Union Calendar No. 137

115TH CONGRESS
1ST SESSION

H. R. 2810
[Report No. 115–200]

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.

IN THE HOUSE OF REPRESENTATIVES

JUNE 7, 2017

Mr. THORNBERRY (for himself and Mr. SMITH of Washington) (both by re-
quest) introduced the following bill; which was referred to the Committee
on Armed Services

JULY 6, 2017

Reported with amendments, committed to the Committee of the Whole House
on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

[For text of introduced bill, see copy of bill as introduced on June 7, 2017]
A BILL

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.
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

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Sec. 101. Authorization of appropriations.

Subtitle B—Army Programs

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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.

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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.
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Sec. 144. Requirement that certain aircraft and unmanned aerial vehicles use specified standard data link.

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Sec. 201. Authorization of appropriations.

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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.
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Sec. 216. Hypersonic airbreathing weapons capabilities.
Sec. 217. Limitation on availability of funds for MQ-25 unmanned air system.
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Sec. 311. Codification of and improvements to Department of Defense clearing-house 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.

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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-federized National Guard.

Sec. 334. Annual report on military working dogs used by the Department of Defense.

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Sec. 336. Report on effects of climate change on Department of Defense.

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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.

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Sec. 4501. Other authorizations.
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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 require-
ment 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 na-
tional security of the United States.

(M) The 2016 Navy Force Structure Assess-
ment 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 deliv-
ery 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 pro-
cure 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 achiev-
able.

(B) LIABILITY.—Any contract entered into
under subparagraph (A) shall provide that any
obligation of the United States to make a pay-
ment under the contract is subject to the avail-
ability of appropriations for that purpose, and
that total liability to the Government for termi-
nation of any contract entered into shall be lim-
ited 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).


(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.
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 in-
clude an AN/SPY–6(V) air and missile defense radar sys-
tem.

(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 unac-
ceptable 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”.

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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, unfueled 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 ma-
terial and equipment—

(1) that has completed formal hardware quali-
fication 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 air-
craft 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 congres-
sional 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 non-reusable 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 PRE- SERVE 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 Oc
tober 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 Serv-
ices 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 con-
tract.

(C) An assessment of the status of the pro-
gram 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 nongovern-
mental 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 tech-
ologies for the Columbia class ballistic missile submarine
construction program.

(b) CRITICAL TECHNOLOGIES.—The components iden-
tified 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 re-
designated 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.


(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 unfueled 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 re-
quired under subsection (b).

(b) ASSESSMENT REQUIRED.—The Secretary of De-
fense, in coordination with the Secretaries of the military
departments, shall submit to the congressional defense com-
mittees a written assessment of the requirements for each
contract writing information technology system of the De-
partment 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 re-engineering 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 sub-
section (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

(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 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 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 con-
ducting 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 im-
pact in each geographic area for the purpose of in-
forming preliminary reviews under subsection (c)(1),
early outreach efforts under subsection (b)(4), and on-
line dissemination efforts under paragraph (3);

“(C) develop procedures to periodically review
and modify geographic areas identified under sub-
paragraph (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 ad-
verse 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 op-
erations and readiness, including—

“(i) investment priorities of the Department
of Defense with respect to research and develop-
ment;

“(ii) modifications to military operations to
accommodate applications for such projects;

“(iii) recommended upgrades or modifica-
tions to existing systems or procedures by the
Department of Defense;

“(iv) acquisition of new systems by the De-
partment 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 De-
fense; or

“(C) impair or degrade the capability of the
Department of Defense to conduct training, re-
search, development, testing, evaluation, and op-
erations or to maintain military readiness.”.

(2) CONFORMING AND CLERICAL AMENDMENTS.—

(A) REPEAL OF EXISTING PROVISION.—Sec-
tion 358 of the Ike Skelton National Defense Au-
thorization 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 in-
serting 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 ge-
graphic 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.


(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.


“(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 checkpoint 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 effi-
ciently as possible and at the best value to the Government,
while maintaining the necessary level of quality and en-
couraging increased domestic breeding.

(c) ANNUAL REPORT.—Not later than 90 days after
the date of the enactment of the National Defense Authoriza-
tion Act for Fiscal Year 2018, and annually thereafter until
September 30, 2021, the Secretary, acting through the Exec-
utive Agent, shall submit to the congressional defense com-
mittees a report on the procurement and retirement of mili-
tary 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 fis-
cal year covered by the report:

(1) The number of military working dogs proc-
cured, by source, by each military department or De-
fense 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 de-
partment or Defense Agency, including a list of ven-
dors, 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 se-
curity 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, envi-
ronmental—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 Gor-
don Sullivan has stated: “Climate change is a na-
tional security issue. We found that climate insta-
bility will lead to instability in geopolitics and im-
pact American military operations around the
world.”.

(6) The Office of the Director of National Intel-
ligence (ODNI) has stated: “Many countries will en-
counter climate-induced disruptions—such as weath-
er-related disasters, drought, famine, or damage to in-
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 per-
mafrost, 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 de-
partments” 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 depart-
ments,”;

(4) by inserting “military” before “officers”;

(5) by inserting “designated as the chair and
voting members of the board for each military depart-
ment” after “officers”;

(6) by inserting “and other” before “civilian offi-
cers”;

(7) by striking “or both” and inserting “as nec-
essary”; and

(8) by striking “keep informed on stored” and
inserting “provide oversight on storage and transpor-
tation 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 Spec-4ce 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.
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.
Reserve of such component who are on active duty 
(other than for training or for unsatisfactory partici-
pation 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 in-
creased proportionately by the total authorized strengths of 
such units and by the total number of such individual mem-
bors.

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.

(4) The Marine Corps Reserve, 2,261.


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 oth-
erwise 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”.

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(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 under” 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 De-
fense 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 Dis-
charge from Active Duty (DD Form 214), modified as re-
quired by subsection (a), not later than one year after the
date of the enactment of this Act.

SEC. 515. PROVISION OF INFORMATION ON NATURALIZA-
TION 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 Sec-
retary shall ensure that resources are available to assist
1 qualified members of the Armed Forces to navigate the ap-
2 plication and naturalization process.

3 **Subtitle C—Military Justice and**
   **Other Legal Issues**

5 **SEC. 521. CLARIFYING AMENDMENTS RELATED TO THE UNI-
   FORM CODE OF MILITARY JUSTICE REFORM**

6 **BY THE MILITARY JUSTICE ACT OF 2016.**

8 (a) **ENFORCEMENT OF RIGHTS OF VICTIMS OF OF-
   FENSES UNDER UCMJ.**—Section 806b(e)(3) of title 10,
9 United States Code (article 6b(e)(3) of the Uniform Code
10 of Military Justice), is amended—
12 (1) by inserting “(A)” after “(3)”;
13 (2) by striking “President, and, to the extent
14 practicable, shall have priority over all other pro-
15 ceedings before the court.” and inserting the following;
16 “President, subject to section 830a of this title (article
17 30a).”; and
18 (3) by adding at the end the following new sub-
19 paragraphs:
20 “(B) To the extent practicable, a petition for a writ
21 of mandamus described in this subsection shall have pri-
22 ority over all other proceedings before the Court of Criminal
23 Appeals.
24 “(C) Review of any decision by the Court of Criminal
25 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”; and

(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 be 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.
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 un-substantiated 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 re-
ports 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 mem-
bers 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 De-
fense may carry out a program to establish a Reserve Offi-
cers’ Training Corps Cyber Institute (referred to in this Act
as an “ROTC Cyber Institute”) at each of the senior mili-
tary 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 estab-
lished under the program authorized by subsection (a) shall
include the following:

(1) Programs to provide future military and ci-
vilian leaders of the Armed Forces or the Department
of Defense, as the case may be, who possess cyber
operational expertise from beginning through ad-
vanced skill levels. Such programs shall include in-
struction and practical experiences that lead to recog-
nized 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 finan-
cial 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 De-
fense 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 endeav-
or, 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 pre-
viously 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:

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§ 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:
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“(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 service-member 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 De-
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), sec-
tion 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 insert-
ing “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 AGRE-
MENT UNDER SECTION 329 OF TITLE 37.—Section 641 of
title 10, United States Code, is amended by striking para-
graph (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 insert-
ing “or 352” after “section 314”.

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(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)”.

• HR 2810 RH
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 non-appropriated 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.
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:

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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:

“(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 de-
scribed in section 1860D–12(b)(6) of the Social Security Act
(42 U.S.C. 1395w–112(b)(6)) to ensure the provision of in-
formation regarding the pricing standard for prescription
drugs.”

SEC. 714. RESIDENCY REQUIREMENTS FOR PODIATRISTS.

(a) REQUIREMENT.—In addition to any other qualifi-
cation required by law or regulation, the Secretary of De-
fense 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 re-
spect 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 amend-
ed—

(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 appro-
appropriate by the Secretary during the five-year period begin-
ning 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 con-
taining an evaluation of the success of the pilot program
under subsection (a), including an analysis of the imple-
mentation 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 ad-
vanced 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 re-
searchers and universities to support research into early de-
tection 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;
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 re-
quire 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 elec-
tronically access the following information with re-
spect 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 depart-
ment 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 substan-
tially the same physical, functional, or perform-
ance characteristics on the same date and time
that the product was ordered.

(2) DATA SYSTEM.—The Administrator shall en-
sure 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 Com-
mittee on Small Business of the House of Rep-
resentatives.

(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, dis-
tributed, 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 of-
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 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

“(1) 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 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”;
• 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 congres-
sional 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 sepa-
rately by type of audit” after “pend-
ing”;

(ii) in subparagraph (C), by inserting
“, both from the date of receipt of a quali-
fied 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;”;

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(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.”.


(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 engi-
neering 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 produc-
tion 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,
“(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 sys-
tem, 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 Ap-
proval.—

(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 sub-
paragraph (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 para-
graph (1), shall apply with respect to any major de-
defense acquisition program receiving Milestone B ap-
proval 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 li-
censing 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 appro-
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 knowledge-able approach to acquiring or licensing intellectual prop-erty by providing expert advice, assistance, and resources to the acquisition workforce on intellectual property mat-ters, including acquiring or licensing intellectual property.

“(2) The cadre of experts shall be assigned to a weap-ons system program office or an acquisition command within a military department to advise, assist, and provide re-sources 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, reg-u-lations, 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 solicita-tion or contract;

“(E) interact with or assist in interactions with contractors, including communications and negotia-
tions 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 pro-
cured 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 con-
tract.
“(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 re-
resources for remaining developmental test
and evaluation; and

(v) the readiness of the system to per-
form 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 devel-
opmental testing, including automated test methods
and tools, modeling and simulation tools, and big
data analytics technologies. The evaluation shall in-
clude a determination of the appropriate role of the
senior Department of Defense official with responsi-
bility for developmental testing in developing enter-
prise 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 Rep-
resentatives 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 pro-
grams, 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 non-financial 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 feder-
ally 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 EFFECTIVE-
NESS OF HIRING AND RETENTION FLEXIBILITIES FOR AC-
QUISITION 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 re-
port on the effectiveness of hiring and retention flexi-

dibilities for the acquisition workforce.

(2) ELEMENTS.—The report under this sub-
section 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 reten-
tion flexibilities available to the Department to
fill civilian acquisition positions and the extent
to which the Department has used the flexibili-
ties 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 in the acquisition workforce.
try 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 per-
formance.

(B) The extent to which the Department is
able to identify and track non-acquisition work-
force personnel performing the roles identified in

(C) The extent to which non-acquisition
workforce personnel are taking acquisition train-

(D) The extent to which the Defense Acqui-
sition Workforce Development Fund has been
used to provide acquisition training to non-ac-
quision 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-acquisi-
tion workforce personnel with acquisition train-

(F) The extent to which additional acquisi-
tion training is needed for non-acquisition work-
force 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.


(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 ad-
dress 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 author-
ity with respect to the development of any such
common enterprise data structure.
“(C) The Director of Cost Assessment and Pro-
gram Evaluation shall—
“(i) in consultation with the Defense Busi-
ness Council established under subsection (f),
document and maintain any common enterprise
data structure developed under subparagraph
(B);
“(ii) extract data from defense business sys-
tems using the appropriate common data enter-
prise structure on a specified schedule;
“(iii) provide access to such data to the Of-
fice of the Secretary of Defense, the Joint Staff,
and the military departments (except as other-
wise provided by law or regulation) on a speci-
fied schedule developed in consultation with the
Defense Business Council established under sub-
section (f); and
“(iv) have primary decision-making author-
ity 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:


“(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 De-
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 contrac-
tors; 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 Des-
ignation 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 RE-
PORTS.—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 mili-
tary departments.

(3) MAJOR DEFENSE ACQUISITION PROGRAM DE-
FINED.—In this section, the term “major defense ac-
quision program” has the meaning provided in sec-
tion 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 congress-
ional 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 para-
graph (1) shall include the following elements:

(A) The detailed concepts, requirements,
technologies, methodologies, and architecture nec-
essary 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 “FUNDING”; 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 ex-
pendable 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 in-
definite delivery-indefinite quantity contract for de-
sign-build construction; or

“(2)(A) the head of the contracting activity, dele-
gable 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 Coopera-
tion 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 pe-
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 Rela-
tions 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 ex-
ceed the total amount requested for the Department for con-
tract 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 oper-
ations.

(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 sub-paragraph:

“(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 budg-
eting and policies of the Department for the formul-

tion, 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 lev-

els 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 sec-
tions 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 corro-
sion control and prevention program in the Depart-
ment;

“(B) to evaluate the program’s effectiveness; and

“(C) to ensure that corrosion control and preven-
tion requirements for materiel are reflected in budg-
eting and policies of the Department for the formul-
tion, 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 lev-
els 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 sec-
tions 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 Acquisi-
tion, Technology, and Logistics shall designate the corrosion
control and prevention executive.

“(2) In addition to the duties assigned under sub-
section (c), the principal responsibility of the civilian em-
ployee designated as the corrosion control and prevention
executive shall be coordinating Department of the Air Force
corrosion control and prevention program activities (in-
cluding 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 budg-
eting and policies of the Department for the formul-
ition, 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 recommenda-
tions 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 sec-
tions 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 subparas:

“(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 ful-
fillment 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


(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:

(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 typstyle 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 De-
fense 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 de-
ployed 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 avail-
able 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”.

•HR 2810 RH
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:


(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, GUANTÁNAMO 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 DETAINES 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

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, Guantánamo 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 submission 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 notifica-
tion.”.

(c) ANNUAL REPORT.—Subsection (d) of such section
is amended—

(1) by striking “to the congressional defense com-
mittes” 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 para-
graphs:

“(1) to the congressional defense committees a re-
port 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”.

•HR 2810 RH
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-dock-
ing 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 for-
eign 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 com-
bined total of approximately 550 at three ship-repair
companies in Guam to the current level of 150. Due
to this degraded workforce and equipment capabili-
ties, 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 ship-
yards 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 capa-
bility in Guam is a matter of strategic impor-
tance and remains an operational necessity be-
cause ships of the 7th Fleet have high operational
tempo and experience vast distances between re-
pair 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 char-
tering a dry dock to meet fleet maintenance require-
ments 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 require-
ments 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 addi-
tional expense to the Federal Government.

(b) NATIONAL GUARD FLYOVER APPROVAL PROC-
ESS.—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 Na-
tional 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.

