

***In the House of Representatives, U. S.,***

*July 7, 2016.*

*Resolved*, That the bill from the Senate (S. 2943) entitled “An Act to authorize appropriations for fiscal year 2017 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.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE.***

2 *This Act may be cited as the “National Defense Au-*  
3 *thorization Act for Fiscal Year 2017”.*

4 ***SEC. 2. ORGANIZATION OF ACT INTO DIVISIONS; TABLE OF***  
5 ***CONTENTS.***

6 *(a) DIVISIONS.—This Act is organized into five divi-*  
7 *sions as follows:*

8 *(1) Division A—Department of Defense Author-*  
9 *izations.*

10 *(2) Division B—Military Construction Author-*  
11 *izations.*

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

1           (4) *Division D—Funding Tables.*

2           (5) *Division E—Military Justice.*

3           (b) *TABLE OF CONTENTS.—The table of contents for*

4 *this Act is as follows:*

*Sec. 1. Short title.*

*Sec. 2. Organization of Act into divisions; table of contents.*

*Sec. 3. Congressional defense committees.*

*DIVISION A—DEPARTMENT OF DEFENSE AUTHORIZATIONS*

*TITLE I—PROCUREMENT*

*Subtitle A—Authorization of Appropriations*

*Sec. 101. Authorization of appropriations.*

*Subtitle B—Army Programs*

*Sec. 111. Multiyear procurement authority for AH-64E Apache helicopters.*

*Sec. 112. Multiyear procurement authority for UH-60M and HH-60M Black Hawk helicopters.*

*Sec. 113. Assessment of certain capabilities of the Department of the Army.*

*Sec. 114. Funding for surface-to-air missile system.*

*Subtitle C—Navy Programs*

*Sec. 121. Procurement authority for aircraft carrier programs.*

*Sec. 122. Sense of Congress on aircraft carrier procurement schedules.*

*Sec. 123. Design and construction of LHA replacement ship designated LHA 8.*

*Sec. 124. Design and construction of replacement dock landing ship designated LX(R) or amphibious transport dock designated LPD-29.*

*Sec. 125. Ship to shore connector program.*

*Sec. 126. Limitation on availability of funds for Littoral Combat Ship or successor frigate.*

*Sec. 127. Report on P-8 Poseidon aircraft.*

*Subtitle D—Air Force Programs*

*Sec. 131. Elimination of annual report on aircraft inventory.*

*Sec. 132. Repeal of requirement to preserve certain retired C-5 aircraft.*

*Sec. 133. Repeal of requirement to preserve certain retired F-117 aircraft.*

*Sec. 134. Prohibition on availability of funds for retirement of A-10 aircraft.*

*Sec. 135. Prohibition on availability of funds for retirement of Joint Surveillance Target Attack Radar System aircraft.*

*Sec. 136. Report on cost of B-21 aircraft.*

*Sec. 137. Prohibition on availability of funds for retirement of U-2 aircraft.*

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

*Sec. 141. Termination of quarterly reporting on use of combat mission requirements funds.*

*Sec. 142. Fire suppressant and fuel containment standards for certain vehicles.*

- Sec. 143. Report on Department of Defense munitions strategy for the combatant commands.*
- Sec. 144. Comptroller General review of F-35 Lightning II aircraft sustainment support.*
- Sec. 145. Briefing on acquisition strategy for Ground Mobility Vehicle.*
- Sec. 146. Standardization of 5.56mm rifle ammunition.*

**TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

*Subtitle A—Authorization of Appropriations*

- Sec. 201. Authorization of appropriations.*

*Subtitle B—Program Requirements, Restrictions, and Limitations*

- Sec. 211. Laboratory quality enhancement program.*
- Sec. 212. Mechanisms to provide funds for defense laboratories for research and development of technologies for military missions.*
- Sec. 213. Notification requirement for certain rapid prototyping, experimentation, and demonstration activities.*
- Sec. 214. Improved biosafety for handling of select agents and toxins.*
- Sec. 215. Modernization of security clearance information technology architecture.*
- Sec. 216. Prohibition on availability of funds for countering weapons of mass destruction system Constellation.*
- Sec. 217. Limitation on availability of funds for Defense Innovation Unit Experimental.*
- Sec. 218. Limitation on availability of funds for Tactical Combat Training System Increment II.*
- Sec. 219. Restructuring of the distributed common ground system of the Army.*
- Sec. 220. Designation of Department of Defense senior official with principal responsibility for directed energy weapons.*

*Subtitle C—Reports and Other Matters*

- Sec. 231. Strategy for assured access to trusted microelectronics.*
- Sec. 232. Pilot program on evaluation of commercial information technology.*
- Sec. 233. Pilot program for the enhancement of the laboratories and test and evaluation centers of the Department of Defense.*
- Sec. 234. Pilot program on modernization of electromagnetic spectrum warfare systems and electronic warfare systems.*
- Sec. 235. Independent review of F/A-18 physiological episodes and corrective actions.*
- Sec. 236. Study on helicopter crash prevention and mitigation technology.*
- Sec. 237. Report on electronic warfare capabilities.*

**TITLE III—OPERATION AND MAINTENANCE**

*Subtitle A—Authorization of Appropriations*

- Sec. 301. Authorization of appropriations.*
- Sec. 302. Increase in funding for civil military programs.*

*Subtitle B—Energy and Environment*

- Sec. 311. Rule of construction regarding alternative fuel procurement requirement.*
- Sec. 312. Production and use of natural gas at Fort Knox.*
- Sec. 313. Alternative technologies for munitions disposal.*

*Sec. 314. Sense of Congress.*

*Sec. 315. Prohibition on carrying out certain authorities relating to climate change.*

*Subtitle C—Logistics and Sustainment*

*Sec. 321. Pilot program for inclusion of certain industrial plants in the Armament Retooling and Manufacturing Support Initiative.*

*Sec. 322. Private sector port loading assessment.*

*Sec. 323. Limitation on availability of funds for Defense Contract Management Agency.*

*Subtitle D—Reports*

*Sec. 331. Modification of annual Department of Defense energy management reports.*

*Sec. 332. Report on equipment purchased from foreign entities and authority to adjust Army arsenal labor rates.*

*Sec. 333. Report on average travel costs of members of the reserve components.*

*Subtitle E—Other Matters*

*Sec. 341. Explosive Ordnance Disposal Corps.*

*Sec. 342. Explosive ordnance disposal program.*

*Sec. 343. Expansion of definition of structures interfering with air commerce and national defense.*

*Sec. 344. Development of personal protective equipment for female Marines and soldiers.*

*Sec. 345. Study on space-available travel system of the Department of Defense.*

*Sec. 346. Supply of specialty motors from certain manufacturers.*

*Sec. 347. Limitation on use of certain funds until establishment and implementation of required process by which members of the Armed Forces may carry appropriate firearms on military installations.*

*Sec. 348. Motor carrier safety performance and safety technology.*

*Sec. 349. Briefing on well-drilling capabilities of active duty and reserve components.*

*Sec. 350. Access to wireless high-speed Internet and network connections for certain members of the Armed Forces deployed overseas.*

*Sec. 351. System for communicating availability of surplus ammunition.*

*Sec. 352. Increase in funding for National Guard counter-drug programs.*

*TITLE IV—MILITARY PERSONNEL AUTHORIZATIONS*

*Subtitle A—Active Forces*

*Sec. 401. End strengths for active forces.*

*Sec. 402. Revisions in permanent active duty end strength minimum levels.*

*Subtitle B—Reserve Forces*

*Sec. 411. End strengths for Selected Reserve.*

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

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

*Sec. 414. Fiscal year 2017 limitation on number of non-dual status technicians.*

*Sec. 415. Maximum number of reserve personnel authorized to be on active duty for operational support.*

*Sec. 416. Sense of Congress on full-time support for the Army National Guard.*

*Subtitle C—Authorization of Appropriations**Sec. 421. Military personnel.**TITLE V—MILITARY PERSONNEL POLICY**Subtitle A—Officer Personnel Policy**Sec. 501. Number of Marine Corps general officers.**Sec. 502. Equal consideration of officers for early retirement or discharge.**Sec. 503. Modification of authority to drop from rolls a commissioned officer.**Subtitle B—Reserve Component Management**Sec. 511. Extension of removal of restrictions on the transfer of officers between the active and inactive National Guard.**Sec. 512. Extension of temporary authority to use Air Force reserve component personnel to provide training and instruction regarding pilot training.**Sec. 513. Limitations on ordering Selected Reserve to active duty for preplanned missions in support of the combatant commands.**Sec. 514. Exemption of military technicians (dual status) from civilian employee furloughs.**Sec. 515. Electronic tracking of operational active-duty service performed by members of the Ready Reserve of the Armed Forces.**Subtitle C—General Service Authorities**Sec. 521. Technical correction to annual authorization for personnel strengths.**Sec. 522. Entitlement to leave for adoption of child by dual military couples.**Sec. 523. Revision of deployability rating system and planning reform.**Sec. 524. Expansion of authority to execute certain military instruments.**Sec. 525. Technical correction to voluntary separation pay and benefits.**Sec. 526. Annual notice to members of the Armed Forces regarding child custody protections guaranteed by the Servicemembers Civil Relief Act.**Sec. 527. Pilot program on consolidated Army recruiting.**Sec. 528. Report on purpose and utility of registration system under Military Selective Service Act.**Sec. 529. Parental leave for members of the Armed Forces.**Subtitle D—Military Justice, Including Sexual Assault and Domestic Violence Prevention and Response**Sec. 541. Expedited reporting of child abuse and neglect to State Child Protective Services.**Sec. 542. Extension of the requirement for annual report regarding sexual assaults and coordination with release of family advocacy report.**Sec. 543. Requirement for annual family advocacy program report regarding child abuse and domestic violence.**Sec. 544. Improved Department of Defense prevention of and response to hazing in the Armed Forces.**Sec. 545. Burdens of proof applicable to investigations and reviews related to protected communications of members of the Armed Forces and prohibited retaliatory actions.**Sec. 546. Improved investigation of allegations of professional retaliation.**Sec. 547. Career military justice litigation track for judge advocates.*

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

- Sec. 561. Revision to quality assurance of certification programs and standards.*
- Sec. 562. Establishment of ROTC cyber institutes at senior military colleges.*
- Sec. 563. Military-to-mariner transition.*
- Sec. 564. Employment authority for civilian faculty at certain military department schools.*
- Sec. 565. Revision of name on military service record to reflect change in name of a member of the Army, Navy, Air Force, or Marine Corps, after separation from the Armed Forces.*
- Sec. 566. Direct employment pilot program for members of the National Guard and Reserve.*
- Sec. 567. Prohibition on establishment, maintenance, or support of Senior Reserve Officers' Training Corps units at educational institutions that display Confederate battle flag.*
- Sec. 568. Report on composition of service academies.*
- Sec. 569. Inclusion of alcohol, prescription drug, opioid, and other substance abuse counseling as part of required preseparation counseling.*
- Sec. 569A. Inclusion of information in Transition Assistance Program.*
- Sec. 569B. Report and guidance regarding Job Training, Employment Skills Training, Apprenticeships, and Internships and SkillBridge initiatives for members of the Armed Forces who are being separated.*
- Sec. 569C. Congressional notification in advance of appointments to service academies.*

*Subtitle F—Defense Dependents' Education and Military Family Readiness Matters*

- Sec. 571. Continuation of authority to assist local educational agencies that benefit dependents of members of the Armed Forces and Department of Defense civilian employees.*
- Sec. 572. Support for programs providing camp experience for children of military families.*
- Sec. 573. Impact Aid.*
- Sec. 574. Elimination of two-year eligibility limitation for noncompetitive appointment of spouses of members of the Armed Forces.*

*Subtitle G—Decorations and Awards*

- Sec. 581. Review regarding award of Medal of Honor to certain Asian American and Native American Pacific Islander war veterans.*
- Sec. 582. Authorization for award of medals for acts of valor.*
- Sec. 583. Authorization for award of the Medal of Honor to Gary M. Rose for acts of valor during the Vietnam War.*
- Sec. 584. Authorization for award of the Medal of Honor to Charles S. Kettles for acts of valor during the Vietnam War.*
- Sec. 585. Authorization for award of Distinguished-Service Cross to First Lieutenant Melvin M. Spruiell for acts of valor during World War II.*

*Subtitle H—Miscellaneous Reports and Other Matters*

- Sec. 591. Burial of cremated remains in Arlington National Cemetery of certain persons whose service is deemed to be active service.*

- Sec. 592. Representation from members of the Armed Forces on boards, councils, and committees making recommendations relating to military personnel issues.*
- Sec. 593. Body mass index test.*
- Sec. 594. Preseparation counseling regarding options for donating brain tissue at time of death for research.*
- Sec. 595. Recognition of the expanded service opportunities available to female members of the Armed Forces and the long service of women in the Armed Forces.*
- Sec. 596. Sense of Congress regarding plight of male victims of military sexual trauma.*
- Sec. 597. 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.*
- Sec. 598. Protection of Second Amendment Rights of Military Families.*
- Sec. 599. Pilot program on advanced technology for alcohol abuse prevention.*
- Sec. 599A. Report on availability of college credit for skills acquired during military service.*
- Sec. 599B. Atomic veterans service medal.*
- Sec. 599C. Report on extending protections for student loans for active duty borrowers.*
- Sec. 599D. Exclusion of certain reimbursements of medical expenses and other payments from determination of annual income with respect to pensions for veterans and surviving spouses and children of veterans.*
- Sec. 599E. Sense of Congress on desirability of service-wide adoption of Gold Star Installation Access Card.*
- Sec. 599F. Servicemembers' Group Life Insurance.*
- Sec. 599G. Extension of suicide prevention and resilience program.*

## TITLE VI—COMPENSATION AND OTHER PERSONNEL BENEFITS

### Subtitle A—Pay and Allowances

- Sec. 601. Annual adjustment of monthly basic pay.*
- Sec. 602. Extension of authority to provide temporary increase in rates of basic allowance for housing under certain circumstances.*
- Sec. 603. Prohibition on per diem allowance reductions based on the duration of temporary duty assignment or civilian travel .*

### Subtitle B—Bonuses and Special and Incentive Pays

- Sec. 611. One-year extension of certain bonus and special pay authorities for reserve forces.*
- Sec. 612. One-year extension of certain bonus and special pay authorities for health care professionals.*
- Sec. 613. One-year extension of special pay and bonus authorities for nuclear officers.*
- Sec. 614. One-year extension of authorities relating to title 37 consolidated special pay, incentive pay, and bonus authorities.*
- Sec. 615. One-year extension of authorities relating to payment of other title 37 bonuses and special pays.*
- Sec. 616. Increase in maximum amount of aviation special pays for flying duty.*
- Sec. 617. Conforming amendment to consolidation of special pay, incentive pay, and bonus authorities.*

*Sec. 618. Technical and clerical amendments relating to 2008 consolidation of certain special pay authorities.*

*Sec. 619. Combat-related special compensation coordinating amendment.*

*Subtitle C—Disability, Retired Pay, and Survivor Benefits*

*Sec. 621. Separation determinations for members participating in Thrift Savings Plan.*

*Sec. 622. Continuation pay for full Thrift Savings Plan members who have completed 8 to 12 years of service.*

