the good fortune of us all to learn from him. Among the leaders I have known, none was more dogged in defense of the values he sought to protect. He was clear-eyed and courageous in facing down those who threatened those values.

It was likely the example of his Methodist minister father (also a bishop) that inculcated his habit to find noble qualities among many where the rest of us could not. An extroverted and joyful soul, he loved much about politics and once ran for the town council in Durham.

It is little-known that he served in the CIA, or that his excellent golf game honed on the Duke team (his alma mater) qualified him for the British Open at a time when he was in Scotland. A great storyteller, Paul loved to recall those days and so many more.

He was a brilliant student who finished first in his class at Duke, where he also obtained his law degree. He would have to call on all of that as a university leader. It's a job with high prestige buffeted daily by high winds of disparate owners and bosses and the thunder of their loudest voices. Paul would frequently recall the story attributed to Lincoln about the politician who was tarred and feathered and run out of town on a rail: "Except for the honor of the public experience, I would have preferred to walk."

Most every university is beset with the challenge of balancing the conflicting goals of big-time sports and the university's academic mission. As president of Southern Methodist University, Paul Hardin heard of a minor malfeasance by the football coach that led him to learn of cash payments to players.

Paul was not a Pollyanna. He had a good political radar but never let it overpower his gyroscope. Knowing that he was in Dallas, where many see football as the reason to have a university, he nonetheless reported it to the NCAA and told his trustees that he was going to clean it up, knowing that he would face criticism.

His board members fired him. The school ultimately was given the NCAA's only four-year "death penalty."

Paul later said that it "perked up" his career. It was that experience, his exhibition of putting his values first, he said, that got him the job heading UNC in Chapel Hill 13 years later.

Unflinching in his support of the Knight Commission on College Athletics' position that a school was more important than any coach, he never swerved in his commitment to administrative control of athletics and transparency in its dealings. He was a great fan of basketball and UNC's iconic Dean Smith. Yet, when the head coach's Nike contract came up for renewal on Paul's watch, the chancellor insisted that it be made public.

(Ironically, while he was demanding the coach's contractual transparency, he also was being criticized in cartoons in The News & Observer for allowing Dean to make so much money while he was away playing golf. In some things, you just can't win.)

He also faced issues of protest and social unrest. He was caught in the jaws of irreconciably-conflicting forces when supporters of the Black Cultural Center wanted it expanded into its own, freestanding building, something others opposed. The chancellor was initially opposed, as an advocate for more integration. He saw it as a contributor to separatism.

The faceoff between conservatives and growing campus protests became overwhelming. Hardin agreed to build the center, which was done in the subsequent administration. Yet, he had paid a price for it in criticism from all sides.

Paul was a pioneer in fundraising, creating the university's first major fund campaign that was first announced as one for $200 million to celebrate the UNC Bicentennial. That was then raised to $300 million and ultimately reported $412 million in gifts.

Paul showed them the way. The school now channels that Hardin audacity, embarking now on its second multi-billion-dollar campaign.

He loved being the "Bicentennial Chancellor," with its many commemorations, including an anniversary speech in Kenan Stadium by President Bill Clinton.

Paul Hardin loved life, one well-lived until the ravages of ALS took him away. He was still able to find good in all things and laughter with good friends until the end. Paul could lament the awful examples and roiling consequences of today's political leadership, even as he might find something good in each of those who are, at least, he might say, willing to lead. The more we ponder that world view, that life, the closer we come to our own better angels.

Our community and our state lost a good man. A good, good man.

CONGRATULATIONS TO THE 2017 SERVICE ACADEMY APPOINTEES FROM THE 21ST CONGRESSIONAL DISTRICT OF TEXAS

HON. LAMAR SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. SMITH of Texas. Mr. Speaker, today we congratulate the 2017 Service Academy appointees from the 21st Congressional District of Texas.

The following individuals accepted their Academy appointments:

Mia Elizabeth Bean, Canyon Lake High School, United States Military Academy; Kerrilee A. Berger, Smithson Valley High School, United States Air Force Academy; Hannah Kay Boubel, Fredericksburg High School, United States Military Academy; Madison K. Dean-Von Stultz, Smithson Valley High

School, United States. Merchant Marine Academy; Jack Daniel Dunworth, Westlake High School, United States Naval Academy; JC Matthew Engel, Westlake High School, Greystone Preparatory School at Schreiner University, United States Merchant Marine Academy; Matthew Joseph Friedel, Central Catholic High School, United States Naval Academy; Alexander Russell Helstab, Katherine Anne Porter School, Greystone Preparatory School at Schreiner University, United States Military Academy; James Bailey Marshall, Saint Mary's Hall, United States Military Academy; Julie Ann Padilla, Cole High School, United States Air Force Academy; Benjamin Lewis Parrish, Saint Mary's Hall, United States Military Academy; Shamus Kennedy Phelan, SHAPE American High School (Belgium), United States Air Force Academy; Jazmin Alexis Robinson, Claudia Taylor Johnson High School, United States Air Force Academy; and Jesse Alan Zimmel, Bandera High School, United States Merchant Marine Academy.

These outstanding students have much to give to their Academy and to our country. We appreciate their talents and their patriotism.

SUGAR LAND BAKERY NAMED BEST IN TEXAS

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, July 12, 2017

Mr. OLSON. Mr. Speaker, I rise today to congratulate Anonymous Café of Sugar Land for being named the best bakery in Texas by Buzzfeed.

Anonymous, named after its owners Patricia and Tasos Pantazopoulos couldn't agree on a name, is a farmhouse-chic style café that sells desserts, Italian coffee drinks, olive oil and oregano, on top of a full dining menu. The Greek natives opened the café after moving to Sugar Land to be closer to Patricia's family. The café was named the best bakery in Texas earlier this year by the website Buzzfeed and has customers travelling from all over the country to try their made from scratch Greek desserts.

On behalf of the Twenty-Second Congressional District of Texas, congratulations again to Anonymous Café for being named the best bakery in Texas. We're honored to have Texas' best bakery right in the heart of TX–22. Great job.

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 13, 2017 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 17

5 p.m.

Committee on Foreign Relations

To hold hearings to examine the President's proposed budget request for fiscal year 2018 for the Department of State and State Department reorganization plans.

SD–419

JULY 18

9 a.m.

Committee on Finance

To hold hearings to examine comprehensive tax reform, focusing on prospects and challenges.

SD–215

9:30 a.m.

Committee on Armed Services

To hold hearings to examine the nomination of General Paul J. Selva, USAF, for reappointment to the grade of general and reappointment to be Vice Chairman of the Joint Chiefs of Staff.

SD–G50

10 a.m.

Committee on Banking, Housing, and Urban Affairs

To hold hearings to examine the nominations of J. Paul Compton, Jr., of Alabama, to be General Counsel, and Anna Maria Farias, of Texas, and Neal J. Rackleff, of Texas, both to be an Assistant Secretary, all of the Department of Housing and Urban Development, Richard Ashooh, of New Hampshire, to be an Assistant Secretary, and Elizabeth Erin Walsh, of the District of Columbia, to be Assistant Secretary and Director General of the United States and Foreign Commercial Service, both of the Department of Commerce, and Christopher Campbell, of California, to be an Assistant Secretary of the Treasury.

SD–538

Committee on Foreign Relations

To hold hearings to examine the nominations of Callista L. Gingrich, of Virginia, to be Ambassador to the Holy See, and Nathan Alexander Sales, of Ohio, to be Coordinator for Counterterrorism, with the rank and status of Ambassador at Large, both of the Department of State.

SD–419

10:30 a.m.

Committee on Energy and Natural Resources

To hold hearings to examine the status and outlook for United States and North American energy and resource security.

SD–366

11 a.m.

Committee on Finance

To hold hearings to examine the nomination of David J. Kautter, of Virginia, to be an Assistant Secretary of the Treasury.

SD–215

2:30 p.m.

Committee on Armed Services

Subcommittee on SeaPower

To hold hearings to receive testimony on options and considerations for achieving a 355-ship Navy from former Reagan administration officials.