SEC. 1039. RULE OF CONSTRUCTION REGARDING USE OF DEPARTMENT OF DEFENSE FUNDING OF A BORDER WALL.

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 used to plan, develop, or construct any barriers, including walls or fences, along the international border of the United States.
Subtitle E—Studies and Reports


(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)”;

(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 Author-

(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.


(g) National Defense Authorization Act for Fiscal Year 1994.—Section 1603 of the National Defense


(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).


(1) by striking subsection (d); and

(2) by redesignating subsection (e) as subsection (d).


(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).


(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.


(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 NON-
developmental items report.—Section 866 (10
U.S.C. 2302 note) is amended—

(A) by striking subsection (d); and

(B) by redesignating subsection (e) as sub-
section (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 sub-
section (b).

(2) Global security contingency fund re-
port.—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 SECURIT Y 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), respec-
tively.

(3) INTERNATIONAL AGREEMENTS RELATING TO
DOD REPORT.—Section 1249 (127 Stat. 925) is re-
pealed.

(4) SMALL BUSINESS GROWTH REPORT.—Section
1611 (127 Stat. 946) is amended by striking sub-
section (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 fol-
lows:

(1) ASSIGNMENT OF PRIVATE SECTOR PER-
SONNEL 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 in-
cluded 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)”. 

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(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 De-
fense shall submit to the congressional defense committees
a report regarding necessary steps the Department of De-
fense 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 naviga-
tional aids.

(4) Any additional, necessary high-latitude elec-
tronic and communications infrastructure require-
ments.

(5) Any gaps in intelligence, surveillance, and
reconnaissance coverage and recommendations for ad-
ditional intelligence, surveillance, and reconnaissance
capabilities

(6) Any shortfalls in personnel recovery capabili-
ties.
(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 NON-CONVENTIONAL 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 periodicity.

(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 non-combatant 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 non-combatant 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
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”.

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(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)”.

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(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 “military” 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”. 

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(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) 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)”.

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(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.—


(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).


(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))”.

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(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 amend-
ed by striking “section 821b” and inserting “section
821(b)”.

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(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”.

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(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 “Resistance” 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”.


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(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 fur-
ther 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 De-
fense Authorization Act for Fiscal Year 2004 (Public Law
108–136; 10 U.S.C. 271 note) is amended by striking “sec-
tion 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 serv-
ices or labor on Guam pursuant to any agreement entered
into by a prime contractor or subcontractor calling for serv-
ices or labor required for performance of the contract or
subcontract in direct support of all military-funded con-
struction, 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 sub-
section (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 con-
ducting 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 under way 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 pre-eminent 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 sub-component 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, counter-terrorism, 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 ci-
vilians 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 Com-
monwealth, 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 techno-
logical advances resulted in the incorporation of
motor transport, aviation, anti-aircraft artillery,
tanks, chemical weapons, aircraft carriers, sub-
marines and anti-submarine warfare, sonar, under-
water 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 re-
quired the mobilization of the human resources of the
United States, during which members of diverse eth-
nic 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 profes-
sionalism that transformed the Armed Forces from a
small dispersed organization to a modern industri-
alized fighting force capable of global reach and influ-
ence.

(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 United 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 found-
ing 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 FA- CILITIES AND MAJOR RANGE AND TEST FA- CILITIES 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 Rep-
resentatives 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 VOL-
UNTARY SEPARATION INCENTIVE PAY FOR CI-
VILIAN 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 Rep-
resentatives 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.


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.


“(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

**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.**


(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 (c)(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 al-
ready undertaking, or will undertake as part of
the security sector assistance provided to the for-
gn country concerned, a program to enhance
the capacity of such foreign country to exercise
responsible civilian control of the national secu-
ity 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 cer-
tify, 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 se-
curity 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”.

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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.


(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 De-
(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-con-
flict stabilization and security in such liberated areas.”.

(c) FUNDING.—Subsection (g) of such section is further amended—


(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 CO-OPERATION 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:

(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.

partners and allies and begin building a credible de-
terence to the Russian Federation through—

(A) large increases in conventional re-
sources, including additional rotational deploy-
ments 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 indi-
cators and warnings.

(b) Statement of Policy.—

(1) In General.—It is the policy of the United
States to develop, implement, and sustain credible de-
terence 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 car-
rried 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 Eu-
rope 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.


(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 con-
tinue 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 adapt-
able.”; and

(C) with respect to the importance of con-
tributions 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 re-
main 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 funda-
mental 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.


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 Gov-
ernment 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.

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 prob-
lematic.”.

(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 sov-
ereignty, 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 su-
preme interests.”.

SEC. 1243. COMPLIANCE ENFORCEMENT REGARDING RUS-
SIAN 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 Fed-
eration 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 Con-
mittee 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 NON-COMPLIANT 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) Notification 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 de-
scribed 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 appro-
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.


(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)).


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 es-
sential 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 into 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 States 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).


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
UNIVERSAL 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 re-
view of requests for defense articles and defense serv-
ices 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 ca-
pability;

(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 sen-
ior military officers to identify and develop asym-
metric 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 ca-
pabilities that are mobile, survivable against threat-
ening forces, and able to take full advantage of Tai-
wan’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 impor-
tance 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 sub-
section (b).

(b) PURPOSES.—The Secretary of Defense shall pro-
vide 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 in-
formation sharing among NATO, NATO member na-
tions, and partners, with respect to cyber defense and
warfare; and

(2) facilitate education, research and develop-
ment, lessons learned and consultation in cyber de-
fense 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 De-
fense 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

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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 Sen-
ate.
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 Euro-
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 Comp-
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 stu-
dents 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.


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 Cooper-

(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 execu-
tion 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 ex-
penses, not otherwise provided for, for operation and main-
tenance, 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 fis-
cal year 2018 for the use of the Armed Forces and other
activities and agencies of the Department of Defense for ex-
penses, 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 fis-
cal 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 AC-
TIVITIES, 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 Fisc-
als 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 De-
defense Authorization Act for Fiscal Year 2017 (Public
Law 114–328) during the period covered by the re-
port. Each report shall include a list of all equipment
that was accepted during the period covered by the re-
port and treated as stocks of the Department and cop-
ies 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 ac-
countability 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.


(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 Sec-
retary 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

Sec. 8091

I. General Matters

Sec. 8096

II. Organization

SUBCHAPTER I—GENERAL MATTERS

Sec. 8091

Subchapter
§ 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 posi-
tion 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 chap-
ters 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,
(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”;

(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 ref-
erence 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 termi-
nated.

(i) MILITARY INSTALLATIONS.—Nothing in this sec-
tion, or the amendments made by this section, shall be con-
structed 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 con-
gressional 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 con-
gressional 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;
(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 au-
thorizing the use of Russian rocket engines with-
in a United States launch vehicle.

“(3) LAUNCH VEHICLE DEFINED.—In this sub-
section, the term ‘launch vehicle’ means a fully inte-
grated 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:


“(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 coordina-
tion 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 na-
tional 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 Depart-
ment of Defense, as specified in the funding tables in divi-
sion D.

(f) DEFINITIONS.—In this section:

(1) The term “appropriate congressional com-
mittees” 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 Representa-
tives; 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 dem-
onstration” means a proof-of-concept demonstration
of capabilities to backup and complement the posi-
tioning, 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 sub-
section.

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 pro-
essionals to—

(1) develop and test doctrine, concepts of oper-
ation, and tactics, techniques, and procedures, for—

(A) protecting and defending assets and in-
terests 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 con-
lict that extends to space;

(D) deterring conflict in space; and

(E) other areas the Secretary determines
ecessary; 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 joint-
by submit to the appropriate congressional committees a re-
port 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 oper-
tional and contingency plans described in such sub-
section—

(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 capa-
bilities and vulnerabilities of the space systems of the
United States;

(4) include measures to mitigate any loss or deg-
radation 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 sys-
tem other than the AEHF program of record or an
evolution of the same will meet all applicable require-
ments for Nuclear Command and Control and con-
tinuity of government, and all other functions related
to protected communications of the National Com-
mand Authority and the Combatant Commands, to
include operational forces in a peer-near-peer jam-
ming environment;

(2) The Chairman of the Joint Chiefs of Staff
submits the validated military requirement for resil-
ience and mission assurance, and the criteria to
measure and evaluate the same, of each and any al-
ternative to an evolved advanced extremely high fre-
cuency program; how each alternative affects deter-
rence and full spectrum warfighting, warfighter re-
quirements and relative costs, including with respect
to ground station and user terminals; the assessed
order of battle of adversaries; and the required capa-
bilities of the broader space security and defense en-
terprise;

(3) The Secretary of the Air Force submits a de-
tailed plan for the ground control system and all user
terminals developed and acquired by the Air Force
will be synchronized through development and deploy-
ment to meet all applicable requirements for Nuclear
Command and Control and continuity of government,
and other functions related to protected communica-
tions 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 de-
veloping 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 COMBAT-ANT COMMANDS.


(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 commu-
nity has outpaced the ability of the intelligence com-
munity to exploit vast quantities of intelligence data;

(2) the data collection capabilities of the intel-
ligence 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 tech-
nological capability that the Federal Government
could harness; and

(5) these companies would be able to more effec-
tively 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 appro-
priate congressional committees a report on the authorities
necessary to conduct commercial activities relating to
geospatial intelligence that the Director determines nec-
essary 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 COUNTERINTELLIGENCE 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 sub-
section (a) consistent with the national security of the
United States and the protection of operational integrity.
The Secretary shall promptly notify the congressional de-
fense committees in writing of any changes to such proce-
dures 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 unau-
thorized disclosure classified information relating to na-
tional security of the United States are sufficient to protect
the information that is submitted to the committees pursu-
ant 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 prac-
ticable, that the congressional defense committees are noti-
fied 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 DE-
FINED.—(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
§ 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 de-
fense committees in writing of any changes to such proce-
dures 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 unau-
thorized disclosure classified information relating to na-
tional security of the United States are sufficient to protect
the information that is submitted to the committees pursu-
ant 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 congres-
sional 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 pro-
vided 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, United 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, United 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, United 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, United 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 require-
ment to evolve command, control, and operational author-

(3) Admiral Harris stated “that in order to fully leverage the cyber domain, PACOM requires an end-
during 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 protec-
tion 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 pro-
grams, systems, and processes that relate, either whol-
ly or substantially, to nuclear command, control, and
communications or continuity of government, includ-
ing with respect to both the programs, systems, and
processes that are designated as special access pro-
grams (as described in section 4.3 of Executive Order
13526 (50 U.S.C. 3161 note) or any successor Execu-
tive 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 Sec-
retary and the Director shall jointly submit to the ap-
propriate congressional committees a report con-
taining—

(A) the charter for the fusion center devel-
oped 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, 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.
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.
SEC. 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 Depart-
ment 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 de-
fense 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 congres-sional 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 oper-ational requirements or otherwise satisfy mission re-

(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 evalua-

(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 Sec-
retary has established an appropriate process for
considering and managing trade-offs among re-
quirements 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 Sec-
retary proposes to award a contract specified in subsection
(a) and the Commander is unable to make the determina-
tion 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 sub-
section (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 con-
tracts for the ground-based strategic deterrent program.

SEC. 1669. PROCUREMENT AUTHORITY FOR CERTAIN PARTS
OF INTERCONTINENTAL BALLISTIC MISSILE
FUZES.

(a) AVAILABILITY OF FUNDS.—Notwithstanding sec-
tion 1502(a) of title 31, United States Code, of the amount
authorized to be appropriated for fiscal year 2018 by sec-
tion 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 pur-
suant to contracts entered into under section 1645(a) of the
Carl Levin and Howard P. “Buck” McKeon National De-
fense Authorization Act for Fiscal Year 2015 (Public Law

(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 INDE-
PENDENT NUCLEAR DETERRENT OF UNITED
KINGDOM.

It is the sense of Congress that—

(1) nuclear deterrence is foundational to the de-
fense and security of the United States and the secu-
rity of the United States is enhanced by a nuclear-
armed ally with common values and security prior-
ities;

(2) the United States sees the nuclear deterrent
of the United Kingdom as central to transatlantic se-
curity and welcomes the commitment of the United
Kingdom to the North Atlantic Treaty Organization
(NATO) to continue to spend two percent of gross do-
mestic 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 exe-
cute 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 Com-
partment, the Trident II (D5) Strategic Weapon Sys-
tem, 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 vari-
ant of the ground-based strategic deterrent missile.

(b) CONFORMING REPEAL.—Section 1664 of the Na-
tional Defense Authorization Act for Fiscal Year 2017 (Pub-
lic Law 114–328; 130 Stat. 2615) is repealed.

SEC. 1672. REPORT ON IMPACTS OF NUCLEAR PROLIFERA-
TION.

(a) SENSE OF CONGRESS.—It is the sense of Congress
that—

(1) nuclear proliferation continues to be a seri-
ous threat to the security of the United States;

(2) it is critical for the United States to under-
stand 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 nu-
clear-weapons-usable material should be a clear pri-
ority for United States national security; and

(4) Secretary of Defense James Mattis testified
before Congress on June 12, 2017, that “nuclear non-
proliferation has not received enough attention over
quite a few years”.

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(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 De-
fense Agency to the military departments pursu-
ant to paragraph (1).

(B) Scope.—The report under subpara-
graph (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 fol-
lowing:

(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 chap-
ter 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 DE-
FENSE 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 oper-
ational 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 evalu-
ate whether the Army can maintain an inventory of inter-
ceptors 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

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(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 capa-

(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 mis-
sile 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 avoid-
ance that could be achieved through co-produc-
tion, 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
capability and the interim capability
pursuant to subparagraph (E).

(3) LIMITATION.—If the Secretary of the Army
does not issue the acquisition strategy under sub-
section (a) by April 15, 2018, none of the funds au-
thorized 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 ex-
pended.

(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 de-
fense 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 de-
fense 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 inter-
continental ballistic missile threat, including a com-
plex threat posed by the intercontinental ballistic mis-
siles 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 Lo-
gistics 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 compo-
ments in the United States by United States in-
dustry.

(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 commit-
tees a certification that—

(i) the Government of Israel has dem-

onstrated 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 Devel-
opment Program, respectively;

(ii) funds specified in subparagraphs
(A) and (B) of paragraph (1) will be pro-
vided 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 mutu-
ally 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 need-
ed for coproduction;

(II) complete transparency on the
requirement of Israel for the number of
interceptors and batteries of such re-
spective systems that will be procured,
including with respect to the procure-
ment plans, acquisition strategy, and
funding profiles of Israel;

(III) technical milestones for co-
production of parts and components
and procurement of such respective sys-
tems; 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 non-recurring 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 MID-COURSE 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 con-
tracting strategy and how such staffing cat-
egories 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 de-
determines appropriate.

(2) TRANSMISSION.—The Director of Cost Assess-
ment and Program Evaluation shall transmit to the
Under Secretary of Defense for Research and Engi-
neering 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 Agen-
cies 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.
The term “combat support agency” has the meaning given that term in section 193(f) of title 10, United States Code.

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 weap-
on system concepts and to potentially conduct a live-
fire boost phase intercept fly-off during fiscal year
2022 with brassboard hardware and prototype soft-
ware 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 simula-
tion 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 car-
rying 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 DE-
FINED.—In this section, the term “appropriate congres-
sional 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 re-
qualified 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 need-
ed for any such requalification, including whether
any currently planned tests, as of the date of the as-
essment, may be leveraged, or testing across pro-
grams may be used, to decrease requalification costs
while retaining and ensuring qualification standards.