*Sec. 623. Special survivor indemnity allowance.*

*Sec. 624. Equal benefits under Survivor Benefit Plan for survivors of reserve component members who die in the line of duty during inactive-duty training.*

*Sec. 625. Use of member's current pay grade and years of service, rather than final retirement pay grade and years of service, in a division of property involving disposable retired pay.*

*Subtitle D—Commissary and Nonappropriated Fund Instrumentality Benefits and Operations*

*Sec. 631. Protection and enhancement of access to and savings at commissaries and exchanges.*

*Sec. 632. Acceptance of Military Star Card at commissaries.*

*Subtitle E—Travel and Transportation Allowances and Other Matters*

*Sec. 641. Maximum reimbursement amount for travel expenses of members of the Reserves attending inactive duty training outside of normal commuting distances.*

*Sec. 642. Statute of limitations on Department of Defense recovery of amounts owed to the United States by members of the uniformed services, including retired and former members.*

**TITLE VII—HEALTH CARE PROVISIONS**

*Subtitle A—Reform of TRICARE and Military Health System*

*Sec. 701. TRICARE Preferred and other TRICARE reform.*

*Sec. 702. Reform of administration of the Defense Health Agency and military medical treatment facilities.*

*Sec. 703. Military medical treatment facilities.*

*Sec. 704. Access to urgent care under TRICARE program.*

*Sec. 705. Access to primary care clinics at military medical treatment facilities.*

*Sec. 706. Incentives for value-based health under TRICARE program.*

*Sec. 707. Improvements to military-civilian partnerships to increase access to health care and readiness.*

*Sec. 708. Joint Trauma System.*

*Sec. 709. Joint Trauma Education and Training Directorate.*

*Sec. 710. Improvements to access to health care in military medical treatment facilities.*

*Sec. 711. Adoption of core quality performance metrics.*

*Sec. 712. Study on improving continuity of health care coverage for Reserve Components.*

*Subtitle B—Other Health Care Benefits*

*Sec. 721. Provision of hearing aids to dependents of retired members.*



*Sec. 722. Extended TRICARE program coverage for certain members of the National Guard and dependents during certain disaster response duty.*

*Subtitle C—Health Care Administration*

*Sec. 731. Prospective payment of funds necessary to provide medical care for the Coast Guard.*

*Sec. 732. Requirement to review and monitor prescribing practices at military treatment facilities of pharmaceutical agents for treatment of post-traumatic stress.*

*Sec. 733. Use of mefloquine for malaria.*

*Sec. 734. Applied behavior analysis.*

*Subtitle D—Reports and Other Matters*

*Sec. 741. Mental health resources for members of the military services at high risk of suicide.*

*Sec. 742. Research of chronic traumatic encephalopathy.*

*Sec. 743. Active oscillating negative pressure treatment.*

*Sec. 744. Long-term study on health of helicopter and tiltrotor pilots.*

*Sec. 745. Pilot program for prescription drug acquisition cost parity in the TRICARE pharmacy benefits program.*

*Sec. 746. Study on display of wait times at urgent care clinics, pharmacies, and emergency rooms of military medical treatment facilities.*

*Sec. 747. Report on feasibility of including acupuncture and chiropractic services for retirees under TRICARE program.*

*Sec. 748. Clarification of submission of reports on longitudinal study on traumatic brain injury.*

*Sec. 749. Increased collaboration with NIH to combat triple negative breast cancer.*

*Sec. 750. Department of Defense studies on preventing the diversion of opioid medications.*

**TITLE VIII—ACQUISITION POLICY, ACQUISITION MANAGEMENT, AND RELATED MATTERS**

*Subtitle A—Amendments to General Contracting Authorities, Procedures, and Limitations*

*Sec. 801. Revision to authorities relating to Department of Defense Test Resource Management Center.*

*Sec. 802. Amendments to restrictions on undefinitized contractual actions.*

*Sec. 803. Revision to requirements relating to inventory method for Department of Defense contracts for services.*

*Sec. 804. Procurement of personal protective equipment.*

*Sec. 805. Revision to effective date of senior executive benchmark compensation for allowable cost limitations.*

*Sec. 806. Amendments related to detection and avoidance of counterfeit electronic parts.*

*Sec. 807. Amendments to special emergency procurement authority.*

*Sec. 808. Compliance with domestic source requirements for footwear furnished to enlisted members of the Armed Forces upon their initial entry into the Armed Forces.*

*Sec. 809. Requirement for policies and standard checklist in procurement of services.*

*Sec. 809A. Extension of limitation on aggregate annual amount available for contract services.*

*Sec. 809B. Extension of authority for enhanced transfer of technology developed at department of defense laboratories.*

*Subtitle B—Provisions Relating to Major Defense Acquisition Programs*

*Sec. 811. Change in date of submission to Congress of Selected Acquisition Reports.*

*Sec. 812. Amendments relating to independent cost estimation and cost analysis.*

*Sec. 813. Revisions to Milestone B determinations.*

*Sec. 814. Review and report on sustainment planning in the acquisition process.*

*Sec. 815. Revision to distribution of annual report on operational test and evaluation.*

*Subtitle C—Provisions Relating to Commercial Items*

*Sec. 821. Revision to definition of commercial item.*

*Sec. 822. Market research for determination of price reasonableness in acquisition of commercial items.*

*Sec. 823. Value analysis for the determination of price reasonableness.*

*Sec. 824. Clarification of requirements relating to commercial item determinations.*

*Sec. 825. Pilot program for authority to acquire innovative commercial items using general solicitation competitive procedures.*

*Subtitle D—Other Matters*

*Sec. 831. Review and report on the bid protest process.*

*Sec. 832. Review and report on indefinite delivery contracts.*

*Sec. 833. Review and report on contractual flow-down provisions.*

*Sec. 834. Review of anti-competitive specifications in information technology acquisitions.*

*Sec. 835. Coast Guard major acquisition programs.*

*Sec. 836. Waiver of congressional notification for acquisition of tactical missiles and munitions greater than quantity specified in law.*

*Sec. 837. Closeout of old Department of the Navy contracts.*

*Sec. 838. Requirement that certain ship components be manufactured in the national technology and industrial base.*

*Sec. 839. Department of Defense Acquisition Workforce Development Fund determination adjustment.*

*Sec. 840. Amendment to prohibition on performance of non-defense audits by Defense Contract Audit Agency to exempt audits for National Nuclear Security Administration.*

*Sec. 841. Selection of service providers for auditing services and audit readiness services.*

*Sec. 842. Modifications to the justification and approval process for certain sole-source contracts for small business concerns.*

*Sec. 843. Briefing on design-build construction process for defense contracts.*

*Sec. 844. Assessment of outreach for small business concerns owned and controlled by women and minorities required before conversion of certain functions to contractor performance.*

*Sec. 845. Inclusion of information on common grounds for sustaining bid protests in annual Government Accountability Office reports to Congress.*

*Sec. 846. Revision of effective date for amendments relating to Under Secretary of Defense for Business Management and Information.*

- Sec. 847. Promotion of value-based defense procurement.*  
*Sec. 848. Study and report on contracts awarded to minority-owned and women-owned businesses.*

**TITLE IX—DEPARTMENT OF DEFENSE ORGANIZATION AND  
MANAGEMENT**

*Subtitle A—Goldwater-Nichols Reform*

- Sec. 901. Sense of Congress on Goldwater-Nichols Reform.*  
*Sec. 902. Repeal of Defense Strategy Review.*  
*Sec. 903. Commission on the National Defense Strategy for the United States.*  
*Sec. 904. Reform of defense strategic and policy guidance.*  
*Sec. 905. Reform of the national military strategy.*  
*Sec. 906. Modification to independent study of national security strategy formulation process.*  
*Sec. 907. Term of office for the Chairman of the Joint Chiefs of Staff.*  
*Sec. 908. Responsibilities of the Chairman of the Joint Chiefs of Staff relating to operations.*  
*Sec. 909. Assigned forces within the continental United States.*  
*Sec. 910. Reduction in general officer and flag officer grades and positions.*  
*Sec. 911. Establishment of unified combatant command for cyber operations.*  
*Sec. 912. Revision of requirements relating to length of joint duty assignments.*  
*Sec. 913. Revision of definitions used for joint officer management.*  
*Sec. 914. Independent assessment of combatant command structure.*

*Subtitle B—Other Matters*

- Sec. 921. Modifications to corrosion report.*  
*Sec. 922. Authority to employ civilian faculty members at Joint Special Operations University.*  
*Sec. 923. Guidelines for conversion of functions performed by civilian or contractor personnel to performance by military personnel.*  
*Sec. 924. Public release by Inspectors General of reports of misconduct.*  
*Sec. 925. Modifications to requirements for accounting for members of the Armed Forces and Department of Defense civilian employees listed as missing.*  
*Sec. 926. Reform of National Security Council.*

*Subtitle C—Department of the Navy and Marine Corps*

- Sec. 931. Redesignation of the Department of the Navy as the Department of the Navy and Marine Corps.*  
*Sec. 932. Conforming amendments to title 10, United States Code.*  
*Sec. 933. Other provisions of law and other references.*  
*Sec. 934. Effective date.*

**TITLE X—GENERAL PROVISIONS**

*Subtitle A—Financial Matters*

- Sec. 1001. General transfer authority.*  
*Sec. 1002. Requirement to transfer funds from Department of Defense Acquisition Workforce Development Fund to the Treasury.*  
*Sec. 1003. Report on auditable financial statements.*

*Subtitle B—Counter-Drug Activities*

- Sec. 1011. Extension of authority to provide additional support for counter-drug activities of foreign governments.*
- Sec. 1012. Secretary of Defense review of curricula and program structures of National Guard counterdrug schools.*
- Sec. 1013. Extension of authority to support unified counterdrug and counterterrorism campaign in Colombia.*
- Sec. 1014. Unmanned aerial systems training missions.*
- Sec. 1015. Funding for counter narcotics operations.*
- Sec. 1016. Report on efforts of United States Southern Command Operation to detect and monitor drug trafficking.*

*Subtitle C—Naval Vessels and Shipyards*

- Sec. 1021. Definition of short-term work with respect to overhaul, repair, or maintenance of naval vessels.*
- Sec. 1022. Warranty requirements for shipbuilding contracts.*
- Sec. 1023. National Sea-Based Deterrence Fund.*
- Sec. 1024. Availability of funds for retirement or inactivation of Ticonderoga-class cruisers or dock landing ships.*
- Sec. 1025. Restrictions on the overhaul and repair of vessels in foreign shipyards.*

*Subtitle D—Counterterrorism*

- Sec. 1031. Frequency of counterterrorism operations briefings.*
- Sec. 1032. Prohibition on use of funds for transfer or release of individuals detained at United States Naval Station, Guantanamo Bay, Cuba to the United States.*
- Sec. 1033. Prohibition on use of funds to construct or modify facilities in the United States to house detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1034. Prohibition on use of funds for transfer or release to certain countries of individuals detained at United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1035. Prohibition on use of funds for realignment of forces at or closure of United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1036. Modification of congressional notification of sensitive military operations.*
- Sec. 1037. Comprehensive strategy for detention of certain individuals.*
- Sec. 1038. Declassification of information on past terrorist activities of detainees transferred from United States Naval Station, Guantanamo Bay, Cuba.*
- Sec. 1039. Prohibition on enforcement of military commission rulings preventing members of the Armed Forces from carrying out otherwise lawful duties based on member gender.*

*Subtitle E—Miscellaneous Authorities and Limitations*

- Sec. 1041. Expanded authority for transportation by the Department of Defense of non-Department of Defense personnel and cargo.*
- Sec. 1042. Limitation on retirement, deactivation, or decommissioning of mine countermeasures ships.*
- Sec. 1043. Extension of authority of Secretary of Transportation to issue non-premium aviation insurance.*
- Sec. 1044. Evaluation of Navy alternate combination cover and unisex combination cover.*

- Sec. 1045. Protection of certain Federal spectrum operations.*
- Sec. 1046. Transportation on military aircraft on a space-available basis for members and former members of the Armed Forces with disabilities rated as total.*
- Sec. 1047. National Guard flyovers of public events.*
- Sec. 1048. Application of the Freedom of Information Act to the National Security Council.*
- Sec. 1049. Requirement relating to transfer of excess Department of Defense equipment to Federal and State agencies.*

*Subtitle F—Studies and Reports*

- Sec. 1061. Temporary continuation of certain Department of Defense reporting requirements.*
- Sec. 1062. Matters for inclusion in report on designation of countries for which rewards may be paid under Department of Defense rewards program.*
- Sec. 1063. Congressional notification of biological select agent and toxin theft, loss, or release involving the Department of Defense.*
- Sec. 1064. Report on service-provided support to United States special operations forces.*
- Sec. 1065. Report on citizen security responsibilities in the Northern Triangle of Central America.*
- Sec. 1066. Report on counterproliferation activities and programs.*
- Sec. 1067. Inclusion of ballistic missile defense information in annual report on requirements of combatant commands.*
- Sec. 1068. Reviews by Department of Defense concerning national security use of spectrum.*
- Sec. 1069. Annual report on personnel, training, and equipment requirements for the non-Federalized National Guard to support civilian authorities in prevention and response to domestic disasters.*
- Sec. 1070. Briefing on criteria for determining locations of Air Force Installation and Mission Support Center headquarters.*
- Sec. 1071. Report on testing and integration of minehunting sonar systems to improve Littoral Combat Ship minehunting capabilities.*
- Sec. 1072. Report on carrier air wing force structure.*
- Sec. 1073. Quarterly reports on parachute jumps conducted at Fort Bragg and Pope Army Airfield and Air Force support for such jumps.*
- Sec. 1074. Briefing on real property inventory.*
- Sec. 1075. Report on adjustment and diversification assistance.*
- Sec. 1076. Briefing on the protection of personally identifying information of members of the Armed Forces.*

*Subtitle G—Other Matters*

- Sec. 1081. Technical and clerical amendments.*
- Sec. 1082. Modification to support for non-Federal development and testing of material for chemical agent defense.*
- Sec. 1083. Increase in maximum amount available for equipment, services, and supplies provided for humanitarian demining assistance.*
- Sec. 1084. Liquidation of unpaid credits accrued as a result of transactions under a cross-servicing agreement.*
- Sec. 1085. Clarification of contracts covered by airlift service provision.*
- Sec. 1086. National biodefense strategy.*
- Sec. 1087. Global Cultural Knowledge Network.*

- Sec. 1088. Modification of requirements relating to management of military technicians.*
- Sec. 1089. Sense of Congress regarding Connecticut's Submarine Century.*
- Sec. 1090. LNG permitting certainty and transparency.*
- Sec. 1091. Sense of Congress regarding the reporting of the MV-22 mishap in Marana, Arizona, on April 8, 2000.*
- Sec. 1092. Transfer of surplus firearms to corporation for the promotion of rifle practice and firearms safety.*
- Sec. 1093. Sense of Congress regarding the importance of Panama City, Florida, to the history and future of the armed forces.*
- Sec. 1094. Protections relating to civil rights and disabilities.*
- Sec. 1095. Nonapplicability of certain executive order to Department of Defense and National Nuclear Security Administration.*
- Sec. 1096. Determination and disclosure of transportation costs incurred by Secretary of Defense for congressional trips outside the United States.*
- Sec. 1097. Waiver of certain polygraph examination requirements.*
- Sec. 1098. Use of Transportation Worker Identification Credential to gain access at Department of Defense installations.*
- Sec. 1098A. Limitation on availability of funds for destruction of certain landmines and report on development of replacement anti-personnel landmine munitions.*
- Sec. 1098B. Requirement for memorandum of understanding regarding transfer of detainees.*
- Sec. 1098C. Sense of congress regarding american veterans disabled for life.*
- Sec. 1098D. Study on military helicopter noise.*
- Sec. 1098E. Maritime Occupational Safety and Health Advisory Committee.*
- Sec. 1098F. Sense of Congress regarding United States Northern Command preparedness.*
- Sec. 1098G. Cost of Wars.*
- Sec. 1098H. Workforce issues for relocation of marines to Guam.*
- Sec. 1098I. Review of Department of Defense debt collection regulations.*
- Sec. 1098J. Importance of role played by women in World War II.*
- Sec. 1098K. Recovery of excess rifles, ammunition, and parts granted to foreign countries and transfer to certain persons.*
- Sec. 1098L. Project management.*