SR–222

Committee on Foreign Relations

Subcommittee on Multilateral International Development, Multilateral Institutions, and International Economic, Energy, and Environmental Policy

To hold hearings to examine ''The Four Famines'', focusing on root causes and a multilateral action plan.

SD–419

JULY 19

9:30 a.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine illicit cigarette smuggling in the Organization for Security and Co-operation in Europe region.

SD–562

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the nominations of Ajit Varadaraj Pai, of Kansas, Jessica Rosenworcel, of Connecticut, and Brendan Carr, of Virginia, each to be a Member of the Federal Communications Commission.

SD–G50

Committee on Energy and Natural Resources

Subcommittee on National Parks

To hold hearings to examine S. 257, to clarify the boundary of Acadia National Park, S. 312, to redesignate the Saint-Gaudens National Historic Site as the ''Saint-Gaudens National Historical Park'', S. 355, to amend the Federal Lands Recreation Enhancement Act to provide for a lifetime National Recreational Pass for any veteran with a service-connected disability, S. 391, to establish the African Burial Ground International Memorial Museum and Educational Center in New York, New York, S. 841, to designate the Veterans Memorial and Museum in Columbus, Ohio, as the National Veterans Memorial and Museum, S. 926, to authorize the Global War on Terror Memorial Foundation to establish the National Global War on Terrorism Memorial as a commemorative work in the District of Columbia, S. 1073, to authorize Escambia County, Florida, to convey certain property that was formerly part of Santa Rosa Island National Monument and that was conveyed to Escambia County subject to restrictions on use and reconveyance, S. 1202, to modify the boundary of the Little Rock Central High School National Historic Site, S. 1403, to amend the Public Lands Corps Act of 1993 to establish the 21st Century Conservation Service Corps to place youth and veterans in national service positions to conserve, restore, and enhance the great outdoors of the United States, S. 1438, to redesignate the Jefferson National Expansion Memorial in the State of Missouri as the ''Gateway Arch National Park'', S. 1459, to establish Fort Sumter and Fort Moultrie National Park in the State of South Carolina, and S. 1522, to establish an Every Kid Outdoors program.

SD–366

Committee on Environment and Public Works

To hold hearings to examine S. 1514, to amend certain Acts to reauthorize those Acts and to increase protections for wildlife.

SD–406

Committee on Health, Education, Labor, and Pensions

Business meeting to consider the nominations of Marvin Kaplan, of Kansas, and William J. Emanuel, of California, both to be a Member of the National Labor Relations Board.

SD–430

Committee on Homeland Security and Governmental Affairs

Business meeting to consider the nomination of David P. Pekoske, of Maryland, to be an Assistant Secretary of Homeland Security; to be immediately followed by a hearing to examine the Postal Service's actions during the 2016 campaign season, focusing on implications for the Hatch Act.

SD–342

Committee on the Judiciary

To hold an oversight hearing to examine the Department of Justice's enforcement of the Foreign Agents Registration Act.

SD–226

1:30 p.m.

Committee on Veterans' Affairs

To hold hearings to examine pending calendar business.

SR–418

JULY 25

2:30 p.m.

Committee on Armed Services

Subcommittee on SeaPower

To hold hearings to receive testimony on options and considerations for achieving a 355-ship Navy from naval analysts.

SR–222

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3933–S3963

Measures Introduced: Seventeen bills were introduced, as follows: S. 1531–1547. **Pages S3960–61**

Hagerty Nomination—Agreement: Senate resumed consideration of the nomination of William Francis Hagerty IV, of Tennessee, to be Ambassador to Japan. **Pages S3936–55**

During consideration of this nomination today, Senate also took the following action:

By 89 yeas to 11 nays (Vote No. 159), Senate agreed to the motion to close further debate on the nomination. **Page S3936**

A unanimous-consent agreement was reached providing for further consideration of the nomination, post-cloture, at approximately 12:30 p.m., on Thursday, July 13, 2017, with all post-cloture time expiring at 1:45 p.m. **Page S3963**

Nomination Confirmed: Senate confirmed the following nomination:

By a unanimous vote of 100 yeas (Vote No. EX. 158), David C. Nye, of Idaho, to be United States District Judge for the District of Idaho. **Page S3935**

Message from the House: **Page S3957**

Measures Referred: **Pages S3957–58**

Measures Placed on the Calendar: **Page S3958**

Executive Communications: **Pages S3958–60**

Executive Reports of Committees: **Page S3960**

Additional Cosponsors: **Pages S3961–62**

Statements on Introduced Bills/Resolutions:

Additional Statements: **Page S3957**

Amendments Submitted: **Page S3962**

Authorities for Committees to Meet: **Page S3963**

Privileges of the Floor: **Page S3963**

Record Votes: Two record votes were taken today. (Total—159) **Pages S3935–36**

Adjournment: Senate convened at 12 noon and adjourned at 6:57 p.m., until 12:30 p.m. on Thursday, July 13, 2017. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3963.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: INDIAN HEALTH SERVICE

Committee on Appropriations: Subcommittee on Department of the Interior, Environment, and Related Agencies concluded a hearing to examine proposed budget estimates and justification for fiscal year 2018 for the Indian Health Service, Department of Health and Human Services, after receiving testimony from Rear Admiral Michael Weahkee, Acting Director, Indian Health Service, Department of Health and Human Services.

BUSINESS MEETING

Committee on Appropriations: Subcommittee on Military Construction and Veterans Affairs, and Related Agencies approved for full committee consideration an original bill entitled, ''Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2018''.

NOMINATIONS

Committee on Armed Services: Committee concluded a hearing to examine the nominations of David Joel Trachtenberg, of Virginia, to be a Principal Deputy Under Secretary, Owen West, of Connecticut, to be an Assistant Secretary, who was introduced by Senator Blumenthal, Ryan McCarthy, of Illinois, to be Under Secretary of the Army, and Charles Douglas Stimson, of Virginia, to be General Counsel of the Department of the Navy, who was introduced by former Representative Zinke, all of the Department of Defense, after the nominees testified and answered questions in their own behalf.

COMBATING HUMAN TRAFFICKING

Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine force

multipliers, focusing on how transportation and supply chain stakeholders are combating human trafficking, after receiving testimony from Esther Goetsch, Truckers Against Trafficking, Englewood, Colorado; Keeli Sorensen, Polaris, and Samir Goswami, Issara Institute, both of Washington, D.C.; and Tomas J. Lares, Florida Abolitionist, Orlando.

BUSINESS MEETING

Committee on Environment and Public Works: Committee ordered favorably reported the following business items:

S. 822, to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to modify provisions relating to grants, with an amendment in the nature of a substitute;

S. 1447, to reauthorize the diesel emissions reduction program;

S. 1359, to amend the John F. Kennedy Center Act to authorize appropriations for the John F. Kennedy Center for the Performing Arts;

S. 810, to facilitate construction of a bridge on certain property in Christian County, Missouri, with an amendment in the nature of a substitute;

S. 1395, to revise the boundaries of certain John H. Chafee Coastal Barrier Resources System units in Delaware;

5 General Services Administration resolutions; and

The nominations of Annie Caputo, of Virginia, and David Wright, of South Carolina, each to be a Member of the Nuclear Regulatory Commission, and Susan Parker Bodine, of Maryland, to be an Assistant Administrator of the Environmental Protection Agency.

TRANSPORTATION INFRASTRUCTURE FINANCE AND INNOVATION ACT

Committee on Environment and Public Works: Committee concluded a hearing to examine the use of the Transportation Infrastructure Finance and Innovation Act and innovative financing in improving infrastructure to enhance safety, mobility, and economic opportunity, after receiving testimony from Anne Mayer, Riverside County Transportation Commission, Riverside, California; Jennifer Aument, Transurban, Tysons, Virginia; and Christopher Coes, Smart Growth America, Washington, D.C.

BUSINESS MEETING

Committee on Foreign Relations: Committee ordered favorably reported the nomination of Mark Andrew Green, of Wisconsin, to be Administrator of the United States Agency for International Development, and routine lists in the Foreign Service.