(3) Estimates of any other costs relating to am-
monium perchlorate that the Secretary determines ap-
propriate.

(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 assess-
ment.

SEC. 1698. LIMITATION AND BUSINESS CASE ANALYSIS RE-
GARDING AMMONIUM PERCHLORATE.

(a) IN GENERAL.—The Secretary of Defense, acting
through the Director of Cost Assessment and Program Eval-
uation, shall conduct a business case analysis regarding the
options of the Federal Government to ensure a robust do-
mestic 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 Fed-
eral 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 deter-
mination 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 ro-
 bust domestic industrial base for large solid rocket motors,
including with respect to the critical technologies, sub-
 systems, 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 do-
mestic 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 microelec-
tronics.

(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 rank-
ing 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 Sen-
ate.

(D) Three members appointed by the rank-
ing 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 Serv-
ices 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 SPEC-TRUM 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
competes owned and controlled by
women, or a subset of any such con-
cerns;”;

(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 an-
other 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 identi-
fying 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


“(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 au-

thorized 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 eligi-

ble entity”;

(3) in paragraph (4)—

(A) by striking “recipient of assistance”

and inserting “eligible entity”; and

(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”; and

(C) by striking “such organization” and in-

serting “the eligible entity”; and

(D) by striking “the recipient” and insert-

ing “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, pro-
vide the Assistant Administrator with a plan of
action, including specific milestones, for cor-
recting such problems.

“(B) PLAN OF ACTION REVIEW BY THE AS-
SISTANT ADMINISTRATOR.—The Assistant Ad-
ministrator shall review each plan of action sub-
mitted under subparagraph (A) within 30 cal-
endar days after receiving such plan and—

“(i) if the Assistant Administrator de-
termines that such plan will bring the eligi-
ble entity into compliance with all the
terms of the grant agreement, approve such
plan; or

“(ii) if the Assistant Administrator de-
termines that such plan is inadequate to
remedy the problems identified in the an-
nual review to which the plan of action re-
lates, the Assistant Administrator shall set
forth such reasons in writing and provide
such determination to the eligible entity
within 15 calendar days after such deter-
mination.

“(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 re-
submit such plan to the Assistant Administrator.

“(D) AMENDED PLAN REVIEW BY THE AS-
SISTANT ADMINISTRATOR.—Within 15 calendar
days after the receipt of an amended plan of ac-
tion under subparagraph (C), the Assistant Ad-
ministrator shall either approve or reject such
plan and provide such approval or rejection in
writing to the eligible entity.

“(E) APPEAL OF ASSISTANT ADMINIS-
TRATOR DETERMINATION.—

“(i) IN GENERAL.—If the Assistant Ad-
ministrator rejects an amended plan under
subparagraph (D), the eligible entity shall
have the opportunity to appeal such deci-
sion to the Administrator, who may dele-
gate such appeal to an appropriate officer
of the Administration.

“(ii) OPPORTUNITY FOR EXPLA-
NATION.—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 Admin-
istrator an application that contains—

“(A) a certification that the eligible enti-
ty—

“(i) has designated an executive direc-
tor or program manager, who may be com-
pensated using grant funds under subsection
(b) or other sources, to manage the women’s
business center for which a grant under sub-
section (b) is sought; and

“(ii) meets the accounting and report-
ing requirements established by the Director of the Office of Management and Budget;

“(B) information demonstrating that the el-
igible entity has the ability and resources to meet
the needs of the market to be served by the wom-
en’s business center, including the ability to ob-
tain 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); and

“(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, in-
cluding 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 subpara-
graph; 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 Adminis-
trator shall evaluate applicants for
grants under this subsection in accord-
ance 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 accredit-
ation of the applicant under the ac-
creditation program developed
under subsection (g)(5); and

“(ff) any additional criteria
that the Administrator may rea-
sonably require.

“(iii) CONDITIONS FOR CONTINUED
FUNDING.—In determining whether to make
a grant under this subsection, the Adminis-
trator—

“(I) shall consider the results of
the most recent evaluation of the wom-
en’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 re-
quired to be provided under this para-
graph, or the information provided by
the applicant is inadequate.

“(D) NOTIFICATION.—Not later than 60 cal-
endar days after the date of each deadline to sub-
mit applications under this paragraph, the Ad-
ministrator shall approve or deny each sub-
mitted 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 paper-
work 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 Ad-
ministrator 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 maintain-
ing an accreditation program, and post-award conference costs:

“(i) For the first fiscal year beginning after the date of the enactment of this sub-paragraph, 2.65 percent.

“(ii) For the second fiscal year beginning after the date of the enactment of this sub-paragraph 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)”;

(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 continu-
ation 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 paragra-
graph, the Administrator may waive, in whole
or in part, the requirement to obtain non-Fed-
eral funds under this subsection for counseling
and training activities of the eligible entity car-
ried 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 Admin-
istrator 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 en-
tity.
“(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 in-
serting “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 sub-paragraph 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 effective-
ness of the electronic mentoring and webinars re-
quired 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 on-
line counseling and webinars.

(2) DEFINITIONS.—For purposes of this sub-
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. 1724. STUDY AND REPORT ON THE FUTURE ROLE OF
THE SCORE PROGRAM.

(a) STUDY.—The SCORE Association shall carry out
velop 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.—


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 activi-
ties 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 CO-SPONSORSHIPS.

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 Co-sponsorships.—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

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alabama</td>
<td>Fort Rucker</td>
<td>$38,000,000</td>
</tr>
<tr>
<td>Arizona</td>
<td>Davis-Monthan Air Force Base</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>California</td>
<td>Fort Irwin, Fort Huachuca</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Davis-Monthan Air Force Base</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Eglin Air Force Base</td>
<td>$18,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Benning, Fort Gordon</td>
<td>$38,500,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Crane Army Ammunition Plant</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>U.S. Military Academy</td>
<td>$22,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Fort Jackson, Shaw Air Force Base</td>
<td>$60,000,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Camp Bullis, Fort Hood</td>
<td>$70,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Joint Base Langley-Ennis, Joint Base Myer-Henderson</td>
<td>$34,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Joint Base Lewis-McChord, Yakima</td>
<td>$66,000,000</td>
</tr>
</tbody>
</table>

(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

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Germany</td>
<td>Stuttgart</td>
<td>$40,000,000</td>
</tr>
</tbody>
</table>
SEC. 2102. FAMILY HOUSING.

(a) CONSTRUCTION AND ACQUISITION.—Using amounts appropriated pursuant to the authorization of appropriations in section 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:

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Georgia</td>
<td>Fort Gordon</td>
<td>$6,100,000</td>
</tr>
<tr>
<td>Germany</td>
<td>South Camp Vilseck</td>
<td>$22,445,000</td>
</tr>
<tr>
<td>Kwajalein</td>
<td>Kwajalein Atoll</td>
<td>$31,000,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Natick</td>
<td>$21,000,000</td>
</tr>
</tbody>
</table>

(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
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:

<table>
<thead>
<tr>
<th>State or Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Japan ........</td>
<td>Kyogamisaki ..</td>
<td>Company Operations Complex</td>
<td>$33,000,000</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Military Ocean Terminal Concord</td>
<td>Access Control Point</td>
<td>$9,900,000</td>
</tr>
<tr>
<td></td>
<td>Fort Shafter Base</td>
<td>Command and Control Facility (SCIF)</td>
<td>$370,000,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Kadena Air Base</td>
<td>Missile Magazine</td>
<td>$10,600,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Fort Hood</td>
<td>Simulation Center</td>
<td>$46,000,000</td>
</tr>
</tbody>
</table>

**1 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:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arizona</td>
<td>Yuma</td>
<td>$36,358,000</td>
</tr>
<tr>
<td>California</td>
<td>Barstow</td>
<td>$36,539,000</td>
</tr>
<tr>
<td></td>
<td>Camp Pendleton</td>
<td>$61,139,000</td>
</tr>
<tr>
<td></td>
<td>Lemoore</td>
<td>$60,828,000</td>
</tr>
<tr>
<td></td>
<td>Twentynine Palms</td>
<td>$55,099,000</td>
</tr>
<tr>
<td></td>
<td>Miramar</td>
<td>$47,600,000</td>
</tr>
<tr>
<td></td>
<td>Coronado</td>
<td>$36,000,000</td>
</tr>
<tr>
<td>District of Columbia</td>
<td>NSA Washington</td>
<td>$14,810,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Mayport</td>
<td>$84,818,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Albany</td>
<td>$43,300,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$284,679,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$73,200,000</td>
</tr>
<tr>
<td></td>
<td>Wahiawa</td>
<td>$65,864,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Kittery</td>
<td>$61,692,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$103,767,000</td>
</tr>
<tr>
<td></td>
<td>Cherry Point Marine Corps Air Station</td>
<td>$15,671,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Dam Neck</td>
<td>$29,262,000</td>
</tr>
<tr>
<td></td>
<td>Joint Expeditionary Base Little Creek-Story</td>
<td>$2,596,000</td>
</tr>
<tr>
<td></td>
<td>Portsmouth</td>
<td>$72,990,000</td>
</tr>
<tr>
<td></td>
<td>Yorktown</td>
<td>$36,358,000</td>
</tr>
</tbody>
</table>

*HR 2810 RH*
Navy: Inside the United States—Continued

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Washington</td>
<td>Indian Island</td>
<td>$44,440,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military construction projects outside the United States as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the installation or location outside the United States, and in the amounts, set forth in the following table:

Navy: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Greece</td>
<td>Souda Bay</td>
<td>$22,045,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Iwakuni</td>
<td>$21,860,000</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Units</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain Island</td>
<td>SW Asia</td>
<td>Construct On-Base GFOQ</td>
<td>$2,138,000</td>
</tr>
<tr>
<td>Mariana Islands</td>
<td>Guam</td>
<td>Replace Andersen Housing PH II</td>
<td>$40,875,000</td>
</tr>
</tbody>
</table>

(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:
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

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>District of Columbia</td>
<td>NSA Washington .......</td>
<td>Electronics Science and Technology Lab .................</td>
<td>$34,735,000</td>
</tr>
<tr>
<td>Maryland ..............</td>
<td>Indian Head ..............</td>
<td>Advanced Energetics Research Lab Complex Ph 2 .............</td>
<td>$15,346,000</td>
</tr>
</tbody>
</table>
TITLE XXIII—AIR FORCE
MILITARY CONSTRUCTION

SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND
LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts ap-
propriated pursuant to the authorization of appropriations
in section 2304(a) and available for military construction
projects inside the United States as specified in the funding
table in section 4601, the Secretary of the Air Force may
acquire real property and carry out military construction
projects for the installations or locations inside the United
States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Eielson Air Force Base</td>
<td>$168,900,000</td>
</tr>
<tr>
<td>California</td>
<td>Travis Air Force Base</td>
<td>$122,500,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Buckley Air Force Base</td>
<td>$35,000,000</td>
</tr>
<tr>
<td></td>
<td>Fort Carson</td>
<td>$13,000,000</td>
</tr>
<tr>
<td></td>
<td>U.S. Air Force Academy</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Eglin Air Force Base</td>
<td>$90,700,000</td>
</tr>
<tr>
<td></td>
<td>MacDill Air Force Base</td>
<td>$8,100,000</td>
</tr>
<tr>
<td></td>
<td>Tyndall Air Force Base</td>
<td>$17,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Robins Air Force Base</td>
<td>$9,800,000</td>
</tr>
<tr>
<td>Kansas</td>
<td>McConnell Air Force Base</td>
<td>$17,500,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Joint Base Andrews</td>
<td>$27,400,000</td>
</tr>
<tr>
<td>Nevada</td>
<td>Nellis Air Force Base</td>
<td>$61,000,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$4,200,000</td>
</tr>
<tr>
<td></td>
<td>Holloman Air Force Base</td>
<td>$4,200,000</td>
</tr>
<tr>
<td></td>
<td>Kirtland Air Force Base</td>
<td>$9,300,000</td>
</tr>
<tr>
<td>New Jersey</td>
<td>McGuire-Dix-Lakehurst</td>
<td>$146,500,000</td>
</tr>
<tr>
<td>North Dakota</td>
<td>Minot Air Force Base</td>
<td>$37,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Altus Air Force Base</td>
<td>$4,900,000</td>
</tr>
<tr>
<td>Texas</td>
<td>Joint Base San Antonio</td>
<td>$156,630,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$28,000,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F.E. Warren Air Force Base</td>
<td>$62,000,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts
appropriated pursuant to the authorization of appropria-
tions in section 2304(a) and available for military con-
struction 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**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>Darwin</td>
<td>$76,000,000</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>RAF Fairford</td>
<td>$45,650,000</td>
</tr>
<tr>
<td></td>
<td>RAF Lakenheath</td>
<td>$136,992,000</td>
</tr>
</tbody>
</table>

**SEC. 2302. FAMILY HOUSING.**

Using amounts appropriated pursuant to the authorization of appropriations in section 2304(a) and available for military family housing functions as specified in the funding table in section 4601, the Secretary of the Air Force may carry out architectural and engineering services and construction design activities with respect to the construction or improvement of family housing units in an amount not to exceed $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 construc-
tion 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 guide-
lines.

(b) MARIANA ISLANDS.—In the case of the authoriza-
tion contained in the table in section 2301(b) of the Mili-
tary Construction Authorization Act for Fiscal Year 2017
(division B of Public Law 114-328; 130 Stat. 2697) for ac-
quiring 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 author-
ization contained in the table in section 2902 of the Mili-
tary 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.

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:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alaska</td>
<td>Clear Air Force Station</td>
<td>Emergency Power Plant Fuel Storage</td>
<td>$11,500,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Tinker Air Force Base</td>
<td>KC-46 Two-Bay Maintenance Hangar</td>
<td>$62,000,000</td>
</tr>
</tbody>
</table>
TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION

SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUCTION AND LAND ACQUISITION PROJECTS.

(a) INSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropriations in section 2403(a) and available for military construction projects inside the United States as specified in the funding table in section 4601, the Secretary of Defense may acquire real property and carry out military construction projects for the installations or locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Camp Pendleton</td>
<td>$43,642,000</td>
</tr>
<tr>
<td></td>
<td>Coronado</td>
<td>$258,735,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Schriever Air Force Base</td>
<td>$10,200,000</td>
</tr>
<tr>
<td>Florida</td>
<td>Eglin Air Force Base</td>
<td>$8,900,000</td>
</tr>
<tr>
<td></td>
<td>Hurlburt Field</td>
<td>$46,400,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Fort Gordon</td>
<td>$20,350,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Andersen Air Force Base</td>
<td>$23,900,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Kauai</td>
<td>$5,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Fort Leonard Wood</td>
<td>$361,000,000</td>
</tr>
<tr>
<td></td>
<td>St. Louis</td>
<td>$812,000,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>$8,328,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Camp Lejeune</td>
<td>$90,039,000</td>
</tr>
<tr>
<td></td>
<td>Fort Bragg</td>
<td>$57,778,000</td>
</tr>
<tr>
<td></td>
<td>Seymour Johnson Air Force Base</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>South Carolina</td>
<td>Shaw Air Force Base</td>
<td>$22,900,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$20,000,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Joint Expeditionary Base Little Creek-Story</td>
<td>$23,000,000</td>
</tr>
<tr>
<td></td>
<td>Norfolk</td>
<td>$18,500,000</td>
</tr>
<tr>
<td></td>
<td>Pentagon</td>
<td>$36,100,000</td>
</tr>
<tr>
<td></td>
<td>Portsmouth</td>
<td>$22,300,000</td>
</tr>
<tr>
<td>Worldwide</td>
<td>Unspecified Locations</td>
<td>$64,364,000</td>
</tr>
</tbody>
</table>

(b) OUTSIDE THE UNITED STATES.—Using amounts appropriated pursuant to the authorization of appropria-
tions in section 2403(a) and available for military con-
struction 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 construc-
tion projects for the installations or locations outside the
United States, and in the amounts, set forth in the following
table:

<table>
<thead>
<tr>
<th>Defense Agencies: Outside the United States</th>
</tr>
</thead>
<tbody>
<tr>
<td>Country</td>
</tr>
<tr>
<td>------------------</td>
</tr>
<tr>
<td>Germany</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Greece</td>
</tr>
<tr>
<td>Italy</td>
</tr>
<tr>
<td>Japan</td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Puerto Rico</td>
</tr>
<tr>
<td>United Kingdom</td>
</tr>
</tbody>
</table>

SEC. 2402. AUTHORIZED ENERGY RESILIENCY AND CON-
SERVATION PROJECTS.