*Subtitle H—United States Naval Station Guantanamo Bay Preservation Act*

- Sec. 1099. Short title.*
- Sec. 1099A. Findings.*
- Sec. 1099B. Prohibition on modification, abrogation, or other related actions with respect to United States jurisdiction and control over United States Naval Station, Guantanamo Bay, Cuba, without congressional action.*
- Sec. 1099C. Guantanamo lease agreements defined.*

**TITLE XI—CIVILIAN PERSONNEL MATTERS**

- Sec. 1101. Temporary direct hire authority for domestic defense industrial base facilities and the Major Range and Test Facilities Base.*
- Sec. 1102. Temporary personnel flexibilities for domestic defense industrial base facilities and Major Range and Test Facilities Base civilian personnel.*

- Sec. 1103. One-year extension of temporary authority to grant allowances, benefits, and gratuities to civilian personnel on official duty in a combat zone.*
- Sec. 1104. Advance payments for employees relocating within the United States and its territories.*
- Sec. 1105. Permanent authority for alternative personnel program for scientific and technical personnel.*
- Sec. 1106. Modification to information technology personnel exchange program.*
- Sec. 1107. Treatment of certain localities for calculation of per diem allowances.*
- Sec. 1108. Eligibility of employees in a time-limited appointment to compete for a permanent appointment at any Federal agency.*
- Sec. 1109. Limitation on administrative leave.*
- Sec. 1110. Record of investigation of personnel action in separated employee's official personnel file.*
- Sec. 1111. Review of official personnel file of former Federal employees before re-hiring.*
- Sec. 1112. Report on Department of Defense civilian workforce personnel and contractors.*
- Sec. 1113. Public-private talent exchange.*

## TITLE XII—MATTERS RELATING TO FOREIGN NATIONS

### Subtitle A—Assistance and Training

- Sec. 1201. One-year extension of logistical support for coalition forces supporting certain United States military operations.*
- Sec. 1202. Extension of authority for training of general purpose forces of the United States Armed Forces with military and other security forces of friendly foreign countries.*
- Sec. 1203. Modification and extension of authority to conduct activities to enhance the capability of foreign countries to respond to incidents involving weapons of mass destruction.*
- Sec. 1204. Extension of authority for support of special operations to combat terrorism.*
- Sec. 1205. Modification and codification of reporting requirements relating to security cooperation authorities.*
- Sec. 1206. Independent assessment of Department of Defense security cooperation programs.*
- Sec. 1207. Sense of Congress regarding an assessment, monitoring, and evaluation framework for security cooperation.*
- Sec. 1208. Report on the prohibition on use of funds for assistance to units of foreign security forces that have committed a gross violation of human rights.*

### Subtitle B—Matters Relating to Afghanistan and Pakistan

- Sec. 1211. Extension and modification of Commanders' Emergency Response Program.*
- Sec. 1212. Extension and modification of authority for reimbursement of certain coalition nations for support provided to United States military operations.*
- Sec. 1213. Extension of authority to acquire products and services produced in countries along a major route of supply to Afghanistan.*
- Sec. 1214. Extension of authority to transfer defense articles and provide defense services to the military and security forces of Afghanistan.*

- Sec. 1215. Sense of Congress on United States policy and strategy in Afghanistan.*
- Sec. 1216. Special immigrant status for certain Afghans.*
- Sec. 1217. Modification to semiannual report on enhancing security and stability in Afghanistan.*
- Sec. 1218. Sense of Congress relating to Dr. Shakil Afridi.*
- Sec. 1219. Report on access to financial records of the Government of Afghanistan to audit the use of funds for assistance for Afghanistan.*

*Subtitle C—Matters Relating to Syria and Iraq*

- Sec. 1221. Modification and extension of authority to provide assistance to the vetted Syrian opposition.*
- Sec. 1222. Modification and extension of authority to provide assistance to counter the Islamic State of Iraq and the Levant.*
- Sec. 1223. Extension and modification of authority to support operations and activities of the Office of Security Cooperation in Iraq.*
- Sec. 1224. Report on prevention of future terrorist organizations in Iraq and Syria.*
- Sec. 1225. Semiannual report on integration of political and military strategies against ISIL.*
- Sec. 1226. Sense of Congress condemning continuing attacks on medical facilities in Syria.*
- Sec. 1227. United Nations processing center in Erbil, Iraqi Kurdistan, to assist internationally-displaced communities.*
- Sec. 1228. Sense of Congress on business practices of the Islamic State of Iraq and Syria (ISIS).*
- Sec. 1229. Prohibition on transfer of man-portable air defense systems to any entity in Syria.*

*Subtitle D—Matters Relating to the Russian Federation*

- Sec. 1231. Limitation on use of funds to approve or otherwise permit approval of certain requests by Russian Federation under Open Skies Treaty.*
- Sec. 1232. Military response options to Russian Federation violation of INF Treaty.*
- Sec. 1233. Limitation on military cooperation between the United States and the Russian Federation.*
- Sec. 1234. Statement of policy on United States efforts in Europe to reassure United States partners and allies and deter aggression by the Government of the Russian Federation.*
- Sec. 1235. Modification of Ukraine security assistance initiative.*
- Sec. 1236. Prohibition on availability of funds relating to sovereignty of the Russian Federation over Crimea.*
- Sec. 1237. Modification and extension of report on military assistance to Ukraine.*
- Sec. 1238. Additional matters in annual report on military and security developments involving the Russian Federation.*

*Subtitle E—Other Matters*

- Sec. 1241. Sense of Congress on malign activities of the Government of Iran.*
- Sec. 1242. Modification of annual report on military and security developments involving the People's Republic of China.*



- Sec. 1243. Sense of Congress on trilateral cooperation between Japan, South Korea, and the United States.*
- Sec. 1244. Sense of Congress on cooperation between Singapore and the United States.*
- Sec. 1245. Monitoring and evaluation of overseas humanitarian, disaster, and civic aid programs of the Department of Defense.*
- Sec. 1246. Enhancement of interagency support during contingency operations and transition periods.*
- Sec. 1247. Two-year extension and modification of authorization of non-conventional assisted recovery capabilities.*
- Sec. 1248. Authority to destroy certain specified World War II-era United States-origin chemical munitions located on San Jose Island, Republic of Panama.*
- Sec. 1249. Strategy for United States defense interests in Africa.*
- Sec. 1250. United States-Israel directed energy cooperation.*
- Sec. 1251. Sense of Congress on support for Estonia, Latvia, and Lithuania.*
- Sec. 1252. Sense of Congress on support for Georgia.*
- Sec. 1253. Modification of annual report on military power of Iran.*
- Sec. 1254. Sense of Congress on senior military exchanges between the United States and Taiwan.*
- Sec. 1255. Quarterly report on freedom of navigation operations.*
- Sec. 1256. Annual report on foreign military sales to Taiwan.*
- Sec. 1257. Sense of Congress on July 2016 NATO Summit in Warsaw, Poland.*
- Sec. 1258. Report on violence and cartel activity in Mexico.*
- Sec. 1259. United States policy on Taiwan.*
- Sec. 1259A. Limitation on availability of funds to implement the Arms Trade Treaty.*
- Sec. 1259B. Limitation on military contact and cooperation between the United States and Cuba.*
- Sec. 1259C. Global Engagement Center.*
- Sec. 1259D. Establishment of the Broadcasting Board of Governors Chief Executive Officer Position.*
- Sec. 1259E. United States International Broadcasting Act of 1994.*
- Sec. 1259F. Redesignation and enhancement of South China Sea Initiative.*
- Sec. 1259G. Opportunities to equip certain foreign military entities.*
- Sec. 1259H. Reports on INF Treaty and Open Skies Treaty.*
- Sec. 1259I. Sense of Congress regarding the role of the United States in the North Atlantic Treaty Organization.*
- Sec. 1259J. Authorization of United States assistance to Israel.*
- Sec. 1259K. Sense of Congress in support of a denuclearized Korean peninsula.*
- Sec. 1259L. Measures against persons involved in activities that violate arms control treaties or agreements with the United States.*
- Sec. 1259M. Department of Defense report on cooperation between Iran and the Russian Federation.*
- Sec. 1259N. Report on maintenance by Israel of a robust independent capability to remove existential security threats.*
- Sec. 1259O. Report on use by the Government of Iran of commercial aircraft and related services for illicit military or other activities.*
- Sec. 1259P. Authority to grant observer status to the military forces of Taiwan at RIMPAC exercises.*
- Sec. 1259Q. Agreements with foreign governments to develop land-based water resources in support of and in preparation for contingency operations.*

- Sec. 1259R. Extension of reporting requirements on the use of certain Iranian seaports by foreign vessels and use of foreign airports by sanctioned Iranian air carriers.*
- Sec. 1259S. Notification and assessment of ballistic missile launch by Iran.*
- Sec. 1259T. Sense of Congress on integrated ballistic missile defense system for GCC partner countries, Jordan, Egypt, and Israel.*
- Sec. 1259U. Authority to provide assistance and training to increase maritime security and domain awareness of foreign countries bordering the Persian Gulf, Arabian Sea, or Mediterranean Sea.*
- Sec. 1259V. Sense of Congress on military relations between Vietnam and the United States.*
- Sec. 1259W. Report on efforts to combat Boko Haram in Nigeria and the Lake Chad Basin.*

*Subtitle F—Codification and Consolidation of Department of Defense Security Cooperation Authorities*

- Sec. 1261. Enactment of new chapter for Department of Defense security cooperation authorities and transfer of certain authorities to new chapter.*
- Sec. 1262. Enhancing defense and security cooperation with India.*

*TITLE XIII—COOPERATIVE THREAT REDUCTION*

- Sec. 1301. Specification of Cooperative Threat Reduction funds.*
- Sec. 1302. Funding allocations.*
- Sec. 1303. Limitation on availability of funds for Cooperative Threat Reduction in People's Republic of China.*

*TITLE XIV—OTHER AUTHORIZATIONS*

*Subtitle A—Military Programs*

- Sec. 1401. Working capital funds.*
- Sec. 1402. National Defense Sealift Fund.*
- Sec. 1403. Chemical Agents and Munitions Destruction, Defense.*
- Sec. 1404. Drug Interdiction and Counter-Drug Activities, Defense-wide.*
- Sec. 1405. Defense Inspector General.*
- Sec. 1406. Defense Health Program.*
- Sec. 1407. National Sea-Based Deterrence Fund.*

*Subtitle B—National Defense Stockpile*

- Sec. 1411. Authority to dispose of certain materials from and to acquire additional materials for the National Defense Stockpile.*
- Sec. 1412. Revisions to the Strategic and Critical Materials Stock Piling Act.*

*Subtitle C—Other Matters*

- Sec. 1421. Authority for transfer of funds to Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund for Captain James A. Lovell Health Care Center, Illinois.*
- Sec. 1422. Authorization of appropriations for Armed Forces Retirement Home.*

*TITLE XV—AUTHORIZATION OF ADDITIONAL APPROPRIATIONS FOR  
OVERSEAS CONTINGENCY OPERATIONS*

*Subtitle A—Authorization of Appropriations*

- Sec. 1501. Purpose and treatment of certain authorizations of appropriations.*
- Sec. 1502. Procurement.*
- Sec. 1503. Research, development, test, and evaluation.*
- Sec. 1504. Operation and maintenance.*
- Sec. 1505. Military personnel.*
- Sec. 1506. Working capital funds.*
- Sec. 1507. Drug Interdiction and Counter-Drug Activities, Defense-wide.*
- Sec. 1508. Defense Inspector General.*
- Sec. 1509. Defense Health program.*
- Sec. 1510. Counterterrorism Partnerships Fund.*

*Subtitle B—Financial Matters*

- Sec. 1521. Treatment as additional authorizations.*
- Sec. 1522. Special transfer authority.*
- Sec. 1523. Codification of Office of Management and Budget criteria.*

*Subtitle C—Limitations, Reports, and Other Matters*

- Sec. 1531. Afghanistan Security Forces Fund.*
- Sec. 1532. Joint Improvised Explosive Device Defeat Fund.*
- Sec. 1533. Extension of authority to use Joint Improvised Explosive Device Defeat Fund for training of foreign security forces to defeat improvised explosive devices.*

*TITLE XVI—STRATEGIC PROGRAMS, CYBER, AND INTELLIGENCE  
MATTERS*

*Subtitle A—Space Activities*

- Sec. 1601. Rocket propulsion system to replace RD-180.*
- Sec. 1602. Exception to the prohibition on contracting with Russian suppliers of rocket engines for the evolved expendable launch vehicle program.*
- Sec. 1603. Analysis of alternatives for wide-band communications.*
- Sec. 1604. Modification to pilot program for acquisition of commercial satellite communication services.*
- Sec. 1605. Space-based environmental monitoring.*
- Sec. 1606. Prohibition on use of certain non-allied positioning, navigation, and timing systems.*
- Sec. 1607. Limitation of availability of funds for the Joint Space Operations Center Mission System.*
- Sec. 1608. Space-based infrared system and advanced extremely high frequency program.*
- Sec. 1609. Plans on transfer of acquisition and funding authority of certain weather missions to National Reconnaissance Office.*
- Sec. 1610. Pilot program on commercial weather data.*
- Sec. 1611. Organization and management of national security space activities of the Department of Defense.*
- Sec. 1612. Review of charter of Operationally Responsive Space Program Office.*
- Sec. 1613. Backup and complementary positioning, navigation, and timing capabilities of Global Positioning System.*

*Sec. 1614. Report on use of spacecraft assets of the space-based infrared system wide-field-of-view program.*

*Subtitle B—Defense Intelligence and Intelligence-Related Activities*

*Sec. 1621. Limitation on availability of funds for intelligence management.*

*Sec. 1622. Limitations on availability of funds for United States Central Command Intelligence Fusion Center.*

*Sec. 1623. Limitation on availability of funds for Joint Intelligence Analysis Complex.*

*Subtitle C—Cyberspace-Related Matters*

*Sec. 1631. Special emergency procurement authority to facilitate the defense against or recovery from a cyber attack.*

*Sec. 1632. Change in name of National Defense University's Information Resources Management College to College of Information and Cyberspace.*

*Sec. 1633. Requirement to enter into agreements relating to use of cyber opposition forces.*

*Sec. 1634. Limitation on availability of funds for cryptographic systems and key management infrastructure.*