TAYLOR FORCE ACT

Committee on Foreign Relations: Committee concluded a hearing to examine the Taylor Force Act, after receiving testimony from Senator Graham; Elliott Abrams, Council on Foreign Relations, Washington, D.C.; and Daniel B. Shapiro, The Institute for National Security Studies, Tel Aviv, Israel.

AMERICAN LEADERSHIP IN THE ASIA PACIFIC

Committee on Foreign Relations: Subcommittee on East Asia, the Pacific, and International Cybersecurity Policy concluded a hearing to examine American leadership in the Asia Pacific, focusing on promoting democracy, human rights, and the rule of law, after receiving testimony from Murray Hiebert, and Robert R. King, both of the Center for Strategic and International Studies, and Derek Mitchell, United States Institute of Peace, all of Washington, D.C.

INDIAN AFFAIRS LEGISLATION

Committee on Indian Affairs: Committee concluded a hearing to examine S. 943, to direct the Secretary of the Interior to conduct an accurate comprehensive student count for the purposes of calculating formula allocations for programs under the Johnson-O'Malley Act, S. 1223, to repeal the Klamath Tribe Judgment Fund Act, and S. 1285, to allow the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians, the Confederated Tribes of the Grand Ronde Community of Oregon, the Confederated Tribes of Siletz Indians of Oregon, the Confederated Tribes of Warm Springs, and the Cow Creek Band of Umpqua Tribe of Indians to lease or transfer certain lands, after receiving testimony from Tony Dearman, Director, Bureau of Indian Education, Department of the Interior; Warren Brainard, Confederated Tribes of Coos, Lower Umpqua and Suislaw Indians, Coos Bay, Oregon; Donald R. Wharton, Native American Rights Fund, Boulder, Colorado; and Carla Mann, National Johnson O'Malley Association, Tulsa, Oklahoma.

NOMINATION

Committee on the Judiciary: Committee concluded a hearing to examine the nomination of Christopher A. Wray, of Georgia, to be Director of the Federal Bureau of Investigation, Department of Justice, after the nominee, who was introduced by former Senator Nunn, testified and answered questions in his own behalf.

VISA OVERSTAYS

Committee on the Judiciary: Subcommittee on Border Security and Immigration concluded a hearing to examine the problem of visa overstays, focusing on a

need for better tracking and accountability, after receiving testimony from John Roth, Inspector General, Office of Inspector General, Michael Dougherty, Assistant Secretary, Border, Immigration, and Trade, Office of Strategy, Policy, and Plans, John Wagner, Deputy Executive Assistant Commissioner, Office of Field Operations, Customs and Border Protection, and Louis A. Rodi, III, Deputy Assistant Director, National Security Investigations Division, Homeland Security Investigations, Immigration and Customs Enforcement, all of the Department of Homeland Security.

HEALTHY AGING AND POSITIVE OUTCOMES

Special Committee on Aging: Committee concluded a hearing to examine nourishing our golden years, focusing on how proper and adequate nutrition promote healthy aging and positive outcomes, after receiving testimony from Seth A. Berkowitz, Massachusetts General Hospital Division of General Internal Medicine and Diabetes Population Health Research Center, Boston; Connie W. Bales, Duke University School of Medicine, and Durham VA Medical Center Geriatrics Center, Durham, North Carolina; Elizabeth Pratt, Maine SNAP Education Program, Portland; and Pat Taylor, Penn Hills, Pennsylvania.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 25 public bills, H.R. 3191–3215; and 5 resolutions, H.J. Res. 108; and H. Res. 437–439, and 441 were introduced. **Pages H5758–59**

Additional Cosponsors: **Pages H5760–61**

Reports Filed: Reports were filed today as follows:

H.R. 2786, to amend the Federal Power Act with respect to the criteria and process to qualify as a qualifying conduit hydropower facility, with an amendment (H. Rept. 115–213);

H.R. 2056, to amend the Small Business Act to provide for expanded participation in the microloan program, and for other purposes, with an amendment (H. Rept. 115–214);

H.R. 2333, to amend the Small Business Investment Act of 1958 to increase the amount of leverage made available to small business investment companies, with an amendment (H. Rept. 115–215);

H.R. 2364, to amend the Small Business Investment Act of 1958 to increase the amount that certain banks and savings associations may invest in small business investment companies, subject to the approval of the appropriate Federal banking agency, and for other purposes (H. Rept. 115–216); and

H. Res. 440, providing for further consideration of the bill (H.R. 2810) to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes (H. Rept. 115–217). **Pages H5756–57**

Speaker: Read a letter from the Speaker wherein he appointed Representative Bridenstine to act as Speaker pro tempore for today. **Page H5437**

Recess: The House recessed at 10:35 a.m. and reconvened at 12 noon. **Page H5441**

Guest Chaplain: The prayer was offered by the Guest Chaplain, Archbishop Hovnan Derderian, Western Diocese, Armenian Church of North America, Burbank, CA. **Page H5441**

Suspension—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure. Consideration began Tuesday, July 11th.

Medical Controlled Substances Transportation Act of 2017: H.R. 1492, to amend the Controlled Substances Act to direct the Attorney General to register practitioners to transport controlled substances to States in which the practitioner is not registered under the Act for the purpose of administering the substances (under applicable State law) at locations other than principal places of business or professional practice, by a ⅔ yea-and-nay vote of 416 yeas to 2 nays, Roll No. 349. **Page H5485**

Suspensions: The House agreed to suspend the rules and pass the following measures:

FDA Reauthorization Act of 2017: H.R. 2430, amended, to amend the Federal Food, Drug, and Cosmetic Act to revise and extend the user-fee programs for prescription drugs, medical devices, generic drugs, and biosimilar biological products; **Pages H5454–83**

Enhancing Detection of Human Trafficking Act: H.R. 2664, to direct the Secretary of Labor to

train certain Department of Labor personnel how to effectively detect and assist law enforcement in preventing human trafficking during the course of their primary roles and responsibilities; **Pages H5486–88**

Empowering Law Enforcement to Fight Sex Trafficking Demand Act: H.R. 2480, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to include an additional permissible use of amounts provided as grants under the Byrne JAG program; and **Pages H5488–92**

Frederick Douglass Trafficking Victims Prevention and Protection Reauthorization Act of 2017: H.R. 2200, amended, to reauthorize the Trafficking Victims Protection Act of 2000. **Pages H5492–H5503**

Gaining Responsibility on Water Act of 2017: The House passed H.R. 23, to provide drought relief in the State of California, by a recorded vote of 230 ayes to 190 noes, Roll No. 352. **Pages H5503–33**

Rejected the Carbajal motion to recommit the bill to the Committee on Natural Resources with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 189 ayes to 230 noes, Roll No. 351. **Pages H5531–32**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–24 shall be considered as an original bill for the purpose of amendment under the five-minute rule. **Page H5511**

Agreed to:

LaMalfa amendment (No. 1 printed in part C of H. Rept. 115–212) that ensures water supply rescheduling provisions apply to equitably to all water districts in region; **Pages H5525–26**

Costa amendment (No. 2 printed in part C of H. Rept. 115–212) that authorizes the U.S. Bureau of Reclamation to conduct geophysical characterization activities of groundwater aquifers and groundwater vulnerability in California, including identifying areas of greatest recharge potential; **Pages H5526–27**

Costa amendment (No. 3 printed in part C of H. Rept. 115–212) that authorizes the U.S. Bureau of Reclamation to develop a study to enhance mountain runoff to Central Valley Project reservoirs from headwaters restoration activities; **Page H5527**

Denham amendment (No. 4 printed in part C of H. Rept. 115–212) that sets a timeline for completion of the New Melones Reservoir study, prevents exploitation of water rights, extends the program to protect Anadromous Fish in Stanislaus River for 2 years; and **Pages H5527–28**

Pearce amendment (No. 6 printed in part C of H. Rept. 115–212) that ensures that the water rights of federally recognized Indian tribes are not affected by this bill. **Pages H5529–30**

Rejected:

DeSaulnier amendment (No. 5 printed in part C of H. Rept. 115–212) that requires a review of available and new, innovative technologies for capturing municipal wastewater and recycling it for providing drinking water and energy, and a report on the feasibility of expanding the implementation of these technologies and programs among Central Valley Project contractors (by a recorded vote of 201 ayes to 221 noes, Roll No. 350). **Pages H5528–29, H5530–31**

H. Res. 431, the rule providing for consideration of the bills (H.R. 2810) and (H.R. 23) was agreed to by a recorded vote of 232 ayes to 187 noes, Roll No. 348, after the previous question was ordered by a yea-and-nay vote of 234 yeas to 183 nays, Roll No. 347. **Pages H5444–53, H5483–85**

Clerk to Correct Engrossment: Agreed by unanimous consent that the Clerk be authorized to make technical corrections in the engrossment of H.R. 1719, to include addition of an enacting clause. **Page H5533**

Committee Resignation: Read a letter from Representative Panetta wherein he resigned from the Committee on Natural Resources. **Page H5533**

Committee Resignation: Read a letter from Representative Walz wherein he resigned from the Committee on Armed Services. **Page H5533**

Committee Election: The House agreed to H. Res. 439, electing a Member to a certain standing committee of the House of Representatives. **Pages H5533–34**

Unanimous Consent Agreement: Agreed by unanimous consent that during the consideration of H.R. 2810, pursuant to House Resolution 431, amendment numbered 88 printed in part B of House Report 115–212 may be considered out of sequence. **Page H5534**

National Defense Authorization Act for Fiscal Year 2018: The House began consideration of H.R. 2810, to authorize appropriations for fiscal year 2018 for military activities of the Department of Defense and for military construction, and to prescribe military personnel strengths for such fiscal year. Consideration is expected to resume tomorrow, July 13th. **Pages H5534–H5756**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 115–23, modified by the amendment printed in part A of H. Rept. 115–212, 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. The bill, as amended, shall be considered as the

original bill for the purpose of further amendment under the five-minute rule. **Page H5543**

Agreed to:

Thornberry amendment (No. 1 printed in part B of H. Rept. 115–212) that makes several technical and conforming changes to the bill; **Page H5721**

Wilson (SC) amendment (No. 9 printed in part B of H. Rept. 115–212) that prohibits funding for the preparatory commission for the Comprehensive Nuclear-Test-Ban Treaty Organization except funds used for the international monitoring system; **Pages H5730–31**

Thornberry en bloc amendment No. 1 consisting of the following amendments printed in part B of H. Rept. 115–212: Graves (LA) (No. 3) that requires the Secretary of Defense to conduct a cost-benefit analysis on commissaries and exchanges; Rogers (AL) (No. 11) that increase funding for Ukraine Security Assistance Initiative for "enhancing ISR capability of Ukrainian defense forces"; Fitzpatrick (No. 15) that states that the Secretary of Defense shall direct all branches to establish a comprehensive strategy to determine capability gaps in training that can be rectified by virtual training, acquire the needed technology, and analyze effectiveness from using virtual training technology; Brown (MD) (No. 16) that increases funding by $2 million for the Army Electronics and Electronic Devices account within RDT&E with a corresponding decrease of $2 million to the Army Technology Maturation Initiatives account, also within RDT&E; Brown (MD) (No. 17) that increases funding by $4.135 million for the Defense-wide Historically Black Colleges and Universities/Minority Institutions account within RDT&E, with a corresponding decrease of $4.135 million to the Defense-wide Advanced Innovative Analysis and Concepts account, also within RDT&E; Lipinski (No. 18) that authorizes the establishment of a Hacking for Defense program by the Secretary of Defense, under which the Secretary may obligate $15 million for the development of curriculum, recruitment materials, and best practices; expresses the sense of Congress that the program exposes young scientists and engineers to careers in public service and provides a unique pathway for veterans to leverage their military experience to solve national security challenges; Ratcliffe (No. 19) that exempts anyone employed in a defense industrial base facility or a center for industrial and technical excellence from a presidential hiring freeze; Fitzpatrick (No. 20) that ensures that DOD's biennial core reporting procedures align with the reporting requirements in Section 2464 and each reporting agency provides accurate and complete information by having the Secretary of Defense direct the Under Secretary of Defense for Acquisition, Technology and Logistics to update DOD's guidance regarding future biennial core reports; Cardenas (No. 21) that requires the Secretary of Defense to submit a report to Congress on arctic readiness, including an analysis of challenges posed by rapid changes in the arctic region, how the changes will affect other regions, including coastal communities, how the changes will affect military infrastructure, and recommendation for congressional action to address the needs of the Armed Forces to respond to changes in the Arctic; Johnson (LA) (No. 22) that requires the Army to conduct a report on the Army Combat Training Centers and the current resident cyber capabilities and training at such bases to examine potential training readiness shortfalls and pre-rotational cyber training needs are met; Cicilline (No. 23) 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; Khanna (No. 24) that requires the Secretary of Defense to require a cost-benefit analysis of uniform specifications for Afghan Military or Security Forces for future contracts; Herrera-Beutler (No. 25) that enhances the training requirements for members of boards for the correction of military records and department of defense personnel who investigate claims of retaliation enacted in the NDAA for FY 2017; Kuster (No. 26) that expands DoD definition of sexual assault to include sexual coercion for the purpose of this report; Gottheimer (No. 27) that extends the Suicide Prevention and Resilience Program to October 2019; Jones (No. 28) that provides a 5 year authorization for the DoDEA to fund their grants; Jones (No. 29) that allows United States Coast Guard retirees who live on a base with school age dependents the opportunity to attend DOD-based schools; Watson Coleman (No. 30) that expresses a sense of Congress affirming the nondiscrimination policy of the United States Military Academy in West Point, New York, including as applied to female cadets, staff, and faculty; and Sean Patrick Maloney (NY) (No. 31) that extends through 2018 Department of Veterans Affairs authority for the performance of medical disability evaluations by contract physicians; **Pages H5737–44**

Thornberry en bloc amendment No. 2 consisting of the following amendments printed in part B of H. Rept. 115–212: Meng (No. 32) that requires the Secretary of Defense to ensure that each military department issues a single, consolidated instruction that addresses the decisions, actions, and requirements for members of the Armed Forces relating to pregnancy, the postpartum period, and parenthood, as recommended by last year's Defense Advisory Committee on Women in the Services report; Carson (IN) (No. 33) that makes permanent the Department of Defense's existing requirement to provide mental