(a) Inside the United States.—Using amounts ap-
propriated 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 De-
fense 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

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colorado</td>
<td>Schriever Air Force Base</td>
<td>$15,260,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Andersen Air Force Base</td>
<td>$5,880,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>MCBH Kaneohe Bay</td>
<td>$6,185,000</td>
</tr>
<tr>
<td>Illinois</td>
<td>MTC Marseilles</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Fort Leonard Wood</td>
<td>$5,700,000</td>
</tr>
<tr>
<td>Montana</td>
<td>Malmstrom AFB</td>
<td>$6,086,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Fort Bragg</td>
<td>$3,000,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Lejeune/New River</td>
<td>$9,750,000</td>
</tr>
<tr>
<td>Wyoming</td>
<td>F.E. Warren</td>
<td>$4,500,000</td>
</tr>
<tr>
<td>Various Locations</td>
<td>Various Locations</td>
<td>$12,232,000</td>
</tr>
</tbody>
</table>

### Energy Resiliency and Conservation Projects: Outside the United States

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Honduras</td>
<td>Soto Cano Air Base</td>
<td>$12,600,000</td>
</tr>
<tr>
<td>Italy</td>
<td>NSA Naples</td>
<td>$2,700,000</td>
</tr>
<tr>
<td>Japan</td>
<td>CFA Yokosuka</td>
<td>$8,330,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Osan Air Base</td>
<td>$13,700,000</td>
</tr>
</tbody>
</table>

---

1. **(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

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation or Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Honduras</td>
<td>Soto Cano Air Base</td>
<td>$12,600,000</td>
</tr>
<tr>
<td>Italy</td>
<td>NSA Naples</td>
<td>$2,700,000</td>
</tr>
<tr>
<td>Japan</td>
<td>CFA Yokosuka</td>
<td>$8,330,000</td>
</tr>
<tr>
<td>Korea</td>
<td>Osan Air Base</td>
<td>$13,700,000</td>
</tr>
</tbody>
</table>

---


8. **(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 depart-
ments), as specified in the funding table in section 4601.

(b) LIMITATION ON TOTAL COST OF CONSTRUCTION
PROJECTS.—Notwithstanding the cost variations author-
ized 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 appro-
piated 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 Au-
thorization 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

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Kingdom</td>
<td>Royal Air Force Lakenheath</td>
<td>Lakenheath Middle/High School Replacement</td>
<td>$69,638,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Marine Corps Base Quantico</td>
<td>Quantico Middle/High School Replacement</td>
<td>$40,586,000</td>
</tr>
<tr>
<td></td>
<td>Pentagon</td>
<td>PFPA Support Operations Center</td>
<td>$14,800,000</td>
</tr>
</tbody>
</table>

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**

<table>
<thead>
<tr>
<th>State/Country</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>Geraldton</td>
<td>Combined Communications Gateway Geraldton</td>
<td>$9,600,000</td>
</tr>
<tr>
<td>Belgian</td>
<td>Brussels</td>
<td>Brussels Elementary/ High School Replacement</td>
<td>$41,626,000</td>
</tr>
<tr>
<td>Japan</td>
<td>Okinawa</td>
<td>Kabasaki High School Replacement/Renovation</td>
<td>$99,420,000</td>
</tr>
<tr>
<td></td>
<td>Commander Fleet Activi-</td>
<td>E.J. King High School Replacement</td>
<td>$37,681,000</td>
</tr>
<tr>
<td></td>
<td>ties Sasebo</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mississippi</td>
<td>Stennis</td>
<td>SOF Land Acquisition Western Maneuver Area</td>
<td>$17,224,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Cannon Air Force Base</td>
<td>SOF Squadron Operations Facility (STS)</td>
<td>$23,333,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Defense Distribution</td>
<td>Replace Access Control Point</td>
<td>$5,700,000</td>
</tr>
<tr>
<td></td>
<td>Depot Richmond</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Joint Base Langley-</td>
<td>Hospital Addition/ Central Utility Plant Replacement</td>
<td>$41,200,000</td>
</tr>
<tr>
<td></td>
<td>Eustis</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pentagon</td>
<td>Redundant Chilled Water Loop</td>
<td>$15,100,000</td>
</tr>
</tbody>
</table>

**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

<table>
<thead>
<tr>
<th>Country</th>
<th>Component</th>
<th>Installation or Location</th>
<th>Project Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Korea</td>
<td>Army</td>
<td>Camp Humphreys</td>
<td>Unaccompanied Enlisted Personnel Housing, Phase 1</td>
<td>$76,000,000</td>
</tr>
<tr>
<td></td>
<td>Army</td>
<td>Camp Humphreys</td>
<td>Type I Aircraft Parking Apron</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Air Force</td>
<td></td>
<td>Kunsan Air Base</td>
<td>Construct Airfield Damage Repair Warehouse</td>
<td>$6,500,000</td>
</tr>
<tr>
<td>Air Force</td>
<td></td>
<td>Osan Air Base</td>
<td>Main Gate Entry Control Facilities</td>
<td>$13,000,000</td>
</tr>
</tbody>
</table>

**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:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Delaware</td>
<td>New Castle</td>
<td>$36,000,000</td>
</tr>
<tr>
<td>Idaho</td>
<td>Orchard Training Area</td>
<td>$22,000,000</td>
</tr>
<tr>
<td></td>
<td>MTC Gowen</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>Maine</td>
<td>Presque Isle</td>
<td>$17,500,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Salisbury</td>
<td>$19,000,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Arden Hills</td>
<td>$39,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Springfield</td>
<td>$32,000,000</td>
</tr>
<tr>
<td>New Mexico</td>
<td>Las Cruces</td>
<td>$8,500,000</td>
</tr>
<tr>
<td>Virginia</td>
<td>Fort Belvoir</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Tumwater</td>
<td>$31,000,000</td>
</tr>
</tbody>
</table>

Army National Guard
SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Army may acquire real property and carry out military construction projects for the Army Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Fallbrook</td>
<td>$36,000,000</td>
</tr>
<tr>
<td>Washington</td>
<td>Lewis-McChord</td>
<td>$30,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Fort McCoy</td>
<td>$13,000,000</td>
</tr>
<tr>
<td>Puerto Rico</td>
<td>Fort Buchanan</td>
<td>$26,000,000</td>
</tr>
<tr>
<td></td>
<td>Aguadilla</td>
<td>$12,400,000</td>
</tr>
</tbody>
</table>

SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE CORPS RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Navy may acquire real property and carry out military construction projects for the Navy Reserve and Marine Corps Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>Lemoore</td>
<td>$17,330,000</td>
</tr>
</tbody>
</table>
SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air National Guard locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>California</td>
<td>March Air Force Base</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Colorado</td>
<td>Peterson Air Force Base</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Connecticut</td>
<td>Bradley IAP</td>
<td>$7,000,000</td>
</tr>
<tr>
<td>Indiana</td>
<td>Fort Wayne International Airport</td>
<td>$1,900,000</td>
</tr>
<tr>
<td>Kentucky</td>
<td>Halawa Regional Airport</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Mississippi</td>
<td>Jackson International Airport</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Missouri</td>
<td>Rosecrans Memorial Airport</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>New York</td>
<td>Hancock Field</td>
<td>$6,800,000</td>
</tr>
<tr>
<td>Ohio</td>
<td>Toledo Express Airport</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Oklahoma</td>
<td>Tulsa International Airport</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>Oregon</td>
<td>Klamath Falls IAP</td>
<td>$8,000,000</td>
</tr>
<tr>
<td>South Dakota</td>
<td>Joe Foss Field</td>
<td>$12,000,000</td>
</tr>
<tr>
<td>Tennessee</td>
<td>McGhee-Tyson Airport</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Wisconsin</td>
<td>Dane County Regional/Airport Truax Field</td>
<td>$8,000,000</td>
</tr>
</tbody>
</table>

SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

Using amounts appropriated pursuant to the authorization of appropriations in section 2606 and available for...
the National Guard and Reserve as specified in the funding table in section 4601, the Secretary of the Air Force may acquire real property and carry out military construction projects for the Air Force Reserve locations inside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Patrick Air Force Base</td>
<td>$25,000,000</td>
</tr>
<tr>
<td>Georgia</td>
<td>Robins Air Force Base</td>
<td>$32,000,000</td>
</tr>
<tr>
<td>Guam</td>
<td>Joint Region Marianas</td>
<td>$5,200,000</td>
</tr>
<tr>
<td>Hawaii</td>
<td>Joint Base Pearl Harbor-Hickam</td>
<td>$5,500,000</td>
</tr>
<tr>
<td>Massachusetts</td>
<td>Westover ARB</td>
<td>$10,000,000</td>
</tr>
<tr>
<td>Minnesota</td>
<td>Minneapolis-St Paul IAP</td>
<td>$9,000,000</td>
</tr>
<tr>
<td>North Carolina</td>
<td>Seymour Johnson Air Force Base</td>
<td>$6,400,000</td>
</tr>
<tr>
<td>Texas</td>
<td>NAS JRB Fort Worth</td>
<td>$3,100,000</td>
</tr>
<tr>
<td>Utah</td>
<td>Hill Air Force Base</td>
<td>$3,100,000</td>
</tr>
</tbody>
</table>

SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NATIONAL GUARD AND RESERVE.

Funds are hereby authorized to be appropriated for fiscal years beginning after September 30, 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

<table>
<thead>
<tr>
<th>State</th>
<th>Installation or Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Florida</td>
<td>Homestead ARB</td>
<td>Entry Control Complex</td>
<td>$9,800,000</td>
</tr>
<tr>
<td>Maryland</td>
<td>Fort Meade</td>
<td>175th Network Warfare Squadron Facility</td>
<td>$4,000,000</td>
</tr>
</tbody>
</table>
1 **SEC. 2613. EXTENSION OF AUTHORIZATIONS OF CERTAIN FISCAL YEAR 2015 PROJECTS.**

2  

(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:

<table>
<thead>
<tr>
<th>State</th>
<th>Location</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mississippi</td>
<td>Starkville</td>
<td>Army Reserve Center</td>
<td>$9,300,000</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>Pease</td>
<td>KC-46A ADAL Airfield Pavements and Hydrant Systems</td>
<td>$7,100,000</td>
</tr>
</tbody>
</table>
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 effec-
tiveness of the proposed lease compared with a military con-
struction project for the same facility.”.

(10) Section 2813(c) is amended—

(A) by striking “transmits to the appro-
priate committees of Congress a written notifica-
tion” and inserting “notifies the appropriate
committees of Congress”;

(B) by striking “21-day period” and insert-
ing “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 Sec-
retary of the Navy may carry out a transaction authorized
by this section only after the end of the 20-day period begin-
ing 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 trans-
action, including a detailed description of the transaction
and a justification for the transaction specifying the man-
ner in which the transaction will meet the purposes of this
section.”.

(b) MILITARY FAMILY HOUSING ACTIVITIES.—Sub-
chapter 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), respec-
tively;

(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 sen-
tence” and inserting the following:

“(2) The Secretary concerned may waive the limita-
tions contained in paragraph (1)”;

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(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 no-
(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”; and

(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 protec-
tion 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 begin-
ing on the date on which a copy of the notification de-
scribed in paragraph (1) is provided in an electronic me-
dium pursuant to section 480 of this title.

“(3) The maximum aggregate amount that the Sec-
retary concerned may obligate from appropriations avail-
able 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 sec-
tion 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 REQUIRE-
MENT FOR MILITARY REAL PROPERTY TRANS-
CTIONS AND RELIANCE ON ELECTRONIC
SUBMISSION OF NOTIFICATIONS AND RE-
PORTS.

(a) GENERAL REAL PROPERTY TRANSACTION RE-
PORT.—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”.

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(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), supercede 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.”.
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(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 mate-
rials 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 ex-
change authorized under subsection (a).

(h) ADDITIONAL TERMS AND CONDITIONS.—The Sec-
retary may require such additional terms and conditions
in connection with the exchange authorized under sub-
section (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 FACIL-
ITY, 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 De-
velopment Authority (hereafter referred to as the “Author-
ity”) 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 re-
tained 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 MAN-
AGING 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 Sec-
retary for such costs incurred by the Secretary, in en-
tering into and managing the lease under this section,
including survey costs, costs for environmental docu-
mentation, 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 dur-
ing 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 pur-
poses, and subject to the same conditions and limita-
tions, 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 pre-
vent the recipient of real property described in sub-
section (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 administra-
tive 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 consider-
ation, 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, in-
cluding improvements thereon, located outside of the bound-
daries 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 sci-
cientific 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 Sec-
retary 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 ac-
count, 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 Sec-
retary 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 FA-
CILITY 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, con-
sisting 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 cen-
ter, or museum.

(b) PAYMENT OF COSTS OF CONVEYANCE.—

1. Payment Required.—Subject to paragraph

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 accord-
ance with the purpose of the conveyance specified in sub-
section (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 deter-
mination 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 con-
siders 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 Sec-
retary 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 mem-
bers of the intergovernmental executive committee—

“(A) at least one elected officer (or other au-
thorized representative) from the government of
the State of California; and

“(B) at least one elected officer (or other au-
thorized representative) from each local govern-
ment and Indian tribal government in the vicin-
ity of the withdrawn and reserved lands, as de-
termined by the Secretaries.

“(c) **Operation.**—The intergovernmental executive
committee shall operate in accordance with the terms set
forth in the memorandum of understanding under sub-
section (a).

“(d) **Procedures.**—The memorandum of under-
standing 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 intergovern-
mental executive committee, and procedures for scheduling regular meetings, which shall occur no less frequently than twice a year.

“(c) 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 manage-
ment 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 re-
mediation 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 Inter-
rior 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 lo-
cation 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 intergov-
ernmental 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 with-
drawn 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 per-
sons 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 Nat-
ural 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 stat-
ing 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 “deter-
mines that” and inserting “If the Sec-
retary of the Interior declines to accept
jurisdiction over lands withdrawn by
this subtitle which have been proposed
for relinquishment because the Sec-
retary determines that”; and

(II) in paragraph (2), by striking
“the expiration of the withdrawal of
such lands under this subtitle” and in-
serting “such determination”.