*Sec. 1635. Pilot programs on direct commissions to cyber positions.*

*Sec. 1636. Report on policies for responding to malicious cyber activities carried out against the United States or United States persons by foreign states or non-state actors.*

*Sec. 1637. Assessment on security of information held by cleared defense contractors.*

*Sec. 1638. Sense of Congress on cyber resiliency of the networks and communications systems of the National Guard.*

*Sec. 1639. Requirement for Army National Guard strategy to incorporate cyber protection teams into Department of Defense cyber mission force.*

*Subtitle D—Nuclear Forces*

*Sec. 1641. Improvements to Council on Oversight of National Leadership Command, Control, and Communications System.*

*Sec. 1642. Treatment of certain sensitive information by State and local governments.*

*Sec. 1643. Procurement authority for certain parts of intercontinental ballistic missile fuzes.*

*Sec. 1644. Prohibition on availability of funds for mobile variant of ground-based strategic deterrent missile.*

*Sec. 1645. Limitation on availability of funds for extension of New START Treaty.*

*Sec. 1646. Consolidation of nuclear command, control, and communications functions of the Air Force.*

*Sec. 1647. Report on Russian and Chinese political and military leadership survivability, command and control, and continuity of government programs and activities.*

*Sec. 1648. Sense of Congress on importance of independent nuclear deterrent of United Kingdom.*

*Sec. 1649. Requests for forces to meet security requirements for land-based nuclear forces.*

*Sec. 1649A. Matters related to intercontinental ballistic missiles.*

*Subtitle E—Missile Defense Programs*

- Sec. 1651. Extensions of prohibitions relating to missile defense information and systems.*
- Sec. 1652. Review of the missile defeat policy and strategy of the United States.*
- Sec. 1653. Iron dome short-range rocket defense system and Israeli cooperative missile defense program codevelopment and coproduction.*
- Sec. 1654. Maximizing Aegis Ashore capability.*
- Sec. 1655. Technical authority for integrated air and missile defense activities and programs.*
- Sec. 1656. Development and research of non-terrestrial missile defense layer.*
- Sec. 1657. Hypersonic boost glide vehicle defense.*
- Sec. 1658. Limitation on availability of funds for Patriot lower tier air and missile defense capability of the Army.*
- Sec. 1659. Limitation on availability of funds for conventional prompt global strike weapons system.*
- Sec. 1660. Pilot program on loss of unclassified, controlled technical information.*
- Sec. 1661. Review of Missile Defense Agency budget submissions for ground-based midcourse defense and evaluation of alternative ground-based interceptor deployments.*
- Sec. 1662. Declaratory policy, concept of operations, and employment guidelines for left-of-launch capability.*
- Sec. 1663. Procurement of medium-range discrimination radar to improve homeland missile defense.*
- Sec. 1664. Semiannual notifications on missile defense tests and costs.*
- Sec. 1665. National missile defense policy.*
- Sec. 1666. Sense of Congress on initial operating capability of phase 2 of European Phased Adaptive Approach to missile defense.*

*Subtitle F—Other Matters*

- Sec. 1671. Protection of certain facilities and assets from unmanned aircraft.*
- Sec. 1672. Improvement of coordination by Department of Defense of electromagnetic spectrum usage.*
- Sec. 1673. Harmful interference to Department of Defense Global Positioning System.*

**TITLE XVII—DEPARTMENT OF DEFENSE ACQUISITION AGILITY**

- Sec. 1701. Modular open system approach in development of major weapon systems.*
- Sec. 1702. Development, prototyping, and deployment of weapon system components or technology.*
- Sec. 1703. Cost, schedule, and performance of major defense acquisition programs.*
- Sec. 1704. Transparency in major defense acquisition programs.*
- Sec. 1705. Amendments relating to technical data rights.*

**TITLE XVIII—MATTERS RELATING TO SMALL BUSINESS PROCUREMENT***Subtitle A—Improving Transparency and Clarity for Small Businesses*

- Sec. 1801. Plain language rewrite of requirements for small business procurements.*
- Sec. 1802. Improving reporting on small business goals.*
- Sec. 1803. Transparency in small business goals.*
- Sec. 1804. Uniformity in procurement terminology.*

*Subtitle B—Clarifying the Roles of Small Business Advocates*

- Sec. 1811. Scope of review by procurement center representatives.*  
*Sec. 1812. Responsibilities of Commercial Market Representatives.*  
*Sec. 1813. Duties of the Office of Small and Disadvantaged Business Utilization.*  
*Sec. 1814. Improving contractor compliance.*  
*Sec. 1815. Responsibilities of Business Opportunity Specialists.*

*Subtitle C—Strengthening Opportunities for Competition in Subcontracting*

- Sec. 1821. Good faith in subcontracting.*  
*Sec. 1822. Pilot program to provide opportunities for qualified subcontractors to obtain past performance ratings.*

*Subtitle D—Mentor-Protege Programs*

- Sec. 1831. Amendments to the Mentor-Protege Program of the Department of Defense.*  
*Sec. 1832. Improving cooperation between the mentor-protege programs of the Small Business Administration and the Department of Defense.*

*Subtitle E—Women’s Business Programs*

- Sec. 1841. Office of Women’s Business Ownership.*  
*Sec. 1842. Women’s Business Center Program.*  
*Sec. 1843. Matching requirements under Women’s Business Center Program.*

*Subtitle F—SCORE Program*

- Sec. 1851. SCORE Reauthorization.*  
*Sec. 1852. SCORE program.*  
*Sec. 1853. Online component.*  
*Sec. 1854. Study and report on the future role of the score program.*  
*Sec. 1855. Technical and conforming amendments.*

*Subtitle G—Miscellaneous Provisions*

- Sec. 1861. Improving education on small business regulations.*  
*Sec. 1862. Protecting task order competition.*  
*Sec. 1863. Improvements to size standards for small agricultural producers.*  
*Sec. 1864. Uniformity in service-disabled veteran definitions.*  
*Sec. 1865. Required reports pertaining to capital planning and investment control.*  
*Sec. 1866. Office of Hearings and Appeals.*  
*Sec. 1867. Issuance of guidance on small business matters.*  
*Sec. 1868. Role of small business development centers in cyber security and preparedness.*  
*Sec. 1869. Additional cyber security assistance for small business development centers.*  
*Sec. 1869A. Cybersecurity outreach for small business development centers.*  
*Sec. 1869B. GAO study on small business cyber support services and small business development center cyber strategy.*  
*Sec. 1869C. Prohibition on additional funds.*

*Subtitle H—Small Business Development Centers Improvements*

- Sec. 1871. Short title.*  
*Sec. 1872. Use of authorized entrepreneurial development programs.*

- Sec. 1873. Marketing of services.*  
*Sec. 1874. Data collection.*  
*Sec. 1875. Fees from private partnerships and cosponsorships.*  
*Sec. 1876. Equity for small business development centers.*  
*Sec. 1877. Confidentiality requirements.*  
*Sec. 1878. Limitation on award of grants to small business development centers.*

*DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS*

- Sec. 2001. Short title.*  
*Sec. 2002. Expiration of authorizations and amounts required to be specified by law.*  
*Sec. 2003. Effective date.*

*TITLE XXI—ARMY MILITARY CONSTRUCTION*

- Sec. 2101. Authorized Army construction and land acquisition projects.*  
*Sec. 2102. Family housing.*  
*Sec. 2103. Authorization of appropriations, Army.*  
*Sec. 2104. Modification of authority to carry out certain fiscal year 2014 project.*  
*Sec. 2105. Extension of authorizations of certain fiscal year 2013 projects.*  
*Sec. 2106. Extension of authorizations of certain fiscal year 2014 projects.*

*TITLE XXII—NAVY MILITARY CONSTRUCTION*

- Sec. 2201. Authorized Navy construction and land acquisition projects.*  
*Sec. 2202. Family housing.*  
*Sec. 2203. Improvements to military family housing units.*  
*Sec. 2204. Authorization of appropriations, Navy.*  
*Sec. 2205. Modification of authority to carry out certain fiscal year 2014 project.*  
*Sec. 2206. Extension of authorizations of certain fiscal year 2013 projects.*  
*Sec. 2207. Extension of authorizations of certain fiscal year 2014 projects.*  
*Sec. 2208. Status of “net negative” policy regarding Navy acreage on Guam.*

*TITLE XXIII—AIR FORCE MILITARY CONSTRUCTION*

- Sec. 2301. Authorized Air Force construction and land acquisition projects.*  
*Sec. 2302. Family housing.*  
*Sec. 2303. Improvements to military family housing units.*  
*Sec. 2304. Authorization of appropriations, Air Force.*  
*Sec. 2305. Modification of authority to carry out certain fiscal year 2016 project.*  
*Sec. 2306. Extension of authorization of certain fiscal year 2013 project.*  
*Sec. 2307. Extension of authorization of certain fiscal year 2014 project.*  
*Sec. 2308. Restriction on acquisition of property in Northern Mariana Islands.*

*TITLE XXIV—DEFENSE AGENCIES MILITARY CONSTRUCTION*

- Sec. 2401. Authorized Defense Agencies construction and land acquisition projects.*  
*Sec. 2402. Authorized energy conservation projects.*  
*Sec. 2403. Authorization of appropriations, Defense Agencies.*  
*Sec. 2404. Modification of authority to carry out certain fiscal year 2014 project.*  
*Sec. 2405. Extension of authorizations of certain fiscal year 2013 projects.*  
*Sec. 2406. Extension of authorizations of certain fiscal year 2014 projects.*

*TITLE XXV—NORTH ATLANTIC TREATY ORGANIZATION SECURITY  
INVESTMENT PROGRAM*

- Sec. 2501. Authorized NATO construction and land acquisition projects.*  
*Sec. 2502. Authorization of appropriations, NATO.*

*TITLE XXVI—GUARD AND RESERVE FORCES FACILITIES*

*Subtitle A—Project Authorizations and Authorization of Appropriations*

- Sec. 2601. Authorized Army National Guard construction and land acquisition projects.*  
*Sec. 2602. Authorized Army Reserve construction and land acquisition projects.*  
*Sec. 2603. Authorized Navy Reserve and Marine Corps Reserve construction and land acquisition projects.*  
*Sec. 2604. Authorized Air National Guard construction and land acquisition projects.*  
*Sec. 2605. Authorized Air Force Reserve construction and land acquisition projects.*  
*Sec. 2606. Authorization of appropriations, National Guard and Reserve.*

*Subtitle B—Other Matters*

- Sec. 2611. Modification of authority to carry out certain fiscal year 2014 project.*  
*Sec. 2612. Modification of authority to carry out certain fiscal year 2015 project.*  
*Sec. 2613. Modification of authority to carry out certain fiscal year 2016 project.*  
*Sec. 2614. Extension of authorization of certain fiscal year 2013 project.*  
*Sec. 2615. Extension of authorizations of certain fiscal year 2014 projects.*

*TITLE XXVII—BASE REALIGNMENT AND CLOSURE ACTIVITIES*

- Sec. 2701. Authorization of appropriations for base realignment and closure activities funded through Department of Defense base closure account.*  
*Sec. 2702. Prohibition on conducting additional Base Realignment and Closure (BRAC) round.*

*TITLE XXVIII—MILITARY CONSTRUCTION GENERAL PROVISIONS*

*Subtitle A—Military Construction Program and Military Family Housing*

- Sec. 2801. Modification of criteria for treatment of laboratory revitalization projects as minor military construction projects.*  
*Sec. 2802. Classification of facility conversion projects as repair projects.*  
*Sec. 2803. Extension of temporary, limited authority to use operation and maintenance funds for construction projects outside the United States.*  
*Sec. 2804. Extension of temporary authority for acceptance and use of contributions for certain construction, maintenance, and repair projects mutually beneficial to the Department of Defense and Kuwait military forces.*  
*Sec. 2805. Notice and reporting requirements for energy conservation construction projects.*  
*Sec. 2806. Additional entities eligible for participation in defense laboratory modernization pilot program.*  
*Sec. 2807. Sense of Congress on maximizing number of veterans employed on military construction projects.*



*Subtitle B—Real Property and Facilities Administration*

- Sec. 2811. Congressional notification for in-kind contributions for overseas military construction projects.*
- Sec. 2812. Prohibition on use of military installations to house unaccompanied alien children.*
- Sec. 2813. Allotment of space and provision of services to WIC offices operating on military installations.*
- Sec. 2814. Sense of Congress regarding need to consult with State and local officials prior to acquisitions of real property.*
- Sec. 2815. Sense of Congress regarding inclusion of stormwater systems and components within the meaning of “wastewater system” under the Department of Defense authority for conveyance of utility systems.*
- Sec. 2816. Assessment of public schools on Department of Defense installations.*
- Sec. 2817. Improved process for disposal of Department of Defense surplus real property located overseas.*

*Subtitle C—Provision Related to Asia-Pacific Military Realignment*

- Sec. 2821. Limited exceptions to restriction on development of public infrastructure in connection with realignment of Marine Corps forces in Asia-Pacific region.*

*Subtitle D—Land Conveyances*

- Sec. 2831. Land conveyances, High Frequency Active Auroral Research Program facility and adjacent property, Gakona, Alaska.*
- Sec. 2832. Land conveyance, Campion Air Force Radar Station, Galena, Alaska.*
- Sec. 2833. Exchange of property interests, San Diego Unified Port District, California.*
- Sec. 2834. Release of property interests retained in connection with land conveyance, Eglin Air Force Base, Florida.*
- Sec. 2835. Land exchange, Fort Hood, Texas.*
- Sec. 2836. Land conveyance, P-36 Warehouse, Colbern United States Army Reserve Center, Laredo, Texas.*
- Sec. 2837. Land conveyance, St. George National Guard Armory, St. George, Utah.*
- Sec. 2838. Release of restrictions, Richland Innovation Center, Richland, Washington.*
- Sec. 2839. Modification of land conveyance, Rocky Mountain Arsenal National Wildlife Refuge.*
- Sec. 2839A. Closure of St. Marys Airport.*
- Sec. 2839B. Prohibition on transfer of administrative jurisdiction, portion of Organ Mountains Area, Fillmore Canyon, New Mexico.*

*Subtitle E—Military Land Withdrawals*

- Sec. 2841. Bureau of Land Management withdrawn military lands under Military Lands Withdrawal Act of 1999.*
- Sec. 2842. Permanent withdrawal or transfer of administrative jurisdiction of public land, Naval Air Weapons Station China Lake, California.*

*Subtitle F—Military Memorials, Monuments, and Museums*

- Sec. 2851. Cyber Center for Education and Innovation—Home of the National Cryptologic Museum.*
- Sec. 2852. Renaming site of the Dayton Aviation Heritage National Historical Park, Ohio.*
- Sec. 2853. Support for military service memorials and museums highlighting role of women in the military.*
- Sec. 2854. Petersburg National Battlefield boundary modification.*
- Sec. 2855. Amendments to the National Historic Preservation Act.*
- Sec. 2856. Recognition of the National Museum of World War II Aviation.*
- Sec. 2857. Battleship preservation grant program.*