health assessments to service members during deployment; Kuster (No. 34) that requires health care providers to provide transitioning service members information and referrals for counseling and treatment of substance use disorders and chronic pain management services, when appropriate; Lance (No. 35) that prohibits the Department of Defense (DoD) or the DSPO (Department of Suicide Prevention Office) from terminating the Vets4Warriors crisis hotline program unless a report to Congress demonstrates a sufficient programming replacement; Pascrell (No. 36) that directs the Secretary of the Department of Defense to report to Congress on the DOD's implementation of recommendations from the Government Accountability Office to ensure that post-traumatic stress disorder and traumatic brain injury are considered in misconduct separations; Meehan (No. 37) that authorizes the Secretary of Defense to enter into intergovernmental agreements to provide for health screenings in communities near formerly used defense sites that have been identified by the Secretary as sources of perfluorooctanesuflonic acid and perfluorooctanoic acid; Kuster (No. 38) that requires the Secretary of Defense to conduct a study on the effectiveness of the training provided to military health care providers regarding opioid prescribing practices; the study would exam DoD's success in reducing opioid prescriptions, dosages, duration of treatment, and overdoses; Thornberry (No. 39) that establishes conditions for the use of qualified private auditors to conduct incurred cost audits for Department of Defense contracts; requires the Secretary of Defense to develop a plan to acquire contract audit services; ensures the Department has access to documents necessary to oversee contracts for contract audit services; Foxx (No. 40) that requires the Director of Intellectual Property to develop resources and guidelines on intellectual property matters and to resolve ambiguities in various types of technical data; also requires the Director of Intellectual Property to engage with appropriately representative entities on intellectual property matters, including large and small businesses, traditional and non-traditional Government contractors, prime contractors and subcontractors, and maintenance repair organizations; Connolly (No. 41) that Directs the Secretary of Defense to develop a definition and way to measure Procurement Administration Lead Time (PALT); Nolan (No. 42) that expresses the sense of Congress that a strong domestic iron ore and steel industry is vital to the national security of the United States; Connolly (No. 43) that extends sunsets for the Federal Information Technology Acquisition Reform Act (FITARA) provisions on federal data center consolidation, transparency and risk management of major IT systems, and IT portfolio, program, and resource reviews; Lipinski (No. 44) that expresses the sense of Congress that the Secretary of Defense should establish a cooperative program between the Office of the Chief Information Officer of the Department of Defense, the Defense Procurement Acquisition Policy, and the National Institute of Standards and Technology-Manufacturing Extension Partnership; the cooperative program established shall educate and assist small- and medium-sized manufacturing firms in the Department of Defense supply chain in achieving compliance with NIST Special Publication 800–171 titled "Protecting Controlled Unclassified Information in Nonfederal Information Systems and Organizations" as such publication is incorporated into the Defense Federal Acquisition Regulation Supplement; Conaway (No. 45) that conforms with the September 30, 2017, audit readiness deadline, this makes changes to the current reporting requirements to reflect the DoD moving into the statutory audit phase; this requires the DoD and armed services to report on audit progress and remediation efforts necessary to reach complete auditability; Burgess (No. 46) that requires a report ranking all military departments and Defense Agencies in order of how advanced they are in achieving auditable financial statements as required by law; Yoho (No. 47) that prohibits the use of funds to close or relinquish control of United States naval station at Guantanamo Bay, Cuba; Sanford (No. 48) that requires the Secretary of Defense to account for the total cost of National Guard flyovers at public events and publish them in a public report; and Yoho (No. 49) that limitation on use of funds for provision of man-portable air defense systems to the vetted Syrian opposition; **Pages H5744–49**

Thornberry en bloc amendment No. 3 consisting of the following amendments printed in part B of H. Rept. 115–212: Torres (No. 50) that requires the Director of the Defense Security Cooperation Agency to determine whether any defense article sold to a foreign government has been transferred to any unit that has committed any gross violation of human rights; it also requires the Secretary of Defense to report to Congress regarding such determinations; Young (AK) (No. 51) that requires the Secretary of Defense to submit a report with the necessary steps the Department is undertaking to resolve arctic security capability and resource gaps, and the requirements and investment plans for military infrastructure required to protect United States national security interests in the arctic region; Evans (No. 52) that requires a report on potential agreement with the government of Russia on the status of Syria; it requires the President submit a report that includes a description of any understanding between the President and government of Russia regarding a plan

to divide territories and a description of any understanding that would provide Iran access to the border between Israel and Syria; Correa (No. 53) that requires the Secretary of Defense, in coordination with the Director of National Intelligence, to provide Congress a report on any attempts to attack Department of Defense systems within the past 24 months by the Russian Federation or actors supported by the Russian Federation; Boyle (No. 54) that requires a report on the Department's progress developing and implementing alternatives to AFFF firefighting foam that do not contain perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS), as the Department has already begun; Walorski (No. 55) that directs the Comptroller General to report to Congress on adopting and enhancing nationally-accredited project, program, and portfolio management standards within the Department of Defense; Harper (No. 56) that authorizes the Speaker of the House with the concurrence of the Minority Leader to call upon the Executive Branch for additional resources in the event the House is the victim of a cyber-attack; Sean Patrick Maloney (NY) (No. 57) that updates Department of Defense regulations to ensure service members receive adequate consumer protections with respect to collection of debt; Hanabusa (No. 58) that expresses the sense of Congress that a Pacific War Memorial should be established to honor members of the United States Armed Forces who served in the Pacific Theater of World War II, also known as the Pacific War; Kilmer (No. 59) that extends the authorization for Navy civilian employees who perform nuclear maintenance for the forward deployed aircraft carrier in Japan to earn overtime pay; Gallego (No. 60) that amends the requirements for the Afghanistan strategy mandated in the bill to include a description of military and diplomatic efforts to disrupt foreign support for the Taliban and other extremist groups; Rohrabacher (No. 61) that expresses a sense of Congress that Dr. Shakil Afridi is an international hero and that the Government of Pakistan should release him immediately from prison; Sinema (No. 62) that requires the Report on United States Strategy in Syria to include a description of amounts and sources of ISIL financing in Syria and efforts to disrupt this financing as part of the broader strategy of the United States in Syria; Conyers (No. 63) that requires a report assessing the relative merits of a multilateral or bilateral Incidents at Sea military-to-military agreement between the United States, the Government of Iran, and other countries operating in the Persian Gulf aimed at preventing accidental naval conflict in the Persian Gulf and the Strait of Hormuz; Kihuen (No. 64) that extends the existing presidential reporting requirement for three more years—until December 31, 2022—to ensure we have an integrated strategy between the Administration and Congress in deterring Iran's nuclear weapons program; Hastings (No. 65) that requires the President to report to Congress on protocols related to the rescue, care, and treatment of religious minorities held captive by the Islamic State; Wilson (SC) (No. 66) that expresses a sense of Congress that North Korea's nuclear and ballistic missile program are a threat to the United States and our allies in the region, and that the United States must retain all diplomatic, economic, and military options to defend against and pressure North Korea to abandon its illicit weapons program; Bera (No. 67) that requires the Secretary of Defense, in consultation with the Secretary of State, to develop a strategy for advancing defense cooperation between the United States and India; and Walz (No. 68) that directs the Director of the Defense Intelligence Agency to submit to the Secretary of Defense and the HASC, HPSCI, SASC, and SSCI a report on the military training center and logistical capabilities of the Chinese and Russian armies; and **Pages H5749–53**

Thornberry en bloc amendment No. 4, as modified, consisting of the following amendments printed in part B of H. Rept. 115–212: Turner (No. 69) that expresses a sense of Congress on the North Atlantic Treaty Organization; Trott (No. 70) that expresses the Sense of Congress that the proposed sale of semi-automatic handguns to the Turkish Government should remain under scrutiny until a satisfactory and appropriate resolution is reached in regards to the events that took place on May 16, 2017; Engel (No. 71) that requires a strategy to support improvements by the Nigerian Government in defense sector transparency and civilian protection during Nigeria's military operations against Boko Haram, the Islamic State, and other militant groups; Wilson (FL) (No. 72) that expresses a sense of Congress supporting the kidnapped Chibok schoolgirls and the United States strategy for countering Boko Haram; Fitzpatrick (No. 73) that requires DOD to include a description of any Chinese laws, regulations, or policies that could jeopardize the economic security of the United States in their Congressionally-required annual report on Chinese military and security development; Fitzpatrick (No. 74) that requires report to Congress regarding the extent of cooperation on nuclear programs, ballistic missile development, chemical and biological weapons development, or conventional weapons programs between Iran and North Korea; Yoho (No. 75) that ensures

the full reporting of freedom of navigation operations, including maritime claims that go unchallenged; Jackson Lee (No. 76), as modified, that directs the Department of Defense to prepare contingency plans to assist relief organizations in delivery of humanitarian assistance efforts in South Sudan and to engage in consultation with South Sudan military counterparts to deescalate conflict; Norman (No. 77) that requires the Director of the Office of Management and Budget to keep separate the accounts of the Overseas Contingency Operations and the Department of Defense; Cicilline (No. 78) that provides that the Secretary of Defense shall consult with the Office of Management and Budget to update guidelines for the proper use of funds within the Overseas Contingency Operations account consistent with the recommendations of GAO Report GA0–17–68; Soto (No. 79) that directs the Secretary of Defense to monitor space weather and to provide alerts and warnings for space weather phenomena that may affect weapons systems, military operations, or the defense of the United States; Correa (No. 80) that requires the Department of Defense to update its cyber strategy; to require the President to develop a strategy for the offensive use of cyber capabilities; and to allow for technical assistance to North Atlantic Treaty Organization members; Aguilar (No. 81) that creates a talent management pilot program for the recruitment, training, professionalization, and retention of personnel in the cyber workforce of the Department of Defense; Cooper (No. 82) that clarifies that report on implementation of a plan to mitigate risks to strategic stability is required; Jackson Lee (No. 83) that directs the Secretary of Defense to develop measures to defend against deployment of nuclear ICBMs by North Korea to protect against damage or destruction of satellites critical to U.S. national defense and global communications, International Space Station, and other vital assets; Culberson (No. 84) that provides competitively awarded grant funding for the preservation of our nation's historic battleships; requires grantees to provide a 1:1 matching of any federal funding received pursuant to this grant program; the grant program sunsets on September 30, 2024; LaMalfa (No. 85) that prohibits funds or resources from being used by the Secretary of the Air Force to continue an accelerated rehabilitation plan to return approximately 927 acres of Modoc National Forest land occupied by the Over-the-Horizon-Backscatter Radar (OTHB) station in Modoc County, CA, per an agreement with Modoc National Forest with the exception of the removal of the perimeter fence surrounding the radar site; Norman (No. 86) that requires the Department of Defense to update the March 2016 report on ''Department of Defense Infrastructure Capacity''; and Lujan (No. 87) that expresses the sense of Congress that the United States should compensate and recognize all of the miners, workers, downwinders, and others suffering from the effects of uranium mining and nuclear testing carried out during the Cold War.