(2) Establishment of Intergovernmental
Executive Committees.—Section 3014 of the Mili-
tary 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 COMMIT-TEES.—

“(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 memo-
randum of understanding, an intergovernmental exec-
utive 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 inter-
ested Federal agencies as members of the intergovern-
mental executive committee for a range.

“(B) The Secretary of the military department
concerned and the Secretary of the Interior shall in-
vite to serve as members of the intergovernmental ex-
ecutive committee for a range—

“(i) at least one elected officer (or other au-
thorized 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 understand-
standing. 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 com-
mittee established under this subsection.”.

(3) **Determination of Continuing Military
Need for Withdrawal and Reservation and Pub-
lic 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 manage-
ment 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 Sec-
retary 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 with-
drawn 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.”.

(c) 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 with- drawal and reservation made by this title, if” and inserting “If”; 

(iii) in subsection (c), by striking “be- fore 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 in- inserting “Unless”.

(2) Determination of continuing military need for withdrawal and reservation and public reports.—The Fort Irwin Military Land With- drawal 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 envi-
ronmental 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 ex-
tent 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 min-
eral 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 De-
fense, the land was used for defense purposes imm-
mediately prior to the date of transfer.

“(c) MAP AND LEGAL DESCRIPTION.—

“(1) PREPARATION AND PUBLICATION.—The Sec-

retary of the Interior shall—

“(A) publish in the Federal Register a no-

ice 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 Serv-

ices and Natural Resources of the House of

Representatives; and

“(C) make copies of such maps and legal de-

scriptions available for public inspection in the

appropriate offices of the Bureau of Land Man-

agement.

“(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”;

(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”.

•HR 2810 RH
TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION

SEC. 2901. AUTHORIZED ARMY CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Army may acquire real property and carry out the military construction projects for the installations outside the United States, and in the amounts, set forth in the following table:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cuba</td>
<td>Guantanamo</td>
<td>$115,000,000</td>
</tr>
<tr>
<td>Turkey</td>
<td>Various Locations</td>
<td>$6,400,000</td>
</tr>
</tbody>
</table>

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:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Djibouti</td>
<td>Camp Lemonnier</td>
<td>$13,390,000</td>
</tr>
</tbody>
</table>

SEC. 2903. AUTHORIZED AIR FORCE CONSTRUCTION AND LAND ACQUISITION PROJECTS.

The Secretary of the Air Force may acquire real property and carry out the military construction projects for
the installations outside the United States, and in the amounts, set forth in the following table:

**Air Force: Outside the United States**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Estonia</td>
<td>Amari Air Base</td>
<td>$13,900,000</td>
</tr>
<tr>
<td>Hungary</td>
<td>Kecskemet Air Base</td>
<td>$55,400,000</td>
</tr>
<tr>
<td>Iceland</td>
<td>Keflavik</td>
<td>$14,400,000</td>
</tr>
<tr>
<td>Italy</td>
<td>Aviano AB</td>
<td>$27,325,000</td>
</tr>
<tr>
<td>Jordan</td>
<td>Azraq</td>
<td>$143,000,000</td>
</tr>
<tr>
<td>Latvia</td>
<td>Lielvarde Air Base</td>
<td>$3,850,000</td>
</tr>
<tr>
<td>Luxembourg</td>
<td>Saeum</td>
<td>$67,400,000</td>
</tr>
<tr>
<td>Norway</td>
<td>Rygge</td>
<td>$10,300,000</td>
</tr>
<tr>
<td>Qatar</td>
<td>Al Udeid</td>
<td>$15,000,000</td>
</tr>
<tr>
<td>Romania</td>
<td>Campia Turzii</td>
<td>$2,950,000</td>
</tr>
<tr>
<td>Slovakia</td>
<td>Malacky</td>
<td>$24,000,000</td>
</tr>
<tr>
<td>Turkey</td>
<td>Incirlik Air Base</td>
<td>$48,697,000</td>
</tr>
</tbody>
</table>

**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**

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>Sigonella</td>
<td>$22,400,000</td>
</tr>
</tbody>
</table>

**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:

<table>
<thead>
<tr>
<th>Country</th>
<th>Installation</th>
<th>Project</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italy</td>
<td>Camp Darby</td>
<td>ERI: Improve Weapons Storage Facility</td>
<td>$44,450,000</td>
</tr>
<tr>
<td>Poland</td>
<td>Lask Air Base</td>
<td>ERI: Improve Support Infrastructure</td>
<td>$22,400,000</td>
</tr>
</tbody>
</table>
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–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 re-
duce 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 sub-

paragraph:
“(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 Adminis-
tration 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 safety 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).”.

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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 car-
ried 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 DE-
FINED.—In this section, the term “appropriate congress-
sional 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:


(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 alter-
native 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 Sa-
vannah 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 equip-
ment 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)”;

(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 sum-
mary of the plan submitted under subsection (a) during the
previous year.”; and
(4) in subsection (d), as so redesignated, by in-
serting “and the updated summary required by sub-
section (c)” before “shall be submitted”.

SEC. 3132. ASSESSMENT OF MANAGEMENT AND OPERATING
CONTRACTS OF NATIONAL SECURITY LAB-
ORATORIES.

(a) ASSESSMENT.—Not later than 30 days after the
date of the enactment of this Act, the Administrator for Nu-
clear 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, effi-
ciency, and effectiveness of the strategy of the Administrator
with respect to management and operating contracts for na-
ional security laboratories. The Administrator may not
award such contract to a federally funded research and de-
velopment center for which the Department of Energy or
the National Nuclear Security Administration is the pri-
mary sponsor.

(b) COOPERATION.—The Administrator, and the direc-
tor of each national security laboratory, shall provide to
the federally funded research and development center con-
ducting 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 con-
ducted under such subsection. Such report shall in-
clude the following:

(A) An assessment of the acquisition strat-
egy and the contract oversight process of the Ad-
ministrator, and of the use of for-profit manage-
ment and operating contractors at national secu-
ri ty laboratories, and whether such strategy,
process, and contractors provide the best out-
comes 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 con-
duct an evaluation of the feasibility, costs, and cost savings
of classifying certain defense nuclear waste as other than
high-level radioactive waste, without decreasing environ-
mental, health, or public safety requirements.

(b) MATTERS INCLUDED.—In conducting the evalua-
tion under subsection (a), the Secretary shall consider—

(1) the estimated quantities and locations of cer-
tain defense nuclear waste;

(2) the potential disposal path for such waste;

(3) the estimated disposal timeline for such

(4) the estimated costs for disposal of such waste,

(5) the potential effect on existing consent orders,

(6) the basis by which the Secretary would make

(7) any such other matters relating to defense

nuclear waste that the Secretary determines appro-

priate.
(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 assessment 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 En-
ergy 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 ap-
propriated 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 appropriation 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.
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”.


(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 AC-
QUISITION, CHARTER, AND REQUISITION OF
VESSELS.

(a) EMERGENCY FOREIGN VESSEL ACQUISITION; PUR-
CHASE 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
desire of chapter 563 of such title, as otherwise amended
by this title; and

(2) is amended—

(A) by striking “That during” and insert-
ing the following:

“§ 56309. Emergency foreign vessel acquisition; pur-
chase 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”; and

(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”; and

(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”.

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(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 re-
response that gives priority to victim recov-
ery;

(ii) upholding individual privacy and
dignity; and

(iii) the opportunity for the continu-
ation of Coast Guard service by sexual as-
sault victims; and

(C) sexual harassment response, including a
description of the circumstances under which
sexual harassment is considered a criminal of-
fense; 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 preven-
tion 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 mari-
time 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 co-operative 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.

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**TOTAL AIRCRAFT PROCUREMENT, ARMY**

| | | | |
| | | 4,149,894 | 5,593,561 |

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**HR 2810 RH**
### 4101. PROCUREMENT

#### (In Thousands of Dollars)

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**TOTAL PROCUREMENT OF WATCV, ARMY** | 2,423,608 | 4,956,474 |

#### PROCUREMENT OF AMMUNITION, ARMY

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<td>40MM, ALL TYPES</td>
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**MORTAR AMMUNITION | 57,359 57,359**

**TANK AMMUNITION | 49,471 49,471**

**ARTILLERY AMMUNITION | 51,528 51,528**

**ARTILLERY CARTRIDGES, 155MM & 105MM, ALL TYPES | 135,500 135,500**

**155MM PROJETS & EXTENDED RANGE MUNITIONS | 137,149 137,149**

**PROCEDURES, PAYLOAD EQUIPMENT, ALL | 3,000 3,000**

**MINES & CLEARING CHARGES, ALL TYPES | 2,500 2,500**

**ROCKETS | 161,255 161,255**

**OTHER AMMUNITION | 7,441 7,441**

**MISSION MUNITIONS, ALL TYPES | 19,315 19,315**

**GRENADERS, ALL TYPES | 22,759 22,759**

**SPIKES, ALL TYPES | 2,500 2,500**

**SIMULATORS, ALL TYPES | 13,084 13,084**

**MISCELLANEOUS | 12,257 12,257**

**AMMUNITION PAYLOAD EQUIP | 16,125 16,125**

**PRODUCTION BASE SUPPORT | 429,356 429,356**

**TOTAL PROCUREMENT OF AMMUNITION, ARMY | 1,879,283 2,235,247**

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HR 2810 RH
### OTHER PROCUREMENT, ARMY TACTICAL VEHICLES

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<td>TRUCK, DUMP, 8X8 (OEX)</td>
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**Unfunded requirement:**
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- JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY .................................................. [6,095]
- JOINT EQUIPMENT (UNREVIEWED) ................................................................................... [5,051]
- DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS ................................................... [161,338]
- TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS ................................... [62,000]
- NURSING TERMIINL SET, MIDS LV(2) ........................................................................... [11,100]
- TRACTOR DESK ................................................................................................................ [2,841]
- SPIDER FAMILY OF NETWORKED MUNITIONS INCR .................................................. [4,368]
- ELECTRONIC MISSION COMMAND (EMC) ................................................................. [23,667]

### UNFUNDED REQUIREMENTS

- First responder communication equipment .......................... [7,539]
- CTC equipment ........................................................................ [2,931]
- MATCOM ................................................................................ [34,792]
- Forward repair systems ......................................................... [7,128]
- CTI equipment ........................................................................ [2,931]
- JTAC .................................................................................... [52,600]
- Program reduction ............................................................... [-10,000]
- C3I .................................................................................... [47,500]
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## SEC. 4101. PROCUREMENT

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### JOINT IMPROVED EXPLOSIVE DEVICE DEFUSE FUND

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### AIRCRAFT PROCUREMENT, NAVY

#### COMBAT AIRCRAFT

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### OTHER AIRCRAFT

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### UNDISTRIBUTED

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**TOTAL JOINT IMPROVED-THREAT DEFUSE FUND** | 14,442 | 14,442 |
SEC. 4101. PROCUREMENT (In Thousands of Dollars)

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MODIFICATION OF AIRCRAFT

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AIRCRAFT SPARES AND REPAIR PARTS

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AIRCRAFT SUPPORT EQUIP & FACILITIES

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TOTAL AIRCRAFT PROCUREMENT, NAVY

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WEAPONS PROCUREMENT, NAVY

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MODIFICATION OF MISSILES

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### SEC. 4101. PROCUREMENT

#### (In Thousands of Dollars)

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#### SUPPORT EQUIPMENT & FACILITIES

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#### ORDINANCE SUPPORT EQUIPMENT

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#### TORPEDOES AND RELATED EQUIP

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#### MOD OF TORPEDOES AND RELATED EQUIP

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#### SUPPORT EQUIPMENT

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#### DESTINATION TRANSPORTATION

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#### GUNS AND GUN MOUNTS

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#### MODIFICATION OF GUNS AND GUN MOUNTS

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#### SPARES AND REPAIR PARTS

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#### TOTAL WEAPONS PROCUREMENT, NAVY

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#### PROCUREMENT OF AMMO, NAVY & MC

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#### MARINE CORPS AMMUNITION

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#### TOTAL PROCUREMENT OF AMMO, NAVY & MC

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#### SHIPBUILDING AND CONVERSION, NAVY

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#### FLEET BALLISTIC MISSILE SHIPS

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**SEC. 4101. PROCUREMENT**

**(In Thousands of Dollars)**

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**CLASIFIED PROGRAMS**

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**TACTICAL VEHICLES**

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**ENGINEER AND OTHER EQUIPMENT**

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**AIRCRAFT PROCUREMENT, AIR FORCE**

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**TOTAL AIRCRAFT PROCUREMENT, AIR FORCE** 15,430,849 18,348,011

**MISSILE PROCUREMENT, AIR FORCE**
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**HR 2810 RH**
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### Unfunded requirements

- [5,000](#)
- [8,000](#)
- [26,000](#)
- [25,000](#)
- [500](#)
### SEC. 4101. PROCUREMENT  
(In Thousands of Dollars)

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**SPARES AND REPAIR PARTS**

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**PROCUREMENT, DEFENSE-WIDE**

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**MAJOR EQUIPMENT, DLA**

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**MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY**

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<tr>
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**MAJOR EQUIPMENT, DOE**

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<td>021</td>
<td>AUTOMATION/EDUCATIONAL SUPPORT &amp; LOGISTICS</td>
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**MAJOR EQUIPMENT, DCMIA**

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**MAJOR EQUIPMENT, DMACT**

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**CLASSIFIED PROGRAMS**

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**AVIATION PROGRAMS**

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**SHIPBUILDING**

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**HR 2810 RH**
### SEC. 4101. PROCUREMENT

#### (In Thousands of Dollars)

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<td>CBM/CMS SYSTEMS</td>
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<td>TACTICAL VEHICLES</td>
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<td>072</td>
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#### TOTAL PROCUREMENT, DEFENSE-WIDE

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#### JOINT URGENT OPERATIONAL NEEDS FUND

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#### TOTAL JOINT URGENT OPERATIONAL NEEDS FUND

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#### TOTAL PROCUREMENT

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### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

#### OPERATIONS.

#### (In Thousands of Dollars)

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<td>016</td>
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<td>017</td>
<td>COMMENSUARY SURVEILLANCE</td>
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<td>COMMS</td>
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<td>023</td>
<td>COMMON INFRARED COUNTERMEASURES (CIRCM)</td>
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<td>027</td>
<td>AIRCRAFT PROCUREMENT, ARMY</td>
<td>424,686</td>
<td>534,920</td>
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<tr>
<td>034</td>
<td>MISSILE PROCUREMENT, ARMY</td>
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<td>037</td>
<td>AIR-TO-SURFACE MISSILE SYSTEM</td>
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<td>048</td>
<td>Javelin (Law-M) System Summary</td>
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#### TOTAL AIRCRAFT PROCUREMENT, ARMY

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<tr>
<td></td>
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#### MISSILE PROCUREMENT, ARMY

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<td>MSE MISSILE</td>
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<td>005</td>
<td>HELIPORT SYS SUMMARY</td>
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<td>008</td>
<td>ANTI-TANK ASSAULT MISSILE SYS</td>
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<td>TOW 2 SYSTEM SUMMARY</td>
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## SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

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<tr>
<td>013</td>
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<td>012</td>
<td>MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)</td>
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<td>013</td>
<td>HIGH MOBILITY ARTILLERY ROCKET SYSTEM (HIMARS)</td>
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<td>LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS)</td>
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<td>018</td>
<td>STINGER MODS</td>
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### MODIFICATIONS