*Subtitle G—Designations and Other Matters*

- Sec. 2861. Designation of portion of Moffett Federal Airfield, California, as Moffett Air National Guard Base.*
- Sec. 2862. Redesignation of Mike O’Callaghan Federal Medical Center.*
- Sec. 2863. Transfer of certain items of the Omar Bradley Foundation to the descendants of General Omar Bradley.*
- Sec. 2864. Protection and recovery of Greater Sage Grouse.*
- Sec. 2865. Implementation of lesser prairie-chicken range-wide conservation plan and other conservation measures.*
- Sec. 2866. Removal of endangered species status for American burying beetle.*
- Sec. 2867. Report on documentation for acquisition of certain properties along Columbia River, Washington, by Corps of Engineers.*

**TITLE XXIX—OVERSEAS CONTINGENCY OPERATIONS MILITARY CONSTRUCTION**

- Sec. 2901. Authorized Navy construction and land acquisition projects.*
- Sec. 2902. Authorized Air Force construction and land acquisition projects.*
- Sec. 2903. Authorization of appropriations.*

**TITLE XXX—UTAH TEST AND TRAINING RANGE ENCROACHMENT PREVENTION AND TEMPORARY CLOSURE AUTHORITIES**

- Sec. 3001. Findings and definitions.*

*Subtitle A—Utah Test and Training Range*

- Sec. 3011. Management of BLM land.*
- Sec. 3012. Temporary closures.*
- Sec. 3013. Community resource group.*
- Sec. 3014. Liability.*
- Sec. 3015. Effects of subtitle.*

*Subtitle B—Land Exchange*

- Sec. 3021. Findings and purpose.*
- Sec. 3022. Definitions.*
- Sec. 3023. Exchange of Federal land and non-Federal land.*
- Sec. 3024. Status and management of non-Federal land after exchange.*
- Sec. 3025. Hazardous materials.*

*Subtitle C—Highway Rights-of-way*

- Sec. 3031. Recognition and transfer of certain highway rights-of-way.*

*DIVISION C—DEPARTMENT OF ENERGY NATIONAL SECURITY  
AUTHORIZATIONS AND OTHER AUTHORIZATIONS*

*TITLE XXXI—DEPARTMENT OF ENERGY NATIONAL SECURITY  
PROGRAMS*

*Subtitle A—National Security Programs Authorizations*

- Sec. 3101. National Nuclear Security Administration.*  
*Sec. 3102. Defense environmental cleanup.*  
*Sec. 3103. Other defense activities.*  
*Sec. 3104. Nuclear energy.*

*Subtitle B—Program Authorizations, Restrictions, and Limitations*

- Sec. 3111. Independent acquisition project reviews of capital assets acquisition projects.*  
*Sec. 3112. Research and development of advanced naval nuclear fuel system based on low-enriched uranium.*  
*Sec. 3113. Disposition of weapons-usable plutonium.*  
*Sec. 3114. Design basis threat.*  
*Sec. 3115. Prohibition on availability of funds for provision of certain assistance to Russian Federation.*  
*Sec. 3116. Limitation on availability of funds for Federal salaries and expenses.*  
*Sec. 3117. Limitation on availability of funds for defense environmental cleanup program direction.*  
*Sec. 3118. Limitation on availability of funds for acceleration of nuclear weapons dismantlement.*  
*Sec. 3119. Annual certification of shipments to Waste Isolation Pilot Plant.*  
*Sec. 3119A. Limitation on availability of funds for the Department of Energy.*  
*Sec. 3119B. Sense of Congress regarding accounting practices by laboratory operating contractors and plant or site managers of National Nuclear Security Administration facilities.*  
*Sec. 3119C. Protection of certain nuclear facilities from unmanned aircraft.*

*Subtitle C—Plans and Reports*

- Sec. 3121. Clarification of annual report and certification on status of security of atomic energy defense facilities.*  
*Sec. 3122. Annual report on service support contracts of the National Nuclear Security Administration.*  
*Sec. 3123. Repeal of certain reporting requirements.*  
*Sec. 3124. Independent assessment of technology development under defense environmental cleanup program.*  
*Sec. 3125. Updated plan for verification and monitoring of proliferation of nuclear weapons and fissile material.*  
*Sec. 3126. Briefing on the information-interchange of low-enriched uranium.*

*TITLE XXXII—DEFENSE NUCLEAR FACILITIES SAFETY BOARD*

- Sec. 3201. Authorization.*

*TITLE XXXIII—NUCLEAR ENERGY INNOVATION CAPABILITIES*

- Sec. 3301. Short title.*  
*Sec. 3302. Nuclear energy.*  
*Sec. 3303. Nuclear energy research programs.*  
*Sec. 3304. Advanced fuel cycle initiative.*

- Sec. 3305. University nuclear science and engineering support.*  
*Sec. 3306. Department of Energy civilian nuclear infrastructure and facilities.*  
*Sec. 3307. Security of nuclear facilities.*  
*Sec. 3308. High-performance computation and supportive research.*  
*Sec. 3309. Enabling nuclear energy innovation.*  
*Sec. 3310. Budget plan.*  
*Sec. 3311. Conforming amendments.*

**TITLE XXXIV—NAVAL PETROLEUM RESERVES**

- Sec. 3401. Authorization of appropriations.*

**TITLE XXXV—MARITIME ADMINISTRATION**

- Sec. 3501. Authorization of the Maritime Administration.*  
*Sec. 3502. Authority to make pro rata annual payments under operating agreements for vessels participating in Maritime Security Fleet.*  
*Sec. 3503. Authority to extend certain age restrictions relating to vessels in the Maritime Security Fleet.*  
*Sec. 3504. Corrections to provisions enacted by Coast Guard Authorization Acts.*  
*Sec. 3505. Status of National Defense Reserve Fleet vessels.*  
*Sec. 3506. NDRF national security multi-mission vessel.*  
*Sec. 3507. United States Merchant Marine Academy.*  
*Sec. 3508. Use of National Defense Reserve Fleet scrapping proceeds.*  
*Sec. 3509. Floating dry docks.*  
*Sec. 3510. Expedited processing of applications for transportation security cards for separating members of the Armed Forces and veterans.*  
*Sec. 3511. Training under Transition Assistance Program on employment opportunities associated with transportation security cards.*  
*Sec. 3512. Application of law.*

**TITLE XXXVI—BALLAST WATER**

- Sec. 3601. Short title.*  
*Sec. 3602. Definitions.*  
*Sec. 3603. Regulation and enforcement.*  
*Sec. 3604. Uniform national standards and requirements for the regulation of discharges incidental to the normal operation of a vessel.*  
*Sec. 3605. Treatment technology certification.*  
*Sec. 3606. Exemptions.*  
*Sec. 3607. Alternative compliance program.*  
*Sec. 3608. Judicial review.*  
*Sec. 3609. Effect on State authority.*  
*Sec. 3610. Application with other statutes.*

**DIVISION D—FUNDING TABLES**

- Sec. 4001. Authorization of amounts in funding tables.*

**TITLE XLI—PROCUREMENT**

- Sec. 4101. Procurement.*  
*Sec. 4102. Procurement for overseas contingency operations.*  
*Sec. 4103. Procurement for overseas contingency operations for base requirements.*

**TITLE XLII—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**

- Sec. 4201. Research, development, test, and evaluation.*

*Sec. 4202. Research, development, test, and evaluation for overseas contingency operations.*

*Sec. 4203. Research, development, test, and evaluation for overseas contingency operations for base requirements.*

*TITLE XLIII—OPERATION AND MAINTENANCE*

*Sec. 4301. Operation and maintenance.*

*Sec. 4302. Operation and maintenance for overseas contingency operations.*

*Sec. 4303. Operation and maintenance for overseas contingency operations for base requirements.*

*TITLE XLIV—MILITARY PERSONNEL*

*Sec. 4401. Military personnel.*

*Sec. 4402. Military personnel for overseas contingency operations.*

*Sec. 4403. Military personnel for overseas contingency operations for base requirements.*

*TITLE XLV—OTHER AUTHORIZATIONS*

*Sec. 4501. Other authorizations.*

*Sec. 4502. Other authorizations for overseas contingency operations.*

*Sec. 4503. Other authorizations for overseas contingency operations for base requirements.*

*TITLE XLVI—MILITARY CONSTRUCTION*

*Sec. 4601. Military construction.*

*Sec. 4602. Military construction for overseas contingency operations.*

*Sec. 4603. Military construction for overseas contingency operations for base requirements.*

*TITLE XLVII—DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS*

*Sec. 4701. Department of Energy national security programs.*

*DIVISION E—MILITARY JUSTICE*

*Sec. 6000. Short title.*

*TITLE LX—GENERAL PROVISIONS*

*Sec. 6001. Definitions.*

*Sec. 6002. Clarification of persons subject to UCMJ while on inactive-duty training.*

*Sec. 6003. Staff judge advocate disqualification due to prior involvement in case.*

*Sec. 6004. Conforming amendment relating to military magistrates.*

*Sec. 6005. Rights of victim.*

*TITLE LXI—APPREHENSION AND RESTRAINT*

*Sec. 6101. Restraint of persons charged.*

*Sec. 6102. Modification of prohibition of confinement of armed forces members with enemy prisoners and certain others.*

*TITLE LXII—NON-JUDICIAL PUNISHMENT*

*Sec. 6201. Modification of confinement as non-judicial punishment.*

*TITLE LXIII—COURT-MARTIAL JURISDICTION*

*Sec. 6301. Courts-martial classified.*

*Sec. 6302. Jurisdiction of general courts-martial.*

*Sec. 6303. Jurisdiction of special courts-martial.*

*Sec. 6304. Summary court-martial as non-criminal forum.*

*TITLE LXIV—COMPOSITION OF COURTS-MARTIAL*

*Sec. 6401. Technical amendment relating to persons authorized to convene general courts-martial.*

*Sec. 6402. Who may serve on courts-martial; detail of members.*

*Sec. 6403. Number of court-martial members in capital cases.*

*Sec. 6404. Detailing, qualifications, etc. of military judges.*

*Sec. 6405. Qualifications of trial counsel and defense counsel.*

*Sec. 6406. Assembly and impaneling of members; detail of new members and military judges.*

*Sec. 6407. Military magistrates.*

*TITLE LXV—PRE-TRIAL PROCEDURE*

*Sec. 6501. Charges and specifications.*

*Sec. 6502. Preliminary hearing required before referral to general court-martial.*

*Sec. 6503. Disposition guidance.*

*Sec. 6504. Advice to convening authority before referral for trial.*

*Sec. 6505. Service of charges and commencement of trial.*

*TITLE LXVI—TRIAL PROCEDURE*

*Sec. 6601. Duties of assistant defense counsel.*

*Sec. 6602. Sessions.*

*Sec. 6603. Technical amendment relating to continuances.*

*Sec. 6604. Conforming amendments relating to challenges.*

*Sec. 6605. Statute of limitations.*

*Sec. 6606. Former jeopardy.*

*Sec. 6607. Pleas of the accused.*

*Sec. 6608. Contempt.*

*Sec. 6609. Depositions.*

*Sec. 6610. Admissibility of sworn testimony by audiotape or videotape from records of courts of inquiry.*

*Sec. 6611. Conforming amendment relating to defense of lack of mental responsibility.*

*Sec. 6612. Voting and rulings.*

*Sec. 6613. Votes required for conviction, sentencing, and other matters.*

*Sec. 6614. Plea agreements.*

*Sec. 6615. Record of trial.*

*TITLE LXVII—SENTENCES*

*Sec. 6701. Sentencing.*

*Sec. 6701A. Minimum confinement period required for conviction of certain sex-related offenses committed by members of the Armed Forces.*

*Sec. 6702. Effective date of sentences.*

*Sec. 6703. Sentence of reduction in enlisted grade.*

TITLE LXVIII—POST-TRIAL PROCEDURE AND REVIEW OF COURTS-MARTIAL

- Sec. 6801. Post-trial processing in general and special courts-martial.*
- Sec. 6802. Limited authority to act on sentence in specified post-trial circumstances.*
- Sec. 6803. Post-trial actions in summary courts-martial and certain general and special courts-martial.*
- Sec. 6804. Entry of judgment.*
- Sec. 6805. Waiver of right to appeal and withdrawal of appeal.*
- Sec. 6806. Appeal by the United States.*
- Sec. 6807. Rehearings.*
- Sec. 6808. Judge advocate review of finding of guilty in summary court-martial.*
- Sec. 6809. Transmittal and review of records.*
- Sec. 6810. Courts of criminal appeals.*
- Sec. 6811. Review by court of appeals for the armed forces.*
- Sec. 6812. Supreme Court review.*
- Sec. 6813. Review by Judge Advocate General.*
- Sec. 6814. Appellate defense counsel in death penalty cases.*
- Sec. 6815. Authority for hearing on vacation of suspension of sentence to be conducted by qualified judge advocate.*
- Sec. 6816. Extension of time for petition for new trial.*
- Sec. 6817. Restoration.*
- Sec. 6818. Leave requirements pending review of certain court-martial convictions.*

TITLE LXIX—PUNITIVE ARTICLES

- Sec. 6901. Reorganization of punitive articles.*
- Sec. 6902. Conviction of offense charged, lesser included offenses, and attempts.*
- Sec. 6903. Soliciting commission of offenses.*
- Sec. 6904. Malingering.*
- Sec. 6905. Breach of medical quarantine.*
- Sec. 6906. Missing movement; jumping from vessel.*
- Sec. 6907. Offenses against correctional custody and restriction.*
- Sec. 6908. Disrespect toward superior commissioned officer; assault of superior commissioned officer.*
- Sec. 6909. Willfully disobeying superior commissioned officer.*
- Sec. 6910. Prohibited activities with military recruit or trainee by person in position of special trust.*
- Sec. 6911. Offenses by sentinel or lookout.*
- Sec. 6912. Disrespect toward sentinel or lookout.*
- Sec. 6913. Release of prisoner without authority; drinking with prisoner.*
- Sec. 6914. Penalty for acting as a spy.*
- Sec. 6915. Public records offenses.*
- Sec. 6916. False or unauthorized pass offenses.*
- Sec. 6917. Impersonation offenses.*
- Sec. 6918. Insignia offenses.*
- Sec. 6919. False official statements; false swearing.*
- Sec. 6920. Parole violation.*
- Sec. 6921. Wrongful taking, opening, etc. of mail matter.*
- Sec. 6922. Improper hazarding of vessel or aircraft.*
- Sec. 6923. Leaving scene of vehicle accident.*
- Sec. 6924. Drunkenness and other incapacitation offenses.*
- Sec. 6925. Lower blood alcohol content limits for conviction of drunken or reckless operation of vehicle, aircraft, or vessel.*

- Sec. 6926. *Endangerment offenses.*  
 Sec. 6927. *Communicating threats.*  
 Sec. 6928. *Technical amendment relating to murder.*  
 Sec. 6929. *Child endangerment.*  
 Sec. 6930. *Deposit of obscene matter in the mail.*  
 Sec. 6931. *Fraudulent use of credit cards, debit cards, and other access devices.*  
 Sec. 6932. *False pretenses to obtain services.*  
 Sec. 6933. *Robbery.*  
 Sec. 6934. *Receiving stolen property.*  
 Sec. 6935. *Offenses concerning government computers.*  
 Sec. 6936. *Bribery.*  
 Sec. 6937. *Graft.*  
 Sec. 6938. *Kidnapping.*  
 Sec. 6939. *Arson; burning property with intent to defraud.*  
 Sec. 6940. *Assault.*  
 Sec. 6941. *Burglary and unlawful entry.*  
 Sec. 6942. *Stalking.*  
 Sec. 6943. *Subornation of perjury.*  
 Sec. 6944. *Obstructing justice.*  
 Sec. 6945. *Misprision of serious offense.*  
 Sec. 6946. *Wrongful refusal to testify.*  
 Sec. 6947. *Prevention of authorized seizure of property.*  
 Sec. 6948. *Wrongful interference with adverse administrative proceeding.*  
 Sec. 6949. *Retaliation.*  
 Sec. 6950. *Extraterritorial application of certain offenses.*  
 Sec. 6951. *Table of sections.*