Pages H5753–56

Rejected:

Nadler amendment (No. 7 printed in part B of H. Rept. 115–212) that sought to strike section 1023 of the bill prohibiting the use of funds to construct or modify facilities in the United States to house detainees transferred from Guantanamo Bay.

Pages H5727–29

Proceedings Postponed:

Conaway amendment (No. 2 printed in part B of H. Rept. 115–212) that seeks to prohibit the DoD from entering new biofuels contracts while sequestration remains law; once sequestration expires or is repealed, it seeks to amend current law to require the DoD to include calculations of any financial contributions made by other federal agencies for biofuels purchases; **Pages H5721–23**

Polis amendment (No. 4 printed in part B of H. Rept. 115–212) that seeks to reduce the base Defense Department budget by 1 percent excluding military/reserve/National Guard personnel, as well as Defense Health Program account; **Pages H5723–24**

Jayapal amendment (No. 5 printed in part B of H. Rept. 115–212) that seeks to express the sense of Congress that any authorization to appropriate increases to combined budgets of National Defense Budget (050) and Overseas Contingency Operations should be matched for non-defense discretionary budget; **Pages H5724–26**

Nadler amendment (No. 6 printed in part B of H. Rept. 115–212) that seeks to strike section 1022 of the bill prohibiting the use of funds for transfer or release of individuals detained at Guantanamo Bay to the United States; **Pages H5726–27**

Blumenauer amendment (No. 8 printed in part B of H. Rept. 115–212) that seeks to modify Sec. 1244 to include limitations on the development of an INF range groundlaunched missile system;

Pages H5729–30

Aguilar amendment (No. 10 printed in part B of H. Rept. 115–212) that seeks to extend a currently required CBO cost estimate review on the fielding, maintaining, modernization, replacement, and life extension of nuclear weapons and nuclear weapons delivery systems from covering a 10-year period to covering a 30-year period; **Pages H5731–33**

Garamendi amendment (No. 12 printed in part B of H. Rept. 115–212) that seeks to modify and extend the scope of the report required by Section 1043 of the Fiscal Year 2012 National Defense Authorization Act; **Pages H5733–34**

Blumenauer amendment (No. 13 printed in part B of H. Rept. 115–212) that seeks to limit spending on the Long Range Standoff weapon (LRSO) until the Administration submits a Nuclear Posture Review to Congress including a detailed assessment of the weapon; **Pages H5734–35**

McClintock amendment (No. 14 printed in part B of H. Rept. 115–212) that seeks to strike section 2702, the prohibition on conducting an additional round of Base Realignment and Closure; and **Pages H5735–37**

Rogers (AL) amendment (No. 88 printed in part B of H. Rept. 115–212) that seeks to amend section 1043 of the FY2012 National Defense Authorization Act to state that the Secretary may include information and data on the costs of nuclear weapons modernization beyond the currently required 10-year window if the Secretary determines such is accurate and useful. **Page H5737**

H. Res. 431, the rule providing for consideration of the bills (H.R. 2810) and (H.R. 23) was agreed to by a recorded vote of 232 ayes to 187 noes, Roll No. 348, after the previous question was ordered by a yea-and-nay vote of 234 yeas to 183 nays, Roll No. 347. **Pages H5444–53, H5483–85**

Recess: The House recessed at 11:13 p.m. and reconvened at 12:36 a.m. **Page H5756**

Quorum Calls—Votes: Two yea-and-nay votes and four recorded votes developed during the proceedings of today and appear on pages H5483–84, H5484–85, H5485, H5530–31, H5532, and H5532–33. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 12:37 a.m. on Thursday, July 13, 2017.

Committee Meetings

THE NEXT FARM BILL: TECHNOLOGY AND INNOVATION IN SPECIALTY CROPS

Committee on Agriculture: Full Committee held a hearing entitled ''The Next Farm Bill: Technology and Innovation in Specialty Crops''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Appropriations: Full Committee held a markup on the Agriculture Appropriations Bill, FY 2018; and the Energy and Water Appropriations Bill, FY 2018. The Agriculture Appropriations Bill, FY 2018; and the Energy and Water Appropriations Bill, FY 2018 were ordered reported, as amended.

MISCELLANEOUS MEASURE

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a markup on the Interior, Environment, and Related Agencies Appropriations Bill, FY 2018. The Interior, Environment, and Related Agencies Appropriations Bill, FY 2018 was forwarded to the full committee, without amendment.

MISCELLANEOUS MEASURE

Committee on Appropriations: Subcommittee on Homeland Security held a markup on the Homeland Security Appropriations Bill, FY 2018. The Homeland Security Appropriations Bill, FY 2018 was forwarded to the full committee, without amendment.

REDEFINING JOINT EMPLOYER STANDARDS: BARRIERS TO JOB CREATION AND ENTREPRENEURSHIP

Committee on Education and the Workforce: Full Committee held a hearing entitled ''Redefining Joint Employer Standards: Barriers to Job Creation and Entrepreneurship''. Testimony was heard from public witnesses.

COMBATING THE OPIOID CRISIS: BATTLES IN THE STATES

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Combating the Opioid Crisis: Battles in the States''. Testimony was heard from Rebecca Boss, Director, Department of Behavioral Healthcare, Developmental Disabilities and Hospitals, Rhode Island; Brian J. Moran, Secretary of Public Safety and Homeland Security, Virginia; Boyd K. Rutherford, Lieutenant Governor, Maryland; and John Tilley, Secretary, Justice and Public Safety Cabinet, Kentucky.

EXAMINING MEDICAL PRODUCT MANUFACTURER COMMUNICATIONS

Committee on Energy and Commerce: Subcommittee on Health held a hearing entitled ''Examining Medical Product Manufacturer Communications''. Testimony was heard from public witnesses.

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 Janet L. Yellen, Chair, Board of Governors, Federal Reserve System.

EXAMINING LEGISLATIVE PROPOSALS TO PROVIDE TARGETED REGULATORY RELIEF TO COMMUNITY FINANCIAL INSTITUTIONS

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing entitled ''Examining Legislative Proposals to

Provide Targeted Regulatory Relief to Community Financial Institutions''. Testimony was heard from public witnesses.

BEYOND MICROFINANCE: EMPOWERING WOMEN IN THE DEVELOPING WORLD

Committee on Foreign Affairs: Full Committee held a hearing entitled ''Beyond Microfinance: Empowering Women in the Developing World''. Testimony was heard from public witnesses.

ADVANCING U.S. INTERESTS IN THE WESTERN HEMISPHERE: THE FY 2018 BUDGET REQUEST

Committee on Foreign Affairs: Subcommittee on the Western Hemisphere held a hearing entitled ''Advancing U.S. Interests in the Western Hemisphere: The FY 2018 Budget Request''. Testimony was heard from Francisco Palmieri, Acting Assistant Secretary, Bureau of Western Hemisphere Affairs, Department of State; and Sarah-Ann Lynch, Acting Assistant Administrator, Bureau for Latin America and the Caribbean, U.S. Agency for International Development.