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<td>005</td>
<td>CTG, 20MM, ALL TYPES</td>
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<td>004</td>
<td>CTG, .50 CAL, ALL TYPES</td>
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<td>003</td>
<td>CTG, HANDGUN, ALL TYPES</td>
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<td>CTG, 7.62MM, ALL TYPES</td>
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### SMALL/MEDIUM CAL AMMUNITION

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<td>60MM MORTAR, ALL TYPES</td>
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<td>CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES</td>
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<td>ARTILLERY PROJECTILE, 155MM, ALL TYPES</td>
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<td>PROJ 155MM EXTENDED RANGE (ER)</td>
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<td>MINES &amp; CLEARING CHARMS, ALL TYPES</td>
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### TOTAL PROCUREMENT OF W&TCV, ARMY

- **STATIONARY WARRIOR & TACTICAL COMBAT VEHICLE (W&TCV)**
  - **1003**
  - **559,283**
  - **1,404,464**

### TOTAL PROCUREMENT OF AMMUNITION, ARMY

- **1,191,139**
- **177,000**

### TOTAL PROCUREMENT OF MISSILE PROCUREMENT, ARMY

- **4102**
- **1,191,139**
- **177,000**

### TOTAL PROCUREMENT OF W&TCV, ARMY

- **1,191,139**
- **177,000**

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*HR 2810 RH*
### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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**OTHER PROCUREMENT, ARMY**

#### TACTICAL VEHICLES

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<td>HVY EXPANDED MOBILE TACTICAL TRUCK KIT-SERV</td>
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<td>MINE-RESISTANT AMMUNITION-PROTECTED (MRAP) MODS</td>
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**COMM—JOINT COMMUNICATIONS**

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**COMM—COMBAT COMMUNICATIONS**

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**COMM—BASE COMMUNICATIONS**

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**ELECT EQUIP—TACTICAL SURV. (TAC SURV)**

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<td>NBIR VISION DEVICES</td>
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<td>SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF</td>
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<td>BASE EXPENDITARY TARGETING AND SURV SYS</td>
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<td>INFRRED FIRE PROTECTION FAMILY OF SYSTEMS</td>
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**ELECT EQUIP—ELECTRONIC WARFARE (EW)**

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**CHEMICAL DEFENSIVE EQUIPMENT**

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<th>Item</th>
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**ENGINEER (NON-CONSTRUCTION) EQUIPMENT**

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### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

**(In Thousands of Dollars)**

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<td>MARINE CORPS AMMUNITION</td>
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**TOTAL AIRCRAFT PROCUREMENT, NAVY**

| | | 157,300 | 173,300 |

**OTHER AIRCRAFT**

| | | 3,900 | 3,900 |

**TOTAL OTHER PROCUREMENT, ARMY**

| | | 403,575 | 577,952 |

**AIRCRAFT PROCUREMENT, NAVY**

| | | 152,373 | 164,373 |

**TOTAL AIRCRAFT PROCUREMENT, NAVY**

| | | 157,300 | 173,300 |

**WEAPONS PROCUREMENT, NAVY**

| | | 106,941 | 106,941 |

**TACTICAL MISSILES**

| | | 12,000 | 12,000 |

**TOTAL AIRCRAFT PROCUREMENT, NAVY**

| | | 18,850 | 18,850 |

**AIRCRAFT SPARES AND REPAIR PARTS**

| | | 18,850 | 18,850 |

**TOTAL OTHER PROCUREMENT, ARMY**

| | | 483,058 | 483,058 |

**AIRCRAFT PROCUREMENT, NAVY**

| | | 106,941 | 106,941 |

**TOTAL AIRCRAFT PROCUREMENT, NAVY**

| | | 152,373 | 164,373 |

**PROCUREMENT OF AMMO, NAVY & MC**

| | | 74,002 | 74,002 |

**NAVY AMMUNITION**

| | | 106,941 | 106,941 |

| | | 15,790 | 15,790 |

| | | 540 | 540 |

| | | 15,790 | 15,790 |

| | | 1,963 | 1,963 |

| | | 765 | 765 |

| | | 866 | 866 |

**MARINE CORPS AMMUNITION**

<p>| | | 152,373 | 164,373 |</p>
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<td>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</td>
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**OTHER PROCUREMENT, NAVY**

**OTHER SHIPBOARD EQUIPMENT**

| 025  | UNDERWATER EOD PROGRAMS                        | 12,348          | 8,332            |
|      | Realign European Reassurance Initiative to Base |                  |                  |
| 026  | FIRE SUPPORT SYSTEM                             | 50              | 50               |

**INTELL/COMM EQUIPMENT (NON-TEL)**

**RADAR + EQUIPMENT (NON-TEL)**

**ARTILLERY AND OTHER WEAPONS**

| 013  | ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)        | 5,024           | 5,024            |
| 014  | FOLLOW ON TO SMAW                                | 49              | 49               |
| 015  | RHEE SUMTAN                                     | 2,394           | 2,394            |
| 016  | OTHER SUPPORT (TEL)                             | 750             | 750              |

**TOTAL OTHER PROCUREMENT, NAVY**

220,059 161,473
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<td>RADIO SYSTEMS</td>
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<td>FIRE FIGHTING EQUIPMENT</td>
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**SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS**

*In Thousands of Dollars*
### SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

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### CLASSIFIED PROGRAMS

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<td>5,543,825</td>
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**TOTAL OTHER PROCUREMENT, AIR FORCE**

| 4,098,887 | 4,271,436 |

### PROCUREMENT, DEFENSE-WIDE

#### MAJOR EQUIPMENT, DISA

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#### MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY

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#### CLASSIFIED PROGRAMS

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<td>MQ-9 UNMANNED AERIAL VEHICLE</td>
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<td>C-130 MODIFICATIONS</td>
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### OTHER PROCUREMENT PROGRAMS

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SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS

(In Thousands of Dollars)

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NATIONAL GUARD AND RESERVE EQUIPMENT

UNDISTRIBUTED

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SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

(In Thousands of Dollars)

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TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION.

(In Thousands of Dollars)

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PURGE 2810 RH
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## SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

### (In Thousands of Dollars)

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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

**In Thousands of Dollars**

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**Subtotal RDT&E Management Support** 1,253,845, 1,253,845

- **RDT&E MANAGEMENT SUPPORT**
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  - 060426A: TARGET SYSTEMS DEVELOPMENT
  - 060427A: MANOEuvre INVESTMENT
  - 060428A: RAND ARNOVO CENTER
  - 060429A: ARMY KWAJALEIN ATOLL
  - 060430A: CONCEPTS EXPERIMENTATION PROGRAM
  - 060431A: ARMY TECHNICAL TEST INSTRUMENTATION AND TAPORTS
  - 060432A: SURVIVABILITY/LETHALITY ANALYSIS
  - 060433A: AIRCRAFT CERTIFICATION
  - 060434A: METROLOGICAL SUPPORT TO EDGE ACTIVITIES
  - 060435A: MATERIAL SYSTEMS ANALYSIS
  - 060436A: EXPLOITATION OF FOREIGN ITEMS
  - 060437A: SUPPORT OF OPERATIONAL TESTING
  - 060438A: ARMED FORCES CENTER
  - 060439A: ARMED FORCES CENTER
  - 060440A: PROGRAMMING & SIMULATION INITIATIVE
  - 060441A: TECHNICAL INFORMATION ACTIVITIES
  - 060442A: MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY
  - 060443A: ENVIRONMENTAL QUALITY TECHNOLOGY MANAGEMENT SUPPORT
  - 060444A: ARMY DIRECT REPORT HEADQUARTERS—R&D - MHA
  - 060445A: EXPLOITATION OF FOREIGN ITEMS
  - 060446A: ARMY TEST RANGES AND FACILITIES
  - 060447A: ARMY MODELING & SIMULATION COLLABORATION & INTEGRATION
  - 060448A: ARMY TECHNICAL TEST INSTRUMENTATION AND TARPORTS
  - 060449A: SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION
  - 060450A: DEFENSE MANOEuvre INITIATIVE
  - 060451A: OPERATIONAL SYSTEMS DEVELOPMENT
  - 060452A: MILES PRODUCT IMPROVEMENT PROGRAM
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  - 060456A: TRACTOR SMOKE
  - 060457A: LONG RANGE PRECISION FIRE (LRPF)
  - 060458A: APACHE PRODUCT IMPROVEMENT PROGRAM
  - 060459A: BLACKHAWK PRODUCT IMPROVEMENT PROGRAM
  - 060460A: CHINOOK PRODUCT IMPROVEMENT PROGRAM
  - 060461A: FIXED WING PRODUCT IMPROVEMENT PROGRAM
  - 060462A: IMPROVED TURBINE ENGINE PROGRAM
  - 060463A: LOGISTICS AUTOMATION
  - 060464A: AERIAL ROCKET SYSTEM PRODUCT IMPROVEMENT AND DEVELOPMENT

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### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### (In Thousands of Dollars)

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#### 1013

#### RESEARCH, DEVELOPMENT, TEST & EVAL, NAVY

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**ADDITIONAL ADVENTS TO DEVELOPMENT TECHNOLOGY**

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**SYSTEM DEVELOPMENT & DEMONSTRATION**

- **Training System Aircraft**
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- **Joint Strike Fighter Follow On Modernization (FOM)**
  - FY 2018: 152,934
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- **Joint Strike Fighter (JSF) EMU**
  - FY 2018: 108,931
  - House Authorized: 108,931

- **Advanced Tactical Unmanned Aircraft System**
  - FY 2018: 7,979
  - House Authorized: 7,979

- **Electronic Warfare Development**
  - FY 2018: 527
  - House Authorized: 527

**MARINE CORPS**

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- **Unfunded requirement**
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- **CVN 80 DFA**
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- **Executive Helo Development**
  - FY 2018: 431,938
  - House Authorized: 431,938

- **Joint Tactical Radio System—NAVY**
  - FY 2018: 4,110
  - House Authorized: 4,110

- **Joint Fire Control—Counter Air System Engineering**
  - FY 2018: 25,445
  - House Authorized: 25,445

- **Advanced Above Water Sensors**
  - FY 2018: 92,233
  - House Authorized: 92,233

- **Advanced Evasive Maneuvering**
  - FY 2018: 7,979
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**SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION**: 6,362,102 6,472,302

**MANAGEMENT SUPPORT**

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Program increase: 88,303 [40,000]

**SUBTOTAL MANAGEMENT SUPPORT**: 945,757 992,757

**OPERATIONAL SYSTEMS DEVELOPMENT**

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Program reduction: delayed procurement rates — 41,000

**SUBTOTAL OPERATIONAL SUPPORT**: 9,408 9,408

**TOTAL MANAGEMENT SUPPORT**: 945,757 992,757
### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

#### (In Thousands of Dollars)

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**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

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**SUBTOTAL BASIC RESEARCH** | 505,259 | 505,259 |

#### APPLIED RESEARCH

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**SUBTOTAL APPLIED RESEARCH** | 1,284,114 | 1,294,114 |

### ADVANCED TECHNOLOGY DEVELOPMENT

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**HR 2810 RH**
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**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

(4,605,030) 4,885,930

**SYSTEM DEVELOPMENT & DEMONSTRATION**

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**SUBTOTAL SYSTEM DEVELOPMENT & DEMONSTRATION** | $4,476,782 |

**MANAGEMENT SUPPORT**

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**AUTHORITIES MANAGEMENT SUPPORT** | $52,400 |

**Unfunded requirements** | $5,000 |

**Unfunded requirements** | $27,400 |

**Facilities and Management** | $1,000 |

**Facilities Management** | $49,000 |

**SUBTOTAL MANAGEMENT SUPPORT** | $110,413 |

**OPERATIONAL SYSTEMS DEVELOPMENT**

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**SUBTOTAL OPERATIONAL SUPPORT** | $2,682,873 |

**TOTAL** | $2,804,675 |

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**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

**(In Thousands of Dollars)**
1023
SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION
(In Thousands of Dollars)

sradovich on DSK3GMQ082PROD with BILLS

Line

Program
Element

070
072
073

0603600D8Z
0603821D8Z
0603851D8Z

074
075

0603881C
0603882C

076
077

0603884BP
0603884C

078

0603890C

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0603891C
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087
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0603906C
0603907C
0603913C
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125
126
127

0605013BL
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0605027D8Z

FY 2018
Request

Item
WALKOFF ..........................................................................................................
ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES ....
ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.
BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT ..
BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT
Improve Discrimination Capability for GMD .........................................
CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL .....
BALLISTIC MISSILE DEFENSE SENSORS ..............................................
Funding increase to accelerate development and deployment of interim
and perm MD enhancements for HI.
Improve Discrimination Capability for GMD .........................................
BMD ENABLING PROGRAMS .......................................................................
GMD Discrimination .................................................................................
Improve High Fidelity Modeling and Simulation for GMD ..................
SPECIAL PROGRAMS—MDA ........................................................................
AEGIS BMD .......................................................................................................
BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.
BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT ...
MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER
(MDIOC).
REGARDING TRENCH ...................................................................................
SEA BASED X-BAND RADAR (SBX) ...........................................................
ISRAELI COOPERATIVE PROGRAMS ........................................................
BALLISTIC MISSILE DEFENSE TEST ......................................................
BALLISTIC MISSILE DEFENSE TARGETS ..............................................
HUMANITARIAN DEMINING ........................................................................
COALITION WARFARE ...................................................................................
DEPARTMENT OF DEFENSE CORROSION PROGRAM .........................
TECHNOLOGY MATURATION INITIATIVES ............................................
Acceleration of kintetic and nonkinetic boost phase BMD ......................
Program increase ........................................................................................
MISSILE DEFEAT PROJECT .......................................................................
HYPERSONIC DEFENSE ...............................................................................
ADVANCED INNOVATIVE TECHNOLOGIES .............................................
Program decrease ........................................................................................
TRUSTED & ASSURED MICROELECTRONICS .......................................
RAPID PROTOTYPING PROGRAM ..............................................................
DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.
WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA) .....
JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND
INTEROPERABILITY ASSESSMENTS.
LONG RANGE DISCRIMINATION RADAR (LRDR) .................................
IMPROVED HOMELAND DEFENSE INTERCEPTORS ...........................
C3 Booster Development .............................................................................
BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT
TEST.
AEGIS BMD TEST ...........................................................................................
To provide AAW at Aegis Ashore sites, consistent w/ FY16 and FY17
NDAAs.
BALLISTIC MISSILE DEFENSE SENSOR TEST ....................................
LAND-BASED SM–3 (LBSM3) .......................................................................
To provide AAW at Aegis Ashore sites, consistent w/ FY16 and FY17
NDAAs.
AEGIS SM–3 BLOCK IIA CO-DEVELOPMENT ..........................................
BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST .......
MULTI-OBJECT KILL VEHICLE .................................................................
JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM ...........
CYBER SECURITY INITIATIVE ...................................................................
SPACE TRACKING & SURVEILLANCE SYSTEM .....................................
BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS ..........
SUBTOTAL ADVANCED COMPONENT DEVELOPMENT
AND PROTOTYPES.
SYSTEM DEVELOPMENT AND DEMONSTRATION
NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.
PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT ..................
CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD ..............
JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)
COUNTER WEAPONS OF MASS DESTRUCTION SYSTEMS DEVELOPMENT.
INFORMATION TECHNOLOGY DEVELOPMENT .....................................
HOMELAND PERSONNEL SECURITY INITIATIVE ...............................
DEFENSE EXPORTABILITY PROGRAM ...................................................
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22:07 Jul 06, 2017

Jkt 069200

PO 00000

Frm 01023

Fmt 6652

Sfmt 6203

E:\BILLS\H2810.RH

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•HR 2810 RH
VerDate Sep 11 2014

House
Authorized

H2810


### Line Item: SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
(As of December 2017, in thousands of dollars)

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**SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION:** $18,819

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**SUBTOTAL MANAGEMENT SUPPORT:** $1,010,530

### OPERATIONAL SYSTEM DEVELOPMENT

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**SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT:** $1,030,530

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*HR 2810 RH*
### SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

**Line Element** | **Program Element** | **Item** | **FY 2018 Request** | **House Authorized**
--- | --- | --- | --- | ---
204 | 0303150K | LONG-HAUL COMMUNICATIONS—DCS | 15,000 | 15,000
205 | 0301130K | MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) | 15,000 | 15,000
206 | 0301535O | PUBLIC KEY INFRASTRUCTURE (PKI) | 4,911 | 4,911
207 | 0301526O | KEY MANAGEMENT INFRASTRUCTURE (KMI) | 33,736 | 33,736
208 | 030160DZ | INFORMATION SYSTEMS SECURITY PROGRAM | 10,000 | 10,000
209 | 030160D | INFORMATION SYSTEMS SECURITY PROGRAM | 237,652 | 237,652

Program increases to support cyber defense education of reservists and the National Guard.