*TITLE LXX—MISCELLANEOUS PROVISIONS*

- Sec. 7001. *Technical amendment relating to courts of inquiry.*  
 Sec. 7002. *Technical amendment to article 136.*  
 Sec. 7003. *Articles of Uniform Code of Military Justice to be explained to officers upon commissioning.*  
 Sec. 7004. *Military justice case management; data collection and accessibility.*  
 Sec. 7005. *Return of Certain Lands At Fort Wingate to The Original Inhabitants Act.*

*TITLE LXXI—MILITARY JUSTICE REVIEW PANEL AND ANNUAL REPORTS*

- Sec. 7101. *Military justice review panel.*  
 Sec. 7102. *Annual reports.*

*TITLE LXXII—CONFORMING AMENDMENTS AND EFFECTIVE DATES*

- Sec. 7201. *Amendments to UCMJ subchapter tables of sections.*  
 Sec. 7202. *Effective dates.*

*TITLE LXXIII—GUAM WORLD WAR II LOYALTY RECOGNITION ACT*

- Sec. 7301. *Short title.*  
 Sec. 7302. *Recognition of the suffering and loyalty of the residents of Guam.*  
 Sec. 7303. *Guam World War II Claims Fund.*  
 Sec. 7304. *Payments for Guam World War II claims.*  
 Sec. 7305. *Adjudication.*



*Sec. 7306. Grants program to memorialize the occupation of Guam during World War II.*

*Sec. 7307. Authorization of appropriations.*

1 **SEC. 3. CONGRESSIONAL DEFENSE COMMITTEES.**

2 *In this Act, the term “congressional defense commit-*  
 3 *tees” has the meaning given that term in section 101(a)(16)*  
 4 *of title 10, United States Code.*

5 ***DIVISION A—DEPARTMENT OF***  
 6 ***DEFENSE AUTHORIZATIONS***  
 7 ***TITLE I—PROCUREMENT***  
 8 ***Subtitle A—Authorization of***  
 9 ***Appropriations***

10 **SEC. 101. AUTHORIZATION OF APPROPRIATIONS.**

11 *Funds are hereby authorized to be appropriated for fis-*  
 12 *cal year 2017 for procurement for the Army, the Navy and*  
 13 *the Marine Corps, the Air Force, and Defense-wide activi-*  
 14 *ties, as specified in the funding table in section 4101.*

15 ***Subtitle B—Army Programs***

16 **SEC. 111. MULTIYEAR PROCUREMENT AUTHORITY FOR AH-**  
 17 ***64E APACHE HELICOPTERS.***

18 *(a) AUTHORITY FOR MULTIYEAR PROCUREMENT.—*  
 19 *Subject to section 2306b of title 10, United States Code, the*  
 20 *Secretary of the Army may enter into one or more*  
 21 *multiyear contracts, beginning with the fiscal year 2017*  
 22 *program year, for the procurement of AH-64E Apache heli-*  
 23 *copters.*

1           (b) *CONDITION FOR OUT-YEAR CONTRACT PAY-*  
2 *MENTS.—A contract entered into under subsection (a) shall*  
3 *provide that any obligation of the United States to make*  
4 *a payment under the contract for a fiscal year after fiscal*  
5 *year 2017 is subject to the availability of appropriations*  
6 *for that purpose for such later fiscal year.*

7 **SEC. 112. MULTIYEAR PROCUREMENT AUTHORITY FOR UH-**  
8 **60M AND HH-60M BLACK HAWK HELICOPTERS.**

9           (a) *AUTHORITY FOR MULTIYEAR PROCUREMENT.—*  
10 *Subject to section 2306b of title 10, United States Code, the*  
11 *Secretary of the Army may enter into one or more*  
12 *multiyear contracts, beginning with the fiscal year 2017*  
13 *program year, for the procurement of UH-60M and HH-*  
14 *60M Black Hawk helicopters.*

15           (b) *CONDITION FOR OUT-YEAR CONTRACT PAY-*  
16 *MENTS.—A contract entered into under subsection (a) shall*  
17 *provide that any obligation of the United States to make*  
18 *a payment under the contract for a fiscal year after fiscal*  
19 *year 2017 is subject to the availability of appropriations*  
20 *for that purpose for such later fiscal year.*

21 **SEC. 113. ASSESSMENT OF CERTAIN CAPABILITIES OF THE**  
22 **DEPARTMENT OF THE ARMY.**

23           (a) *ASSESSMENT.—The Secretary of Defense, in con-*  
24 *sultation with the Secretary of the Army and the Chief of*  
25 *Staff of the Army, shall conduct an assessment of the fol-*

1 *lowing capabilities with respect to the Department of the*  
2 *Army:*

3           (1) *The capacity of AH-64 Apache-equipped at-*  
4 *tack reconnaissance battalions to meet future needs.*

5           (2) *Air defense artillery capacity and responsive-*  
6 *ness, including—*

7                   (A) *the capacity of short-range air defense*  
8 *artillery to address existing and emerging*  
9 *threats, including threats posed by unmanned*  
10 *aerial systems, cruise missiles, and manned air-*  
11 *craft; and*

12                   (B) *the potential for commercial off-the-shelf*  
13 *solutions.*

14           (3) *Chemical, biological, radiological, and nu-*  
15 *clear capabilities and modernization needs.*

16           (4) *Field artillery capabilities, including—*

17                   (A) *modernization needs;*

18                   (B) *munitions inventory shortfalls; and*

19                   (C) *changes in doctrine and war plans con-*  
20 *sistent with the Memorandum of the Secretary of*  
21 *Defense dated June 19, 2008, regarding the De-*  
22 *partment of Defense policy on cluster munitions*  
23 *and unintended harm to civilians.*

24           (5) *Fuel distribution and water purification ca-*  
25 *capacity and responsiveness.*

1           (6) *Watercraft and port-opening capabilities and*  
2           *responsiveness.*

3           (7) *Transportation capacity and responsiveness,*  
4           *particularly with respect to the transportation of fuel,*  
5           *water, and cargo.*

6           (8) *Military police capacity.*

7           (9) *Tactical mobility and tactical wheeled vehicle*  
8           *capacity, including heavy equipment prime movers.*

9           (b) *REPORT.*—*Not later than April 1, 2017, the Sec-*  
10          *retary of Defense shall submit to the congressional defense*  
11          *committees a report containing—*

12           (1) *the assessment conducted under subsection*  
13          *(a);*

14           (2) *recommendations for reducing or eliminating*  
15          *shortfalls in responsiveness and capacity with respect*  
16          *to each of the capabilities described in such sub-*  
17          *section; and*

18           (3) *an estimate of the costs of implementing such*  
19          *recommendations.*

20          (c) *FORM.*—*The report under subsection (b) shall be*  
21          *submitted in unclassified form, but may include a classified*  
22          *annex.*

23          **SEC. 114. FUNDING FOR SURFACE-TO-AIR MISSILE SYSTEM.**

24           (a) *INCREASE.*—*Notwithstanding the amounts set*  
25          *forth in the funding tables in division D, the amount au-*

1 *thorized to be appropriated for procurement, as specified*  
 2 *in the corresponding funding table in section 4101, for mis-*  
 3 *sile procurement, Army, surface-to-air missile system, MSE*  
 4 *missile (Line 002) is hereby increased by \$82,400,000.*

5 (b) *OFFSET.—Notwithstanding the amounts set forth*  
 6 *in the funding tables in division D, the amount authorized*  
 7 *to be appropriated for Department of Energy national secu-*  
 8 *rity programs, as specified in the corresponding funding*  
 9 *table in section 4701, for Defense Nuclear Nonproliferation,*  
 10 *Defense Nuclear Nonproliferation Programs, Defense Nu-*  
 11 *clear Nonproliferation R&D, Material management and*  
 12 *minimization is hereby reduced by \$82,400,000.*

### 13 ***Subtitle C—Navy Programs***

#### 14 ***SEC. 121. PROCUREMENT AUTHORITY FOR AIRCRAFT CAR-*** 15 ***RIER PROGRAMS.***

16 (a) *PROCUREMENT AUTHORITY IN SUPPORT OF CON-*  
 17 *STRUCTION OF FORD CLASS AIRCRAFT CARRIERS.—*

18 (1) *AUTHORITY FOR ECONOMIC ORDER QUAN-*  
 19 *TITY.—The Secretary of the Navy may procure mate-*  
 20 *riel and equipment in support of the construction of*  
 21 *the Ford class aircraft carriers designated CVN–80*  
 22 *and CVN–81 in economic order quantities when cost*  
 23 *savings are achievable.*

24 (2) *LIABILITY.—Any contract entered into under*  
 25 *paragraph (1) shall provide that any obligation of the*

1 *United States to make a payment under the contract*  
2 *is subject to the availability of appropriations for*  
3 *that purpose, and that total liability to the Govern-*  
4 *ment for termination of any contract entered into*  
5 *shall be limited to the total amount of funding obli-*  
6 *gated at time of termination.*

7 *(b) REFUELING AND COMPLEX OVERHAUL OF NIMITZ*  
8 *CLASS AIRCRAFT CARRIERS.—*

9 *(1) IN GENERAL.—The Secretary of the Navy*  
10 *may carry out the nuclear refueling and complex*  
11 *overhaul of each of the following Nimitz class aircraft*  
12 *carriers:*

13 *(A) U.S.S. George Washington (CVN-73).*

14 *(B) U.S.S. John C. Stennis (CVN-74).*

15 *(C) U.S.S. Harry S. Truman (CVN-75).*

16 *(D) U.S.S. Ronald Reagan (CVN-76).*

17 *(E) U.S.S. George H.W. Bush (CVN-77).*

18 *(2) USE OF INCREMENTAL FUNDING.—With re-*  
19 *spect to any contract entered into under paragraph*  
20 *(1) for the nuclear refueling and complex overhaul of*  
21 *a Nimitz class aircraft carrier, the Secretary may use*  
22 *incremental funding for a period not to exceed six*  
23 *years after advance procurement funds for such nu-*  
24 *clear refueling and complex overhaul effort are first*  
25 *obligated.*

1           (3) *CONDITION FOR OUT-YEAR CONTRACT PAY-*  
2           *MENTS.—Any contract entered into under paragraph*  
3           *(1) shall provide that any obligation of the United*  
4           *States to make a payment under the contract for a*  
5           *fiscal year after fiscal year 2017 is subject to the*  
6           *availability of appropriations for that purpose for*  
7           *that later fiscal year.*

8 **SEC. 122. SENSE OF CONGRESS ON AIRCRAFT CARRIER**  
9                                   **PROCUREMENT SCHEDULES.**

10          (a) *FINDINGS.—Congress finds the following:*

11                 (1) *In a report submitted to Congress on March*  
12                 *17, 2015, the Secretary of the Navy indicated the De-*  
13                 *partment of the Navy has a requirement of 11 air-*  
14                 *craft carriers.*

15                 (2) *In the Congressional Budget Office report ti-*  
16                 *tled “An Analysis of the Navy’s Fiscal Year 2016*  
17                 *Shipbuilding Plan”, the Office stated as follows: “To*  
18                 *prevent the carrier force from declining to 10 ships in*  
19                 *the 2040s, 1 short of its inventory goal of 11, the*  
20                 *Navy could accelerate purchases after 2018 to 1 every*  
21                 *four years, rather than 1 every five years”.*

22          (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
23          *that—*

24                 (1) *the plan of the Department of the Navy to*  
25                 *schedule the procurement of one aircraft carrier every*

1 *five years will reduce the overall aircraft carrier in-*  
2 *ventory to 10 aircraft carriers, a level insufficient to*  
3 *meet peacetime and war plan requirements; and*

4 *(2) to accommodate the required aircraft carrier*  
5 *force structure, the Department of the Navy should—*

6 *(A) begin to program construction for the*  
7 *Ford class aircraft carrier designated CVN-81 in*  
8 *fiscal year 2022; and*

9 *(B) program the required advance procure-*  
10 *ment activities to accommodate the construction*  
11 *of such carrier.*

12 **SEC. 123. DESIGN AND CONSTRUCTION OF LHA REPLACE-**  
13 **MENT SHIP DESIGNATED LHA 8.**

14 *(a) IN GENERAL.—The Secretary of the Navy may*  
15 *enter into a contract, beginning with the fiscal year 2017*  
16 *program year, for the design and construction of the LHA*  
17 *Replacement ship designated LHA 8 using amounts author-*  
18 *ized to be appropriated for the Department of Defense for*  
19 *Shipbuilding and Conversion, Navy.*

20 *(b) USE OF INCREMENTAL FUNDING.—With respect to*  
21 *the contract entered into under subsection (a), the Secretary*  
22 *may use incremental funding to make payments under the*  
23 *contract.*

24 *(c) CONDITION FOR OUT-YEAR CONTRACT PAY-*  
25 *MENTS.—The contract entered into under subsection (a)*



1 *shall provide that any obligation of the United States to*  
2 *make a payment under such contract for any fiscal year*  
3 *after fiscal year 2017 is subject to the availability of appro-*  
4 *priations for that purpose for such fiscal year.*

5 **SEC. 124. DESIGN AND CONSTRUCTION OF REPLACEMENT**  
6 **DOCK LANDING SHIP DESIGNATED LX(R) OR**  
7 **AMPHIBIOUS TRANSPORT DOCK DESIGNATED**  
8 **LPD-29.**

9 (a) *IN GENERAL.*—*The Secretary of the Navy may*  
10 *enter into a contract, beginning with the fiscal year 2017*  
11 *program year, for the design and construction of the re-*  
12 *placement dock landing ship designated LX(R) or the am-*  
13 *phibious transport dock designated LPD-29 using amounts*  
14 *authorized to be appropriated for the Department of Defense*  
15 *for Shipbuilding and Conversion, Navy.*

16 (b) *USE OF INCREMENTAL FUNDING.*—*With respect to*  
17 *the contract entered into under subsection (a), the Secretary*  
18 *may use incremental funding to make payments under the*  
19 *contract.*

20 (c) *CONDITION FOR OUT-YEAR CONTRACT PAY-*  
21 *MENTS.*—*The contract entered into under subsection (a)*  
22 *shall provide that any obligation of the United States to*  
23 *make a payment under such contract for any fiscal year*  
24 *after fiscal year 2017 is subject to the availability of appro-*  
25 *priations for that purpose for such fiscal year.*

1 **SEC. 125. SHIP TO SHORE CONNECTOR PROGRAM.**

2 (a) *CONTRACT AUTHORITY.*—Notwithstanding section  
3 2306b of title 10, United States Code, the Secretary of the  
4 Navy may enter into a contract to procure up to 45 Ship  
5 to Shore Connector craft.

6 (b) *LIABILITY.*—Any contract entered into under sub-  
7 section (a) shall provide that any obligation of the United  
8 States to make a payment under the contract is subject to  
9 the availability of appropriations for that purpose, and  
10 that the total liability to the Government for termination  
11 of any contract entered into shall be limited to the total  
12 amount of funding obligated at time of termination.