BLACK FLAGS OVER MINDANAO: TERRORISM IN SOUTHEAST ASIA

Committee on Foreign Affairs: Subcommittee on Asia and the Pacific held a hearing entitled ''Black Flags over Mindanao: Terrorism in Southeast Asia''. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Full Committee held a markup on H.R. 469, the ''Sunshine for Regulations and Regulatory Decrees and Settlements Act of 2017''; and H.R. 2851, the ''Stop the Importation and Trafficking of Synthetic Analogues Act of 2017''. H.R. 469 was ordered reported, without amendment. H.R. 2851 was ordered reported, as amended.

EVALUATING FEDERAL OFFSHORE OIL AND GAS DEVELOPMENT ON THE OUTER CONTINENTAL SHELF

Committee on Natural Resources: Subcommittee on Energy and Mineral Resources held a hearing entitled ''Evaluating Federal Offshore Oil and Gas Development on the Outer Continental Shelf''. Testimony was heard from Katharine MacGregor, Acting Assistant Secretary, Land and Minerals Management, Department of the Interior; and public witnesses.

GENERAL SERVICES ADMINISTRATION—ACQUISITION OVERSIGHT AND REFORM

Committee on Oversight and Government Reform: Subcommittee on Government Operations; and Subcommittee on Information Technology held a joint hearing entitled ''General Services Administration—Acquisition Oversight and Reform''. Testimony was heard from Alan Thomas, Commissioner, Federal Acquisition Service, General Services Administration; and Rob Cook, Deputy Commissioner of Technology Transformation Service, General Services Administration.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2018

Committee on Rules: Full Committee held a hearing on H.R. 2810, the ''National Defense Authorization Act for Fiscal Year 2018'' {amendment consideration}. The Committee granted, by record vote of 8–2, a structured rule for further consideration of H.R. 2810. The rule provides for no further general debate. The rule makes in order only those further amendments printed in the Rules Committee report and amendments en bloc described in section 3 of the resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule waives all points of order against the amendments printed in the report or against amendments en bloc described in section 3 of the resolution. In section 3, the rule provides that the chair of the Committee on Armed Services or his designee may offer amendments en bloc at any time consisting of amendments printed in the report not earlier disposed of. Amendments en bloc 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 designees, shall not be subject to amendment, and shall not be subject to a demand for division of the question. The rule provides one motion to recommit with or without instructions. Testimony was heard from Representatives Cook, Franks of Arizona, Turner, Garamendi, Langevin, O'Rourke, Suozzi, Veasey, Hastings, McGovern, Polis, Comstock, Davidson, Donovan, Griffith, Hurd, Lewis of Minnesota, Mast, Pittenger, Rogers of Alabama, Thomas J. Rooney of Florida, Stewart, Tenney, Westerman, Young of Alaska, Cooper, Cuellar, Doggett, Jackson Lee, Pascrell, Plaskett, and Schiff.

U.S. FIRE ADMINISTRATION AND FIRE GRANT PROGRAMS REAUTHORIZATION: EXAMINING EFFECTIVENESS AND PRIORITIES

Committee on Science, Space, and Technology: Subcommittee on Research and Technology held a hearing entitled ''U.S. Fire Administration and Fire Grant Programs Reauthorization: Examining Effectiveness and Priorities''. Testimony was heard from Denis Onieal, Acting Administrator, United States Fire Administration; Gavin Horn, Research Program Director, Illinois Fire Service Institute; H. ''Butch'' Browning, Jr., State Fire Marshall, Louisiana; John Sinclair, Fire Chief, Kittitas Valley Fire and Rescue, Washington; and public witnesses.

HELP OR HINDRANCE? A REVIEW OF SBA'S OFFICE OF THE CHIEF INFORMATION OFFICER

Committee on Small Business: Full Committee held a hearing entitled ''Help or Hindrance? A Review of SBA's Office of the Chief Information Officer''. Testimony was heard from Maria Roat, Chief Information Officer, Small Business Administration.

IMPLEMENTING THE FEDERAL ASSETS SALE AND TRANSFER ACT (FASTA): MAXIMIZING TAXPAYER RETURNS AND REDUCING WASTE IN REAL ESTATE

Committee on Transportation and Infrastructure: Subcommittee on Economic Development, Public Buildings, and Emergency Management held a hearing entitled ''Implementing the Federal Assets Sale and Transfer Act (FASTA): Maximizing Taxpayer Returns and Reducing Waste in Real Estate''. Testimony was heard from Tim Horne, Acting Administrator, General Services Administration; Brett Simms, Director, Capital Asset Management Service, Department of Veterans Affairs; Kevin B. Acklin, Chief of Staff, Office of Mayor William Peduto, Pittsburgh, Pennsylvania; and a public witness.

CARE WHERE IT COUNTS: ASSESSING VA'S CAPITAL ASSET NEEDS

Committee on Veterans' Affairs: Full Committee held a hearing entitled ''Care Where It Counts: Assessing VA's Capital Asset Needs''. Testimony was heard from Debra Draper, Director, Health Care Team, Government Accountability Office; James M. Sullivan, Office of Asset Enterprise Management, Department of Veterans Affairs; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Subcommittee on Oversight and Investigations held a markup on H.R. 2006, the ''VA Procurement Efficiency and Transparency Act''; H.R. 2749, the ''Protecting Business Opportunities for Veterans Act of 2017''; H.R. 2781, the ''Ensuring Veteran Enterprise Participation in Strategic Sourcing Act''; and H.R. 3169, the ''VA Acquisition Workforce Improvement and Streamlining Act''. H.R. 2006, H.R. 2749, H.R. 2781, and H.R. 3169 were forwarded to the full committee, without amendment.

MISCELLANEOUS MEASURES

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity held a markup on H.R. 282, the ''Military Residency Choice Act''; H.R. 1690, the ''Department of Veterans Affairs Bonus Transparency Act''; and H.R. 2772, the ''SEA Act''. H.R. 282 and H.R. 2772 were forwarded to the full committee, without amendment. H.R. 1690 was forwarded to the full committee, as amended.

Joint Meetings

U.S. JOB VACANCIES

Joint Economic Committee: Committee concluded a hearing to examine a record six million United States job vacancies, focusing on reasons and remedies, after receiving testimony from Diana Furchtgott-Roth, Manhattan Institute for Policy Research, Washington, D.C.; David T. Harrison, Columbus State Community College, Columbus, Ohio; Scot McLemore, Honda North America, Inc., Marysville, Ohio; and Betsey Stevenson, University of Michigan Gerald R. Ford School of Public Policy, Ann Arbor.

COMMITTEE MEETINGS FOR THURSDAY, JULY 13, 2017

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Agriculture, Nutrition, and Forestry: to hold hearings to examine opportunities in global and local markets, specialty crops, and organics, focusing on perspectives for the 2018 Farm Bill, 9:30 a.m., SR–328A.

Committee on Appropriations: business meeting to mark up an original bill entitled, ''Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2018'', 10:30 a.m., SD–106.

Subcommittee on Transportation, Housing and Urban Development, and Related Agencies, to hold hearings to examine proposed budget estimates and justification for fiscal year 2018 for the Department of Transportation, 2 p.m., SD–192.

Committee on Armed Services: to hold hearings to examine the attempted coup in Montenegro and malign Russian influence in Europe, 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, 9:30 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Space, Science, and Competitiveness, to hold hearings to examine reopening the American frontier, focusing on promoting partnerships between commercial space and the United States government to advance exploration and settlement, 10 a.m., SR–253.

Committee on Finance: to hold hearings to examine the nomination of Kevin K. McAleenan, of Hawaii, to be Commissioner of U.S. Customs and Border Protection, Department of Homeland Security, 10:15 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the 2017 Trafficking in Persons Report, 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the nominations of Patrick Pizzella, of Virginia, to be Deputy Secretary of Labor, and Marvin Kaplan, of Kansas, and William J. Emanuel, of California, both to be a Member of the National Labor Relations Board, 9:30 a.m., SD–430.