210 | 030160D | OPERATIONAL TEST ACTIVITIES AND ANALYSES | 67,897 | 67,897
211 | 030160D | LIVE FIRE TEST AND EVALUATION | 59,500 | 59,500

**Operational Test & Eval, Defense**

*Subtotal* for Overseas Contingency Operations: $4,867,528

**Total Research, Development, Test & Eval, Defense**

$20,490,902

**Operational Test & Eval, Defense Management Support**

*Subtotal* for Overseas Contingency Operations: $210,900

**Total Operational Test & Eval, Defense**

$210,900

### SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS

**Line Element** | **Program Element** | **Item** | **FY 2018 Request** | **House Authorized**
--- | --- | --- | --- | ---
006 | 0603126A | SENSORS AND ELECTRONIC SURVIVABILITY | | 0

**Advanced Component Development & Prototypes**

*Redesign Unmanned Aerial Systems Initiative to Base* | 15,000 | 0

**Total Research, Development, Test & Eval, Defense**

$82,716,636

### 1 SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS.
## SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS

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### SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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#### SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

#### (In Thousands of Dollars)

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### SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS

(In Thousands of Dollars)

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•HR 2810 RH
## SEC. 4301. OPERATION AND MAINTENANCE.

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## TITLE XLIII—OPERATION AND MAINTENANCE

### MOBILIZATION

#### 220 STRATEGIC MOBILITY

- Sustainment of strategically positioned assets enabling force projection
- Realign European Reassurance Initiative to Base

#### 230 ARMY PREPOSITIONED STOCKS

- Realign European Reassurance Initiative to Base
- Support Army War Reserve Secondary Items for deployed forces

#### 240 INDUSTRIAL PREPAREDNESS

- Realign European Reassurance Initiative to Base

### TRAINING AND RECRUITING

#### 250 OFFICER ACQUISITION

- 137,556

#### 260 RECRUIT TRAINING

- 59,035

#### 270 ONE STATION UNIT TRAINING

- 503,089

#### 280 SENIOR RESERVE OFFICERS TRAINING CORPS

- 1,015,541

#### 290 SPECIALIZED SKILL TRAINING

- Leadership development and training

#### 300 FLIGHT TRAINING

- 1,124,115
## SEC. 4301. OPERATION AND MAINTENANCE

(In Thousands of Dollars)

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### ADMIN & SRVWIDE ACTIVITIES

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### TOTAL OPERATION & MAINTENANCE, ARMY

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### ADMIN & SRVWIDE ACTIVITIES

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**HR 2810 RH**
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**OPERATION & MAINTENANCE, ARNG OPERATING FORCES**

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**ADMIN & SRVWD ACTIVITIES**

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**UNDISTRIBUTED**

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**OPERATION & MAINTENANCE, NAVY OPERATING FORCES**

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### SEC. 4301. OPERATION AND MAINTENANCE

#### (In Thousands of Dollars)

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#### MOBILIZATION

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#### TRAINING AND RECRUITING

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#### ADMIN & SRWVD ACTIVITIES

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**OPERATION & MAINTENANCE, MARINE CORPS OPERATING FORCES**

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**ADMIN & SRVWD ACTIVITIES**

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Tailored OIPR valid year(s) | [3,000] |

120  | LAUNCH FACILITIES | 173,457 | 173,457 |

130  | SPACE CONTROL SYSTEMS | 353,458 | 541,758 |
|      | Command and Control sustainment and readiness | [47,100] | [15,000] |
|      | Operationalizing commercial SSA | [42,200] | [42,200] |
|      | Space based sustainment and readiness shortfalls | [116,200] | [116,200] |

160  | US NORTHCOM/UCPAC | 189,891 | 189,891 |
170  | US STRATCOM | 353,236 | 353,236 |
180  | US CYBERCOM | 322,830 | 322,830 |
190  | US CENTCOM | 168,208 | 168,208 |
200  | US SOC Africa | 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  | AERIALF OPERATIONS | 1,570,697 | 1,577,097 |
|      | C-17B flying hours | [8,800] | [8,800] |
|      | Realign European Reassurance Initiative to Base | [4,600] | [4,600] |

230  | MOBILIZATION PREPAREDNESS | 130,241 | 289,311 |
|      | Basic Expeditionary Airfield Resources PACOM | [22,600] | [22,600] |
|      | BEAR PACOM | [22,600] | [22,600] |
|      | BEAR PACOM spaces | [2,900] | [2,900] |
|      | PACAF Contingency response group | [10,100] | [10,100] |

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) | 93,722 | 93,722 |
320  | SPECIALIZED SKILL TRAINING | 395,476 | 395,476 |
330  | FLIGHT TRAINING | 501,090 | 501,090 |
340  | PROFESSIONAL DEVELOPMENT EDUCATION | 287,950 | 287,950 |
350  | TRAINING SUPPORT | 91,264 | 91,264 |
370  | RECRUITING AND ADVERTISING | 166,795 | 166,795 |
380  | EXAMining | 4,433 | 4,433 |
390  | OFF-DUTY AND VOLUNTARY EDUCATION | 222,691 | 222,691 |
400  | CIVILIAN EDUCATION AND TRAINING | 171,974 | 171,974 |
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 | 805,453 |
|      | Realign European Reassurance Initiative to Base | [3,000] | [3,000] |
430  | TECHNICAL SUPPORT ACTIVITIES | 127,319 | 127,319 |
470  | ADMINISTRATION | 911,283 | 911,283 |
480  | SERVICEWIDE COMMUNICATIONS | 422,172 | 422,172 |
|      | Program decrease | [10,000] | [10,000] |
490  | OTHER SERVICEWIDE ACTIVITIES | 1,175,658 | 1,166,658 |
|      | Program decrease | [9,000] | [9,000] |
500  | CIVIL AIR PATROL | 26,719 | 26,719 |
|      | Civil Air Patrol | [3,100] | [3,100] |
530  | INTERNATIONAL SUPPORT | 76,878 | 76,878 |
535  | CLASSIFIED PROGRAMS | 1,091,655 | 1,091,655 |

SUBTOTAL ADMIN & SRVWD ACTIVITIES | 4,800,195 | 4,787,295 |

UNDISTRIBUTED
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**TOTAL OPERATION & MAINTENANCE, AIR FORCE**

39,429,232  40,384,058

**OPERATION & MAINTENANCE, AF RESERVE OPERATING FORCES**

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**TOTAL OPERATION & MAINTENANCE, AF RESERVE**

3,267,507  3,263,407

**OPERATION & MAINTENANCE, ANG OPERATING FORCES**

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**TOTAL OPERATION & MAINTENANCE, ANG**

6,939,968  7,104,268
### SEC. 4301. OPERATION AND MAINTENANCE  
(In Thousands of Dollars)

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**MISCELLANEOUS APPROPRIATIONS**

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### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

#### ADMIN & SRVWIDE ACTIVITIES

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#### MmobILIZATION

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#### ADMIN & SRVWIDE ACTIVITIES

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**HR 2810 RH**
### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

#### (In Thousands of Dollars)

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#### ADMIN & SRVWD ACTIVITIES

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#### OPERATION & MAINTENANCE, MARINE CORPS

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##### TRAINING AND RECRUITING

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#### ADMIN & SRVWD ACTIVITIES

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#### TOTAL OPERATION & MAINTENANCE, MARINE CORPS

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#### OPERATION & MAINTENANCE, NAVY RES

##### OPERATING FORCES

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### SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS

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### TOTAL OPERATION & MAINTENANCE, AIR FORCE

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### TOTAL OPERATION & MAINTENANCE, ANG OPERATING FORCES

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### TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE OPERATING FORCES

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### ADMIN & SRVWIDE ACTIVITIES

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### TOTAL OPERATION AND MAINTENANCE, DEFENSE-WIDE

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### UKRAINE SECURITY ASSISTANCE

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### TOTAL UKRAINE SECURITY ASSISTANCE

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### TOTAL OPERATION & MAINTENANCE

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### SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.

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<td><strong>OPERATION &amp; MAINTENANCE, MC RESERVE</strong></td>
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</table>
SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS

(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Line</th>
<th>Item</th>
<th>FY 2018 Request</th>
<th>House Authorized</th>
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<tr>
<td>030</td>
<td>SUSTAINMENT, RESTORATION AND MODERNIZATION</td>
<td>7,246</td>
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<tr>
<td></td>
<td>Reduce restoration and modernization shortfalls</td>
<td>3,980</td>
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<td></td>
<td>Reduce sustainment shortfalls</td>
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<td>SUBTOTAL OPERATING FORCES</td>
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<td>TOTAL OPERATION &amp; MAINTENANCE, MC Reserve</td>
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<td>050</td>
<td>FACILITIES SUSTAINMENT, RESTORATION &amp; MODERNIZATION</td>
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<td></td>
<td>Demolition of excess facilities</td>
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<td>Reduce restoration and modernization shortfalls</td>
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<td>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE</td>
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<td>Reduce restoration and modernization shortfalls</td>
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<td></td>
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<td>TOTAL OPERATION &amp; MAINTENANCE, AF Reserve</td>
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<td>TOTAL OPERATION &amp; MAINTENANCE, ANG</td>
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TITLE XLIV—MILITARY PERSONNEL

SEC. 4401. MILITARY PERSONNEL.

SEC. 4401. MILITARY PERSONNEL

(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2018 Request</th>
<th>House Authorized</th>
</tr>
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<tbody>
<tr>
<td>Military Personnel Appropriations</td>
<td>133,881,636</td>
<td>134,066,025</td>
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<tr>
<td>Military Personnel Pay Raise</td>
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<td>[206,400]</td>
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<tr>
<td>Realign European Reassurance Initiative to Base</td>
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<td>[214,289]</td>
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<tr>
<td>Freeze BAH reduction for Military Housing Privatization Initiative</td>
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<td>[125,000]</td>
</tr>
<tr>
<td>Historical unobligated balances</td>
<td></td>
<td>[–363,300]</td>
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<tr>
<td>Department of Defense State Partnership Program</td>
<td></td>
<td>[2,000]</td>
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<tr>
<td>Medicare-Eligible Retiree Health Fund Contributions</td>
<td>7,804,427</td>
<td>7,804,427</td>
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<tr>
<td>Total, Military Personnel</td>
<td>141,686,063</td>
<td>141,870,452</td>
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</table>
1. **SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS.**

2. **SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS**
   (In Thousands of Dollars)

<table>
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<th>Item</th>
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<tbody>
<tr>
<td>Military Personnel Appropriations</td>
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<td>4,061,987</td>
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<tr>
<td>Realign European Reassurance Initiative to Base</td>
<td>[-214,289]</td>
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</table>

3. **SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.**

4. **SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS.**
   (In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2018 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td>Military Personnel Appropriations</td>
<td>1,017,700</td>
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<tr>
<td>Increase Active Army end strength by 10k</td>
<td>[829,400]</td>
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<tr>
<td>Increase Army National Guard end strength by 4k</td>
<td>[105,500]</td>
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<tr>
<td>Increase Army Reserve end strength by 3k</td>
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<tr>
<td>Medicare-Eligible Retiree Health Fund Contributions</td>
<td>44,140</td>
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<tr>
<td>Accumal payment associated with increased Army end strength</td>
<td>[44,140]</td>
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<tr>
<td><strong>Total, Military Personnel</strong></td>
<td><strong>1,061,840</strong></td>
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5. **TITLE XLV—OTHER AUTHORIZATIONS**

6. **SEC. 4501. OTHER AUTHORIZATIONS.**

7. **SEC. 4501. OTHER AUTHORIZATIONS**
   (In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2018 Request</th>
<th>House Authorized</th>
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<tbody>
<tr>
<td><strong>WORKING CAPITAL FUND, ARMY</strong></td>
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</tr>
<tr>
<td>INDUSTRIAL OPERATIONS</td>
<td>43,140</td>
<td>43,140</td>
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<tr>
<td>SUPPLY MANAGEMENT—ARMY</td>
<td>40,636</td>
<td>90,747</td>
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<tr>
<td>Realign European Reassurance Initiative to Base</td>
<td>[50,111]</td>
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<tr>
<td><strong>TOTAL WORKING CAPITAL FUND, ARMY</strong></td>
<td><strong>83,776</strong></td>
<td><strong>133,887</strong></td>
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</tbody>
</table>

   | **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**    |

• HR 2810 RH
### SEC. 4501. OTHER AUTHORIZATIONS
(In Thousands of Dollars)