13 **SEC. 126. LIMITATION ON AVAILABILITY OF FUNDS FOR LIT-**  
14 **TORAL COMBAT SHIP OR SUCCESSOR FRIG-**  
15 **ATE.**

16 None of the funds authorized to be appropriated by this  
17 Act or otherwise made available for fiscal year 2017 for the  
18 Navy shall be used to select only a single contractor for the  
19 construction of the Littoral Combat Ship or any successor  
20 frigate class ship program until the Secretary of the Navy  
21 certifies to the congressional defense committees that such  
22 selection of a single contractor will be conducted—

23 (1) using competitive procedures; and

24 (2) for the limited purpose of awarding a con-  
25 tract for—

1                   (A) an engineering change proposal for a  
2                   frigate class ship; or

3                   (B) the construction of a frigate class ship.

4 **SEC. 127. REPORT ON P-8 POSEIDON AIRCRAFT.**

5           (a) *REPORT REQUIRED.*—Not later than October 1,  
6 2017, the Secretary of the Navy shall submit to the congres-  
7 sional defense committees a report regarding future capa-  
8 bilities for the P-8 Poseidon aircraft.

9           (b) *ELEMENTS.*—The report under subsection (a) shall  
10 include, with respect to the P-8 Poseidon aircraft, the fol-  
11 lowing:

12                   (1) A review of possible upgrades by the Navy to  
13 the sensors onboard the aircraft, including intel-  
14 ligence, surveillance, and reconnaissance sensors cur-  
15 rently being fielded on Air Force platforms.

16                   (2) An assessment of the ability of the Navy to  
17 use long-range multispectral imaging systems onboard  
18 the aircraft.

19 **Subtitle D—Air Force Programs**

20 **SEC. 131. ELIMINATION OF ANNUAL REPORT ON AIRCRAFT**  
21 **INVENTORY.**

22 Section 231a of title 10, United States Code, is amend-  
23 ed—

24                   (1) by striking subsection (e); and

1           (2) by redesignating subsection (f) as subsection  
2           (e).

3   **SEC. 132. REPEAL OF REQUIREMENT TO PRESERVE CER-**  
4                           **TAIN RETIRED C-5 AIRCRAFT.**

5           Section 141 of the National Defense Authorization Act  
6 for Fiscal Year 2013 (Public Law 112-239; 126 Stat. 1659)  
7 is amended by striking subsection (d).

8   **SEC. 133. REPEAL OF REQUIREMENT TO PRESERVE CER-**  
9                           **TAIN RETIRED F-117 AIRCRAFT.**

10          Section 136 of the National Defense Authorization Act  
11 for Fiscal Year 2007 (Public Law 109-364; 120 Stat. 2114)  
12 is amended by striking subsection (b).

13   **SEC. 134. PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
14                           **RETIREMENT OF A-10 AIRCRAFT.**

15          (a) *PROHIBITION ON AVAILABILITY OF FUNDS FOR*  
16 *RETIREMENT.*—None of the funds authorized to be appro-  
17 priated by this Act or otherwise made available for fiscal  
18 year 2017 for the Air Force may be obligated or expended  
19 to retire, prepare to retire, or place in storage or on backup  
20 aircraft inventory status any A-10 aircraft.

21          (b) *ADDITIONAL LIMITATION ON RETIREMENT.*—In  
22 addition to the prohibition in subsection (a), the Secretary  
23 of the Air Force may not retire, prepare to retire, or place  
24 in storage or on backup aircraft inventory status any A-  
25 10 aircraft until a period of 90 days has elapsed following

1 *the date on which the Secretary submits to the congressional*  
2 *defense committees the report under subsection (e)(2).*

3       *(c) PROHIBITION ON SIGNIFICANT REDUCTIONS IN*  
4 *MANNING LEVELS.—None of the funds authorized to be ap-*  
5 *propriated by this Act or otherwise made available for fiscal*  
6 *year 2017 for the Air Force may be obligated or expended*  
7 *to make significant reductions to manning levels with re-*  
8 *spect to any A–10 aircraft squadrons or divisions.*

9       *(d) MINIMUM INVENTORY REQUIREMENT.—The Sec-*  
10 *retary of the Air Force shall ensure the Air Force maintains*  
11 *a minimum of 171 A–10 aircraft designated as primary*  
12 *mission aircraft inventory until a period of 90 days has*  
13 *elapsed following the date on which the Secretary submits*  
14 *to the congressional defense committees the report under*  
15 *subsection (e)(2).*

16       *(e) REPORTS REQUIRED.—*

17               *(1) The Director of Operational Test and Eval-*  
18 *uation shall submit to the congressional defense com-*  
19 *mittees a report that includes—*

20                       *(A) the results and findings of the initial*  
21 *operational test and evaluation of the F–35 air-*  
22 *craft program; and*

23                       *(B) a comparison test and evaluation that*  
24 *examines the capabilities of the F–35A and A–*  
25 *10C aircraft in conducting close air support,*

1           *combat search and rescue, and forward air con-*  
2           *troller airborne missions.*

3           (2) *Not later than 180 days after the date of the*  
4           *submission of the report under paragraph (1), the*  
5           *Secretary of the Air Force shall submit to the congres-*  
6           *sional defense committees a report that includes—*

7                   (A) *the views of the Secretary with respect*  
8                   *to the results of the initial operational test and*  
9                   *evaluation of the F-35 aircraft program as sum-*  
10                  *marized in the report under paragraph (1), in-*  
11                  *cluding any issues or concerns of the Secretary*  
12                  *with respect to such results;*

13                  (B) *a plan for addressing any deficiencies*  
14                  *and carrying out any corrective actions identi-*  
15                  *fied in such report; and*

16                  (C) *short-term and long-term strategies for*  
17                  *preserving the capability of the Air Force to con-*  
18                  *duct close air support, combat search and rescue,*  
19                  *and forward air controller airborne missions.*

20       (f) *SPECIAL RULE.—*

21           (1) *Subject to paragraph (2), the Secretary of the*  
22           *Air Force may carry out the transition of the A-10*  
23           *unit at Fort Wayne Air National Guard Base, Indi-*  
24           *ana, to an F-16 unit as described by the Secretary*  
25           *in the Force Structure Actions map submitted in sup-*

1        *port of the budget of the President for fiscal year 2017*  
2        *(as submitted to Congress under section 1105(a) of*  
3        *title 31, United States Code).*

4            *(2) Subsections (a) through (e) shall apply with*  
5        *respect to any A-10 aircraft affected by the transition*  
6        *described in paragraph (1).*

7        **SEC. 135. PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
8                    **RETIREMENT OF JOINT SURVEILLANCE TAR-**  
9                    **GET ATTACK RADAR SYSTEM AIRCRAFT.**

10        *(a) PROHIBITION.—Except as provided by subsection*  
11        *(b) and in addition to the prohibition under section 144*  
12        *of the National Defense Authorization Act for Fiscal Year*  
13        *2016 (Public Law 114–92; 129 Stat. 758) none of the funds*  
14        *authorized to be appropriated or otherwise made available*  
15        *for fiscal year 2018 for the Air Force may be obligated or*  
16        *expended to retire, or prepare to retire, any Joint Surveil-*  
17        *lance Target Attack Radar System aircraft.*

18        *(b) EXCEPTION.—The prohibition in subsection (a)*  
19        *shall not apply to individual Joint Surveillance Target At-*  
20        *tack Radar System aircraft that the Secretary of the Air*  
21        *Force determines, on a case-by-case basis, to be non-oper-*  
22        *ational because of mishaps, other damage, or being uneco-*  
23        *nomical to repair.*

1 **SEC. 136. REPORT ON COST OF B-21 AIRCRAFT.**

2 *Not later than 180 days after the date of the enactment*  
 3 *of this Act, the Secretary of Defense shall submit to the con-*  
 4 *gressional defense committees a report on the cost of the B-*  
 5 *21 aircraft. The report shall include an estimate of the total*  
 6 *cost of research, production, and maintenance for the air-*  
 7 *craft expressed in constant base-year dollars and in current*  
 8 *dollars.*

9 **SEC. 137. PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
 10 **RETIREMENT OF U-2 AIRCRAFT.**

11 *None of the funds authorized to be appropriated by this*  
 12 *Act or otherwise made available for the Air Force may be*  
 13 *obligated or expended to retire, prepare to retire, or place*  
 14 *in storage or on backup aircraft inventory status any U-*  
 15 *2 aircraft.*

16 ***Subtitle E—Defense-wide, Joint,***  
 17 ***and Multiservice Matters***

18 **SEC. 141. TERMINATION OF QUARTERLY REPORTING ON**  
 19 **USE OF COMBAT MISSION REQUIREMENTS**  
 20 **FUNDS.**

21 *Section 123(a)(1) of the Ike Skelton National Defense*  
 22 *Authorization Act for Fiscal Year 2011 (Public Law 111-*  
 23 *383; 124 Stat. 4158; 10 U.S.C. 167 note.) is amended by*  
 24 *inserting “ending on or before September 30, 2018” after*  
 25 *“each fiscal quarter”.*



1 **SEC. 142. FIRE SUPPRESSANT AND FUEL CONTAINMENT**  
2 **STANDARDS FOR CERTAIN VEHICLES.**

3 (a) *GUIDANCE REQUIRED.*—

4 (1) *The Secretary of the Army shall issue guid-*  
5 *ance regarding fire suppressant and fuel containment*  
6 *standards for covered vehicles of the Army.*

7 (2) *The Secretary of the Navy shall issue guid-*  
8 *ance regarding fire suppressant and fuel containment*  
9 *standards for covered vehicles of the Marine Corps.*

10 (b) *ELEMENTS.*—*The guidance regarding fire suppres-*  
11 *sant and fuel containment standards issued pursuant to*  
12 *subsection (a) shall—*

13 (1) *meet the survivability requirements applica-*  
14 *ble to each class of covered vehicles;*

15 (2) *include standards for vehicle armor, vehicle*  
16 *fire suppression systems, and fuel containment tech-*  
17 *nologies in covered vehicles; and*

18 (3) *balance cost, survivability, and mobility.*

19 (c) *REPORT TO CONGRESS.*—*Not later than 180 days*  
20 *after the date of the enactment of this Act, the Secretary*  
21 *of the Army and the Secretary of the Navy shall each submit*  
22 *to the congressional defense committees a report that in-*  
23 *cludes—*

24 (1) *the policy guidance established pursuant to*  
25 *subsection (a), set forth separately for each class of*  
26 *covered vehicle; and*

1           (2) *any other information the Secretaries deter-*  
2           *mine to be appropriate.*

3           (d) *COVERED VEHICLES.*—*In this section, the term*  
4           *“covered vehicles” means ground vehicles acquired on or*  
5           *after October 1, 2018, under a major defense acquisition*  
6           *program (as such term is defined in section 2430 of title*  
7           *10, United States Code), including light tactical vehicles,*  
8           *medium tactical vehicles, heavy tactical vehicles, and*  
9           *ground combat vehicles.*

10   **SEC. 143. REPORT ON DEPARTMENT OF DEFENSE MUNI-**  
11                           **TIONS STRATEGY FOR THE COMBATANT COM-**  
12                           **MANDS.**

13           (a) *REPORT REQUIRED.*—*Not later than April 1,*  
14           *2017, the Secretary of Defense shall submit to the congres-*  
15           *sional defense committees a report on the munitions strat-*  
16           *egy for the combatant commands, including an identifica-*  
17           *tion of munitions requirements, an assessment of munitions*  
18           *gaps and shortfalls, and necessary munitions investments.*  
19           *Such strategy shall cover the 10-year period beginning with*  
20           *2016.*

21           (b) *ELEMENTS.*—*The report on munitions strategy re-*  
22           *quired by subsection (a) shall include the following:*

23                   (1) *An identification of current and projected*  
24                   *munitions requirements, by class or type.*

1           (2) *An assessment of munitions gaps and short-*  
2 *falls, including a census of current munitions capa-*  
3 *bilities and programs, not including ammunition.*

4           (3) *A description of current and planned muni-*  
5 *tions programs, including with respect to procure-*  
6 *ment; research, development, test, and evaluation; and*  
7 *deployment activities.*

8           (4) *Schedules, estimated costs, and budget plans*  
9 *for current and planned munitions programs.*

10          (5) *Identification of opportunities and limita-*  
11 *tions within the associated industrial base.*

12          (6) *Identification and evaluation of technology*  
13 *needs and applicable emerging technologies.*

14          (7) *An assessment of how current and planned*  
15 *munitions programs, and promising technologies,*  
16 *may affect existing operational concepts and capabili-*  
17 *ties of the military departments or lead to new oper-*  
18 *ational concepts and capabilities.*

19          (8) *An assessment of programs and capabilities*  
20 *by other countries to counter the munitions programs*  
21 *and capabilities of the Armed Forces, not including*  
22 *with respect to ammunition, and how such assessment*  
23 *affects the munitions strategy of each military depart-*  
24 *ment.*

1           (9) *An assessment of how munitions capability*  
2       *and capacity may be affected by changes consistent*  
3       *with the Memorandum of the Secretary of Defense*  
4       *dated June 19, 2008, regarding the Department of*  
5       *Defense policy on cluster munitions and unintended*  
6       *harm to civilians.*

7           (10) *Any other matters the Secretary determines*  
8       *appropriate.*

9       (c) *FORM.—The report under subsection (a) may be*  
10     *submitted in classified or unclassified form.*

11     **SEC. 144. COMPTROLLER GENERAL REVIEW OF F-35 LIGHT-**  
12                           **NING II AIRCRAFT SUSTAINMENT SUPPORT.**

13       (a) *REVIEW.—Not later than September 30, 2017, the*  
14     *Comptroller General of the United States shall submit to*  
15     *the congressional defense committees a report on the*  
16     *sustainment support structure for the F-35 Lightning II*  
17     *aircraft program.*

18       (b) *ELEMENTS.—The review under subsection (a) shall*  
19     *include, with respect to the F-35 Lightning II aircraft pro-*  
20     *gram, the following:*

21           (1) *The status of the sustainment support strat-*  
22     *egy for the program, including goals for personnel*  
23     *training, required infrastructure, and fleet readiness.*

1           (2) *Approaches, including performance-based lo-*  
 2           *gistics, considered in developing the sustainment sup-*  
 3           *port strategy for the program.*

4           (3) *Other information regarding sustainment*  
 5           *and logistics support for the program that the Comp-*  
 6           *troller General determines to be of critical importance*  
 7           *to the long-term viability of the program.*

8 **SEC. 145. BRIEFING ON ACQUISITION STRATEGY FOR**  
 9                   **GROUND MOBILITY VEHICLE.**

10         (a) *BRIEFING REQUIRED.*—*Not later than 180 days*  
 11         *after the date of the enactment of this Act, the Under Sec-*  
 12         *retary of Defense for Acquisition, Technology, and Logistics,*  
 13         *in consultation with the Secretary of the Army, shall*  
 14         *present to the congressional defense committees a briefing*  
 15         *on the acquisition strategy for the Ground Mobility Vehicle*  
 16         *for use with the Global Response Force.*

17         (b) *ELEMENTS.*—*The briefing under subsection (a)*  
 18         *shall include an assessment of—*