Committee on the Judiciary: business meeting to consider the nominations of John Kenneth Bush, of Kentucky, to be United States Circuit Judge for the Sixth Circuit, Kevin Christopher Newsom, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, Damien Michael Schiff, of California, to be a Judge of the United States Court of Federal Claims, Timothy J. Kelly, and Trevor N. McFadden, of Virginia, both to be a United States District Judge for the District of Columbia, and John W. Huber, of Utah, to be United States Attorney for the District of Utah, and Jeffrey Bossert Clark, of Virginia, and Beth Ann Williams, of New Jersey, both to be an Assistant Attorney General, all of the Department of Justice, 9:30 a.m., SD–226.

Select Committee on Intelligence: to receive a closed briefing on certain intelligence matters, 2 p.m., SH–219.

House

Committee on Agriculture, Subcommittee on General Farm Commodities and Risk Management, hearing entitled ''The Future of Farming: Technological Innovations, Opportunities, and Challenges for Producers'', 10 a.m., 1300 Longworth.

Committee on Appropriations, Full Committee, markup on the Commerce, Justice, Science Appropriations Bill, FY 2018; the Financial Services and General Government Appropriations Bill, FY 2018; and the Report on the Revised Interim Suballocation of the Budget Allocations, FY 2018, 10 a.m., 2359 Rayburn.

Subcommittee on State, Foreign Operations, and Related Programs, markup on the State, Foreign Operations, and Related Programs Appropriations Bill, FY 2018, 3 p.m., 2362–A Rayburn.

Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, markup on the Labor, Health and Human Services, Education, and Related Agencies Appropriations Bill, FY 2018, 4:30 p.m., 2358–C Rayburn.

Committee on Education and the Workforce, Subcommittee on Early Childhood, Elementary, and Secondary Education, hearing entitled ''Opportunities for State Leadership of Early Childhood Programs'', 10 a.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Environment, markup on legislation on the Drinking Water System Improvement Act, 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Capital Markets, Securities, and Investment, hearing entitled ''Impact of the DOL Fiduciary Rule on the Capital Markets'', 10 a.m., 2128 Rayburn.

Committee on Foreign Affairs, Subcommittee on Middle East and North Africa, hearing entitled ''America's Interests in the Middle East and North Africa: The President's FY 2018 Budget Request'', 1 p.m., 2167 Rayburn.

Committee on Homeland Security, Subcommittee on Counterterrorism and Intelligence, hearing entitled ''The Persistent Threat: al Qaeda's Evolution and Resilience'', 10 a.m., HVC–210.

Task Force on Denying Terrorists Entry into the United States, hearing entitled ''The Terrorist Diaspora: After the Fall of the Caliphate'', 2 p.m., HVC–210.

Committee on the Judiciary, Subcommittee on Courts, Intellectual Property, and the Internet, hearing entitled ''The Impact of Bad Patents on American Businesses'', 10 a.m., 2141 Rayburn.

Committee on Natural Resources, Subcommittee on Indian, Insular and Alaska Native Affairs, hearing entitled ''Comparing 21st Century Trust Land Acquisition with the Intent of the 73rd Congress in Section 5 of the Indian Reorganization Act'', 10 a.m., 1324 Longworth.

Committee on Small Business, Subcommittee on Contracting and Workforce; and Economic Growth, Tax, and Capital Access, joint hearing entitled ''The Puerto Rico Oversight, Management, and Economic Stability Act: State of Small Business Contracting'', 10 a.m., 2360 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Oversight and Investigations; and Subcommittee on Disability Assistance and Memorial Affairs, joint hearing entitled ''Examining VA's Processing of Gulf War Illness Claims'', 9:30 a.m., 334 Cannon.

Subcommittee on Health, hearing entitled ''Maximizing Access and Resources: An Examination of VA Productivity and Efficiency'', 2 p.m., 334 Cannon.

Committee on Ways and Means, Subcommittee on Tax Policy, hearing on ''How Tax Reform Will Help America's Small Businesses Grow and Create New Jobs'', 10 a.m., 1100 Longworth.

Full Committee, markup on H.R. 3178, the ''Medicare Part B Improvement Act of 2017''; H.R. 3168, to amend title XVIII of the Social Security Act to provide continued access to specialized Medicare Advantage plans for special needs individuals, and for other purposes; and H.R. 1843, the ''Restraining Excessive Seizure of Property through the Exploitation of Civil Forfeiture Tools Act'', 2 p.m., 1100 Longworth.

Permanent Select Committee on Intelligence, Full Committee, markup on the Intelligence Authorization Act for Fiscal Year 2018, 9 a.m., HVC–304. This hearing will be closed.

Joint Meetings

Commission on Security and Cooperation in Europe: to receive a briefing on energy insecurity in Russia's periphery, 3:30 p.m., SD–G11.

Next Meeting of the SENATE

12:30 p.m., Thursday, July 13

Senate Chamber

Program for Thursday: Senate will continue consideration of the nomination of William Francis Hagerty IV, of Tennessee, to be Ambassador to Japan, post-cloture, and vote on confirmation of the nomination at 1:45 p.m.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, July 13

House Chamber

Program for Thursday: Continue consideration of H.R. 2810—National Defense Authorization Act for Fiscal Year 2018 (Subject to a Rule).

Extensions of Remarks, as inserted in this issue

HOUSE

Blum, Rod, Iowa, E964
Buck, Ken, Colo., E965, E969
Dingell, Debbie, Mich., E964
Gohmert, Louie, Tex., E968
Graves, Sam, Mo., E963
Gutiérrez, Luis V., Ill., E965
Johnson, Eddie Bernice, Tex., E967
Kelly, Trent, Miss., E963, E969
Long, Billy, Mo., E968
Lowenthal, Alan S., Calif., E966
Matsui, Doris O., Calif., E967
Meng, Grace, N.Y., E969
Norcross, Donald, N.J., E965, E966, E966
Norton, Eleanor Holmes, The District of Columbia, E966
Olson, Pete, Tex., E970, E971, E972
Perlmutter, Ed, Colo., E963, E964, E965, E965, E966, E967, E968, E969, E969, E970
Price, David E., N.C., E971
Roskam, Peter J., Ill., E970
Royce, Edward R., Calif., E964
Sessions, Pete, Tex., E963
Shuster, Bill, Pa., E968, E969, E970
Simpson, Michael K., Idaho, E965
Smith, Lamar, Tex., E971

Congressional Record

The *Congressional Record* (USPS 087–390). The Periodicals postage is paid at Washington, D.C. The public proceedings of each House of Congress, as reported by the Official Reporters thereof, are printed pursuant to directions of the Joint Committee on Printing as authorized by appropriate provisions of Title 44, United States Code, and published for each day that one or both Houses are in session, excepting very infrequent instances when two or more unusually small consecutive issues are printed one time. ¶Public access to the *Congressional Record* is available online through the U.S. Government Publishing Office, at *www.govinfo.gov*, free of charge to the user. The information is updated online each day the *Congressional Record* is published. For more information, contact the GPO Customer Contact Center, U.S. Government Publishing Office. Phone 202–512–1800, or 866–512–1800 (toll-free). E-Mail, *contactcenter@gpo.gov*. ¶To place an order for any of these products, visit the U.S. Government Online Bookstore at: bookstore.gpo.gov. Mail orders to: Superintendent of Documents, P.O. Box 979050, St. Louis, MO 63197–9000, or phone orders to 866–512–1800 (toll-free), 202–512–1800 (D.C. area), or fax to 202–512–2104. Remit check or money order, made payable to the Superintendent of Documents, or use VISA, MasterCard, Discover, American Express, or GPO Deposit Account. ¶Following each session of Congress, the daily *Congressional Record* is revised, printed, permanently bound and sold by the Superintendent of Documents in individual parts or by sets. ¶With the exception of copyrighted articles, there are no restrictions on the republication of material from the *Congressional Record*.

POSTMASTER: Send address changes to the Superintendent of Documents, *Congressional Record*, U.S. Government Publishing Office, Washington, D.C. 20402, along with the entire mailing label from the last issue received.