<table>
<thead>
<tr>
<th>Item</th>
<th>FY 2018 Request</th>
<th>House Authorized</th>
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</thead>
<tbody>
<tr>
<td><strong>WORKING CAPITAL FUND, DEFENSE-WIDE</strong></td>
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<tr>
<td>SUPPLY CHAIN MANAGEMENT—DEFENSE</td>
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<td>TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE</td>
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<td>47,018</td>
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<tr>
<td><strong>NATIONAL DEFENSE SEALIFT FUND</strong></td>
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<tr>
<td>LG MED SPD RO/RO MAINTENANCE</td>
<td>135,800</td>
<td>135,800</td>
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<td>DOD MOBILIZATION ALTERATIONS</td>
<td>11,197</td>
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<td>TAH MAINTENANCE</td>
<td>54,453</td>
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<tr>
<td>RESEARCH AND DEVELOPMENT</td>
<td>18,622</td>
<td>18,622</td>
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<td>READY RESERVE FORCES</td>
<td>296,255</td>
<td>296,255</td>
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<tr>
<td>Strategic Sealift SLEP</td>
<td>[7,000]</td>
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<tr>
<td>TOTAL NATIONAL DEFENSE SEALIFT FUND</td>
<td>509,327</td>
<td>516,327</td>
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<td><strong>CHEM AGENTS &amp; MUNITIONS DESTRUCTION</strong></td>
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<td>CHEM DEMILITARIZATION—O&amp;M</td>
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<td>104,237</td>
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<td>CHEM DEMILITARIZATION—RDT&amp;E</td>
<td>839,414</td>
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<td>CHEM DEMILITARIZATION—PROC</td>
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<td>18,081</td>
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<td>TOTAL CHEM AGENTS &amp; MUNITIONS DESTRUCTION</td>
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<td>961,732</td>
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<tr>
<td><strong>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</strong></td>
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<td></td>
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<td>DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE</td>
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<td>691,001</td>
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<tr>
<td>Administrative Overhead</td>
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<tr>
<td>SOUTHCOM ISR</td>
<td>[21,000]</td>
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<tr>
<td>Travel, Infrastructure, Support</td>
<td>[–2,000]</td>
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<tr>
<td>DRUG DEMAND REDUCTION PROGRAM</td>
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<td>TOTAL DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</td>
<td>790,814</td>
<td>807,814</td>
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<td><strong>OFFICE OF THE INSPECTOR GENERAL</strong></td>
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<tr>
<td>OPERATION AND MAINTENANCE</td>
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<td>334,087</td>
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<td>RDT&amp;E</td>
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<tr>
<td>TOTAL OFFICE OF THE INSPECTOR GENERAL</td>
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<tr>
<td><strong>DEFENSE HEALTH PROGRAM</strong></td>
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<tr>
<td>OPERATION &amp; MAINTENANCE</td>
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<td></td>
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<tr>
<td>IN-HOUSE CARE</td>
<td>9,457,768</td>
<td>9,475,768</td>
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<tr>
<td>Maintenance of inpatient capabilities of OCONUS MTFs</td>
<td>[10,000]</td>
<td></td>
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<tr>
<td>Pre-mobilization health care under section 12304b</td>
<td>[8,000]</td>
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<tr>
<td>PRIVATE SECTOR CARE</td>
<td>15,317,732</td>
<td>15,317,732</td>
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<tr>
<td>CONSOLIDATED HEALTH SUPPORT</td>
<td>2,193,045</td>
<td>2,193,045</td>
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<td>INFORMATION MANAGEMENT</td>
<td>1,803,733</td>
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<td>MANAGEMENT ACTIVITIES</td>
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<tr>
<td>Program decrease</td>
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<td>EDUCATION AND TRAINING</td>
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<td>BASE OPERATIONS/COMMUNICATIONS</td>
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<td><strong>RDT&amp;E</strong></td>
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<tr>
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<td>EXPLORATORY DEVELOPMENT</td>
<td>64,881</td>
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<td>ADVANCED DEVELOPMENT</td>
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<td>276,268</td>
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<tr>
<td>Program increase for hypoxia research</td>
<td>[5,000]</td>
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<tr>
<td>Research of chronic traumatic encephalopathy</td>
<td>[25,000]</td>
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<td>DEMONSTRATION/VALIDATION</td>
<td>99,039</td>
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<td>ENGINEERING DEVELOPMENT</td>
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<td>MANAGEMENT AND SUPPORT</td>
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<tr>
<td>CAPABILITIES ENHANCEMENT</td>
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**PROCUREMENT**
### SEC. 4501. OTHER AUTHORIZATIONS (In Thousands of Dollars)

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<td>REPLACEMENT &amp; MODERNIZATION</td>
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<td>360,831</td>
</tr>
<tr>
<td>THEATER MEDICAL INFORMATION PROGRAM</td>
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<td>JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM</td>
<td>8,326</td>
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<td>DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZATION</td>
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<td>Foreign Currency adjustments</td>
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<tr>
<td>Historical unobligated balances</td>
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<td>TOTAL DEFENSE HEALTH PROGRAM</td>
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<td>TOTAL OTHER AUTHORIZATIONS</td>
<td>37,849,822</td>
<td>37,760,333</td>
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1. **SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS.**

2. **SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS (In Thousands of Dollars)**

<table>
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<tbody>
<tr>
<td>WORKING CAPITAL FUND, ARMY INDUSTRIAL OPERATIONS</td>
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</tr>
<tr>
<td>SUPPLY MANAGEMENT—ARMY</td>
<td>50,111</td>
<td>–50,111</td>
</tr>
<tr>
<td>Realign European Reassurance Initiative to Base</td>
<td>[–50,111]</td>
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</tr>
<tr>
<td>TOTAL WORKING CAPITAL FUND, ARMY</td>
<td>50,111</td>
<td>–50,111</td>
</tr>
<tr>
<td>WORKING CAPITAL FUND, DEFENSE-WIDE</td>
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<tr>
<td>ENERGY MANAGEMENT—DEFENSE</td>
<td>70,000</td>
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<tr>
<td>SUPPLY CHAIN MANAGEMENT—DEFENSE</td>
<td>28,845</td>
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<tr>
<td>TOTAL WORKING CAPITAL FUND, DEFENSE-WIDE</td>
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<tr>
<td>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</td>
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</tr>
<tr>
<td>DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEF</td>
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<tr>
<td>OFFICE OF THE INSPECTOR GENERAL</td>
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<tr>
<td>OPERATION AND MAINTENANCE</td>
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<tr>
<td>TOTAL OFFICE OF THE INSPECTOR GENERAL</td>
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<td>24,692</td>
</tr>
<tr>
<td>DEFENSE HEALTH PROGRAM OPERATION &amp; MAINTENANCE</td>
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<tr>
<td>IN-HOUSE CARE</td>
<td>61,857</td>
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<tr>
<td>PRIVATE SECTOR CARE</td>
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<td>CONSOLIDATED HEALTH SUPPORT</td>
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<td>TOTAL DEFENSE HEALTH PROGRAM</td>
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<td>TOTAL OTHER AUTHORIZATIONS</td>
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### SEC. 4601. MILITARY CONSTRUCTION

#### (In Thousands of Dollars)

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<th>Project Title</th>
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<th>House Agreement</th>
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<td>Alabama Army</td>
<td>Fort Rucker Training Support Facility</td>
<td>$38,000</td>
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<tr>
<td>Arizona</td>
<td>Arizona Army</td>
<td>Davis-Monthan Air Force Base General Instruction Building</td>
<td>$22,000</td>
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</tr>
<tr>
<td>California</td>
<td>California Army</td>
<td>Fort Irwin Land Acquisition</td>
<td>$3,000</td>
<td>$3,000</td>
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<tr>
<td>Colorado</td>
<td>Colorado Army</td>
<td>Fort Carson General Instruction Building</td>
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<td>$22,000</td>
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<tr>
<td>Florida</td>
<td>Florida Army</td>
<td>Eglin Air Force Base Multi-purpose Range Complex</td>
<td>$18,000</td>
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<td>Georgia</td>
<td>Georgia Army</td>
<td>Fort Benning Air Traffic Control Tower</td>
<td>$0</td>
<td>$10,800</td>
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<tr>
<td>Hawaii</td>
<td>Hawaii Army</td>
<td>Fort Shafter Command and Control Facility</td>
<td>$30,000</td>
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<td>Indiana</td>
<td>Indiana Army</td>
<td>Crane Army Ammunition Plant Shipping and Receiving Building</td>
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<td>Korea</td>
<td>Korea Army</td>
<td>Kunsan Air Base Unmanned Aerial Vehicle Hangar</td>
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**Military Construction, Army Total**

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**Military Construction, Navy Total**

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### SEC. 4601. MILITARY CONSTRUCTION

#### (In Thousands of Dollars)

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#### Military Construction, Navy Total

1,616,665 1,674,985

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- **Alaska**
  - AP: Kirtland AFB
  - AP: Fort Hunter Liggett

- **California**
  - AP: Travis Air Force Base
  - AP: Sacramento

- **Colorado**
  - AP: Buckley Air Force Base

- **Florida**
  - AP: Eglin AFB
  - AP: Eglin AFB

- **Georgia**
  - AP: Eglin AFB

- **Hawaii**
  - AP: Fort Shafter

- **Maine**
  - AP: Kittery

- **Maryland**
  - AP: Fort Knox, Maryland

- **North Carolina**
  - AP: Marine Corps Air Station Cherry Point

- **Ohio**
  - AP: Hangar 2

- **Oregon**
  - AP: Oregon Army National Guard

- **Pennsylvania**
  - AP: Fort Indiantown Gap

- **Washington**
  - AP: Joint Base Lewis-McChord

- **Washington, DC**
  - AP: Washington Navy Yard

---

*Note: The table includes various projects and their associated costs for 2018, with some projects involving future agreements.*
<table>
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<th>Account</th>
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**Military Construction, Air Force Total** ................................................................. 1,738,796 1,610,774

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**Worldwide Unspecified**

**NATO**

**NATO Security Investment Program**

NATO Security Investment Program .............................. 154,000 177,932

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

MCP“ Greene

Enlisted Records Transformation Training ....................... 0 9,000

**Maine**

Army NG

Presque Isle

National Guard Readiness Center ............................. 17,500 17,500

**Maryland**

Sparrows

National Guard Readiness Center ............................. 19,000 19,000

**Mississippi**

Army NG

Aerona Hills

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### SEC. 4601. MILITARY CONSTRUCTION

#### (In Thousands of Dollars)

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### SEC. 4601. MILITARY CONSTRUCTION

#### (In Thousands of Dollars)

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</table>

**Family Housing Operation And Maintenance, Army Total**

- FH Ops Army
  - Worldwide Unspecified Locations
  - Services: 8,930
  - Utilities: 60,254

**Family Housing Construction, Navy And Marine Corps Total**

- FH Ops Navy
  - Unspecified Worldwide Locations
    - Furnishings: 83,682
  - Housing Privatization Support: 0 – 8,000

**Family Housing Operation And Maintenance, Navy And Marine Corps Total**

- FH Ops Navy
  - Unspecified Worldwide Locations
    - Planning & Design: 2,138
  - Construction Improvements: 36,251

**Family Housing Construction, Air Force Total**

- FH Ops AF
  - Unspecified Worldwide Locations
    - Furnishings: 29,424
  - Housing Privatization: 21,569

**Family Housing Operation And Maintenance, Air Force Total**

- FH Ops AF
  - Unspecified Worldwide Locations
    - Planning & Design: 61,921
  - Prior Year Savings: 0 – 8,000

- FH Ops DW
  - Furnishings: 407

---

*HR 2810 RH*
### Table: Military Construction

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**Family Housing Operation And Maintenance, Defense-Wide Total** .......................................................... 59,169 59,169

**DON Family Housing Improvement Fund Total** .......................................................... 2,726 2,726

**Unaccompanied Housing Improvement Fund Total** .......................................................... 623 623

**Base Realignment and Closure—Army Total** .......................................................... 58,000 58,000

**Base Realignment and Closure—Navy Total** .......................................................... 143,644 178,644

**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

#### (In Thousands of Dollars)

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TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS.

(REQUESTS, APPROPRIATIONS AND ESTIMATES FOR FY 2018)

SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS

<table>
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<tr>
<th>Program</th>
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<td>18–D–670, Exascale Class Computer Cooling Equipment, LNL</td>
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<td>18–D–620, Exascale Computing Facility Modernization Project</td>
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<td><strong>Program increase to address high-priority preventative maintenance through FFRMP</strong></td>
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<td><strong>Program decrease to address high-priority deferred maintenance through FFRMP</strong></td>
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<td>18–D–660, Fire Station, Y–12</td>
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SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

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<td>19–D–650 Tritium Production Capability, SNL</td>
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<td>17–D–640 Ultra Complex Enhancements Project, SNSS</td>
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<td>17–D–630 Expand Electrical Distribution System, LLNL</td>
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<td>16–D–515 Albuquerque complex project</td>
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<td>15–D–612 Emergency Operations Center, Y-12</td>
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<td>07–D–220 Radioactive liquid waste treatment facility upgrade project, LANL</td>
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<td>07–D–220–04 Transuranic liquid waste facility, LANL</td>
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<td>06–D–141 Uranium processing facility Y-12, Oak Ridge, TN</td>
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**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) | (33,000) |
| **Total, Defense nuclear security** | **653,977** | **686,977** |
| 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) | (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 | 32,925 |
| Acceleration of priority programs | (5,000) | (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) | (5,000) |
| **Total, Nonproliferation construction** | **279,000** | **294,000** |
| **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) | (5,000) |
| Legacy contractor pensions | 40,950 | 40,950 |
| Nuclear counterterrorism and incident response program | 277,360 | 277,360 |
| Recession 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 |

HR 2810 RH
Defense Environmental Cleanup

Federal Salaries And Expenses

Construction:

- 15–D–403 Outfall 200 Mercury Treatment facility ........................................... 17,100
- 17–D–401 On-site waste disposal facility ............................................................... 5,000

Total, Construction .............................................................................................. 144,700

Program direction ............................................................................................... 48,200

Total, Naval Reactors .......................................................................................... 1,479,751

Federal Salaries And Expenses

Program direction ............................................................................................... 418,595

Program decrease to support maximum of 1,690 employees .............................. [–11,000]

Total, Office Of The Administrator ..................................................................... 418,595

Defense Environmental Cleanup

Closure sites:  

- Closure sites administration ........................................................................... 4,889

Hanford site:

- River corridor and other cleanup operations ................................................... 58,692
- Acceleration of priority programs .................................................................... [35,000]
- Central plateau remediation ............................................................................. 637,879
- Acceleration of priority programs .................................................................... [9,000]
- Richland community and regulatory support ................................................... 5,121

Total, Construction .............................................................................................. 1,479,751

Idaho National Laboratory:

- SNF stabilization and disposition—2012 ......................................................... 19,975
- Radiactive liquid tank waste stabilization and disposition ........................... 111,352
- Soil and water remineralization—2035 ............................................................ 44,727
- Idaho community and regulatory support ..................................................... 4,071

Total, Idaho National Laboratory ........................................................................ 350,226

NNSA sites

- Lawrence Livermore National Laboratory ..................................................... 1,175
- Savannah River Site Research Unit .................................................................. 1,800
- Nevada ................................................................................................................. 60,136
- Sandia National Laboratories ........................................................................... 2,600
- Los Alamos National Laboratory ................................................................. 191,629

Total, NNSA sites and Nevada off-sites ............................................................... 257,340

Oak Ridge Reservation:

- OR Nuclear facility D & D ............................................................................
  - OR-0041—DO – Y-12 .................................................................................. 29,369
  - OR-0042—DO–BL ..................................................................................... 48,110

Construction:

- 17–D–403 On-site waste disposal facility ............................................................... 5,000
- 14–D–403 Outfall 200 Mercury Treatment facility .............................................. 17,100

Total, OR Nuclear facility D & D ........................................................................ 82,479

Office of River Protection:

- Waste treatment and immobilization plant

  Construction:

  - 01–D–416 A-D WTF Subprojects A-D .............................................................. 655,000
  - 01–D–416 E—Pretreatment Facility ................................................................. 35,000

Total, 01–D–416 Construction .............................................................................. 690,000

*HR 2810 RH
SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS
(In Thousands of Dollars)

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<td>Radioactive liquid tank waste stabilization and disposition</td>
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*HR 2810 RH*
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<td>Yucca mountain and interim storage</td>
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<td><strong>Total, Defense Nuclear Waste Disposal</strong></td>
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Amend the title so as to read: “A bill 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.”.
A BILL

H.R. 2810

115TH CONGRESS

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.

JULY 6, 2017

Reported with amendments, transmitted to the Committee of the Whole House on the State of the Union, and ordered to be printed.