19                 (1) *whether the Ground Mobility Vehicle is a*  
 20                 *suitable candidate for solutions that would utilize*  
 21                 *militarized commercial off-the-shelf platforms*  
 22                 *leveraging existing global automotive supply chains to*  
 23                 *satisfy requirements and reduce the life-cycle cost of*  
 24                 *the program;*

1           (2) *whether the acquisition strategy meets the*  
2           *focus areas specified in the Better Buying Power ini-*  
3           *tiative of the Secretary of Defense; and*

4           (3) *whether including an active safety system*  
5           *like electronic stability control in the Ground Mobil-*  
6           *ity Vehicle, as such system is used on the Joint Light*  
7           *Tactical Vehicle, is expected to reduce the risk of vehi-*  
8           *cle rollover.*

9   **SEC. 146. STANDARDIZATION OF 5.56MM RIFLE AMMUNI-**  
10                                   **TION.**

11           (a) *REPORT.*—*If, on the date that is 180 days after*  
12           *the date of the enactment of this Act, the Army and the*  
13           *Marine Corps are each using different variants of 5.56mm*  
14           *rifle ammunition, the Secretary of Defense shall, on such*  
15           *date, submit to the congressional defense committees a re-*  
16           *port explaining the reasons that the Army and the Marine*  
17           *Corps are using different variants of such ammunition.*

18           (b) *STANDARDIZATION REQUIREMENT.*—*Not later*  
19           *than one year after the date of the enactment of this Act,*  
20           *the Secretary of Defense shall ensure that the Army and*  
21           *the Marine Corps are using the same variant of 5.56mm*  
22           *rifle ammunition.*

23           (c) *EXCEPTION.*—*Subsection (b) shall not apply in a*  
24           *case in which the Secretary of Defense—*

1           (1) *determines that a state of emergency requires*  
2           *the Army and the Marine Corps to use different*  
3           *variants of 5.56mm rifle ammunition; and*

4           (2) *certifies to the congressional defense commit-*  
5           *tees that such a determination has been made.*

6           **TITLE II—RESEARCH, DEVELOP-**  
7           **MENT, TEST, AND EVALUA-**  
8           **TION**

9           **Subtitle A—Authorization of**  
10           **Appropriations**

11           **SEC. 201. AUTHORIZATION OF APPROPRIATIONS.**

12           *Funds are hereby authorized to be appropriated for fis-*  
13           *cal year 2017 for the use of the Department of Defense for*  
14           *research, development, test, and evaluation, as specified in*  
15           *the funding table in section 4201.*

16           **Subtitle B—Program Requirements,**  
17           **Restrictions, and Limitations**

18           **SEC. 211. LABORATORY QUALITY ENHANCEMENT PROGRAM.**

19           (a) *IN GENERAL.*—*The Secretary of Defense, acting*  
20           *through the Assistant Secretary of Defense for Research and*  
21           *Engineering, shall carry out a Program to be known as the*  
22           *“Laboratory Quality Enhancement Program” under which*  
23           *the Secretary shall establish the panels described in sub-*  
24           *section (b) and direct such panels—*

1           (1) *to review and make recommendations to the*  
2 *Secretary with respect to—*

3                 (A) *existing policies and practices affecting*  
4 *the science and technology reinvention labora-*  
5 *tories to improve the research output of such lab-*  
6 *oratories; and*

7                 (B) *new initiatives proposed by the science*  
8 *and technology reinvention laboratories;*

9           (2) *to support implementation of current and fu-*  
10 *ture initiatives affecting the science and technology*  
11 *reinvention laboratories; and*

12           (3) *to conduct assessments or data analysis on*  
13 *such other issues as the Secretary determines to be ap-*  
14 *propriate.*

15         (b) *PANELS.—The panels described in this subsection*  
16 *are:*

17                 (1) *A panel on personnel, workforce development,*  
18 *and talent management.*

19                 (2) *A panel on facilities and infrastructure.*

20                 (3) *A panel on research strategy, technology*  
21 *transfer, and industry partnerships.*

22                 (4) *A panel on oversight, administrative, and*  
23 *regulatory processes.*

24         (c) *COMPOSITION OF PANELS.—*



1           (1) *Each panel described in subsection (b) shall*  
2 *be composed of not less than 4 members.*

3           (2) *Each panel described in paragraphs (1)*  
4 *through (3) of subsection (b) shall be composed of sub-*  
5 *ject matter and technical management experts from—*

6                   (A) *laboratories and research centers of the*  
7 *Army, Navy and Air Force;*

8                   (B) *appropriate Defense Agencies;*

9                   (C) *the Office of the Assistant Secretary of*  
10 *Defense for Research and Engineering; and*

11                   (D) *such other entities of the Department of*  
12 *Defense as the Secretary determines to be appro-*  
13 *priate.*

14           (3) *The panel described in subsection (b)(4) shall*  
15 *be composed of—*

16                   (A) *the Director of the Army Research Lab-*  
17 *oratory;*

18                   (B) *the Director of the Air Force Research*  
19 *Laboratory;*

20                   (C) *the Director of the Naval Research Lab-*  
21 *oratory; and*

22                   (D) *such other members as the Secretary de-*  
23 *termines to be appropriate.*

24           (d) *GOVERNANCE OF PANELS.—*

1           (1) *The chairperson of each panel shall be se-*  
 2           *lected by its members.*

3           (2) *The panel described in subsection (b)(4)*  
 4           *shall—*

5                   (A) *oversee the activities of the panels de-*  
 6                   *scribed in paragraphs (1) through (3) of sub-*  
 7                   *section (b);*

8                   (B) *determine the subject matter to be con-*  
 9                   *sidered by the panels; and*

10                  (C) *provide the recommendations of the*  
 11                  *panels to the Secretary.*

12           (e) *PERSONNEL DEMONSTRATION PROJECT AUTHOR-*  
 13           *ITY.—Section 342(b) of the National Defense Authorization*  
 14           *Act for Fiscal Year 1995 (Public Law 103–337; 108 Stat.*  
 15           *2721) (as amended by section 1114(a)(2)(C) of the National*  
 16           *Defense Authorization Act for Fiscal Year 2001 (Public*  
 17           *Law 106–398; 114 Stat. 1654A–315)) is amended by add-*  
 18           *ing at the end the following new paragraph:*

19                   “(4) *In carrying out this subsection, the Sec-*  
 20                   *retary shall act through the Assistant Secretary of De-*  
 21                   *fense for Research and Engineering.”.*

22           (f) *SCIENCE AND TECHNOLOGY REINVENTION LABORA-*  
 23           *TORY DEFINED.—In this section, the term “science and*  
 24           *technology reinvention laboratory” means a science and*  
 25           *technology reinvention laboratory designated under section*

1 1105 of the National Defense Authorization Act for Fiscal  
 2 Year 2010 (Public Law 111–84; 10 U.S.C. 2358 note).

3 **SEC. 212. MECHANISMS TO PROVIDE FUNDS FOR DEFENSE**  
 4 **LABORATORIES FOR RESEARCH AND DEVEL-**  
 5 **OPMENT OF TECHNOLOGIES FOR MILITARY**  
 6 **MISSIONS.**

7 Section 219 of the Duncan Hunter National Defense  
 8 Authorization Act for Fiscal Year 2009 (Public Law 110–  
 9 417; 10 U.S.C. 2358 note), as most recently amended by  
 10 section 262 of the National Defense Authorization Act for  
 11 Fiscal Year 2014 (Public Law 113–66), is amended—

12 (1) in subsection (a)(1), by striking “not more  
 13 than”; and

14 (2) by amending subsection (d) to read as fol-  
 15 lows:

16 “(d) *SPECIAL RULE.*—For purposes of this section, a  
 17 federally funded research and development center shall be  
 18 considered a defense laboratory if the center is sponsored  
 19 by the Department of Defense.”.

20 **SEC. 213. NOTIFICATION REQUIREMENT FOR CERTAIN**  
 21 **RAPID PROTOTYPING, EXPERIMENTATION,**  
 22 **AND DEMONSTRATION ACTIVITIES.**

23 (a) *NOTICE REQUIRED.*—The Secretary of the Navy  
 24 shall not initiate a covered activity until a period of 10  
 25 business days has elapsed following the date on which the

1 *Secretary submits to the congressional defense committees*  
2 *the notice described in subsection (b) with respect to such*  
3 *activity.*

4 *(b) ELEMENTS OF NOTICE.—The notice described in*  
5 *this subsection is a written notice of the intention of the*  
6 *Secretary to initiate a covered activity. Each such notice*  
7 *shall include the following:*

8 *(1) A description of the activity.*

9 *(2) Estimated costs and funding sources for the*  
10 *activity, including a description of any cost-sharing*  
11 *or in-kind support arrangements with other partici-*  
12 *pants.*

13 *(3) A description of any transition agreement,*  
14 *including the identity of any partner organization*  
15 *that may receive the results of the covered activity*  
16 *under such an agreement.*

17 *(4) Identification of major milestones and the*  
18 *anticipated date of completion of the activity.*

19 *(c) COVERED ACTIVITY.—In this section, the term*  
20 *“covered activity” means a rapid prototyping, experimen-*  
21 *tation, or demonstration activity carried out under pro-*  
22 *gram element 0603382N.*

23 *(d) SUNSET.—The requirements of this section shall*  
24 *terminate 5 years after the date of the enactment of this*  
25 *Act.*

1 **SEC. 214. IMPROVED BIOSAFETY FOR HANDLING OF SELECT**  
2 **AGENTS AND TOXINS.**

3 (a) *QUALITY CONTROL AND QUALITY ASSURANCE*  
4 *PROGRAM.*—*The Secretary of Defense, acting through the*  
5 *executive agent for the biological select agent and toxin bio-*  
6 *safety program of the Department of Defense, shall carry*  
7 *out a program to implement certain quality control and*  
8 *quality assurance measures at each covered facility.*

9 (b) *QUALITY CONTROL AND QUALITY ASSURANCE*  
10 *MEASURES.*—*Subject to subsection (c), the quality control*  
11 *and quality assurance measures implemented at each cov-*  
12 *ered facility under subsection (a) shall include the fol-*  
13 *lowing:*

14 (1) *Designation of an external manager to over-*  
15 *see quality assurance and quality control.*

16 (2) *Environmental sampling and inspection.*

17 (3) *Production procedures that prohibit oper-*  
18 *ations where live biological select agents and toxins*  
19 *are used in the same laboratory where viability test-*  
20 *ing is conducted.*

21 (4) *Production procedures that prohibit work on*  
22 *multiple organisms or multiple strains of one orga-*  
23 *nism within the same biosafety cabinet.*

24 (5) *A video surveillance program that uses video*  
25 *monitoring as a tool to improve laboratory practices*  
26 *in accordance with regulatory requirements.*

1           (6) *Formal, recurring data reviews of production*  
2           *in an effort to identify data trends and nonconform-*  
3           *ance issues before such issues affect end products.*

4           (7) *Validated protocols for production processes*  
5           *to ensure that process deviations are adequately vetted*  
6           *prior to implementation.*

7           (8) *Maintenance and calibration procedures and*  
8           *schedules for all tools, equipment, and irradiators.*

9           (c) *WAIVER.—In carrying out the program under sub-*  
10          *section (a), the Secretary may waive any of the quality con-*  
11          *trol and quality assurance measures required under sub-*  
12          *section (b) in the interest of national defense.*

13          (d) *STUDY AND REPORT REQUIRED.—*

14                 (1) *The Secretary of Defense shall carry out a*  
15                 *study to evaluate—*

16                         (A) *the feasibility of consolidating covered*  
17                         *facilities within a unified command to minimize*  
18                         *risk;*

19                         (B) *opportunities to partner with industry*  
20                         *for the production of biological select agents and*  
21                         *toxins and related services in lieu of maintain-*  
22                         *ing such capabilities within the Department of*  
23                         *the Army; and*

24                         (C) *whether operations under the biological*  
25                         *select agent and toxin production program*

1           *should be transferred to another government or*  
2           *commercial laboratory that may be better suited*  
3           *to execute production for non-Department of De-*  
4           *fense customers.*

5           *(2) Not later than February 1, 2017, the Sec-*  
6           *retary shall submit to the congressional defense com-*  
7           *mittees a report on the results of the study under*  
8           *paragraph (1).*

9           *(e) COMPTROLLER GENERAL REVIEW.—Not later than*  
10          *September 1, 2017, the Comptroller General of the United*  
11          *States shall submit to the congressional defense committees*  
12          *a report that includes the following:*

13                 *(1) A review of—*

14                         *(A) the actions taken by the Department of*  
15                         *Defense to address the findings and recommenda-*  
16                         *tions of the report of the Department of the*  
17                         *Army titled “Individual and Institutional Ac-*  
18                         *countability for the Shipment of Viable Bacillus*  
19                         *Anthraxis from Dugway Proving Grounds”,*  
20                         *dated December 15, 2015, including any actions*  
21                         *taken to address the culture of complacency in*  
22                         *the biological select agent and toxin production*  
23                         *program identified in such report; and*

24                         *(B) the progress of the Secretary in car-*  
25                         *rying out the program under subsection (a).*

1           (2) *An analysis of the study and report under*  
2 *subsection (d).*

3           (f) *DEFINITIONS.—In this section:*

4           (1) *The term “covered facility” means any facil-*  
5 *ity of the Department of Defense that produces bio-*  
6 *logical select agents and toxins.*

7           (2) *The term “biological select agent and toxin”*  
8 *means any agent or toxin identified under—*

9           (A) *section 331.3 of title 7, Code of Federal*  
10 *Regulations;*

11           (B) *section 121.3 or section 121.4 of title 9,*  
12 *Code of Federal Regulations; or*

13           (C) *section 73.3 or section 73.4 of title 42,*  
14 *Code of Federal Regulations.*

15 **SEC. 215. MODERNIZATION OF SECURITY CLEARANCE IN-**  
16 **FORMATION TECHNOLOGY ARCHITECTURE.**

17           (a) *IN GENERAL.—The Secretary of Defense, in con-*  
18 *sultation with the Director of National Intelligence and the*  
19 *Director of the Office of Personnel Management, shall de-*  
20 *velop and implement an information technology system (in*  
21 *this section referred to as the “System”) to—*

22           (1) *modernize and sustain the security clearance*  
23 *information architecture of the National Background*  
24 *Investigations Bureau and the Department of Defense;*



1           (2) *support decision-making processes for the*  
2           *evaluation and granting of personnel security clear-*  
3           *ances;*

4           (3) *improve cyber security capabilities with re-*  
5           *spect to sensitive security clearance data and proc-*  
6           *esses;*

7           (4) *reduce the complexity and cost of the security*  
8           *clearance process;*

9           (5) *provide information to managers on the fi-*  
10          *nancial and administrative costs of the security clear-*  
11          *ance process;*

12          (6) *strengthen the ties between counterintelligence*  
13          *and personnel security communities; and*

14          (7) *improve system standardization in the secu-*  
15          *rity clearance process.*

16          (b) *GUIDANCE REQUIRED.*—*Not later than 180 days*  
17          *after the date of the enactment of this Act, the Secretary*  
18          *of Defense, in consultation with the Director of National*  
19          *Intelligence and the Director of the Office of Personnel Man-*  
20          *agement, shall issue guidance establishing the respective*  
21          *roles, responsibilities, and obligations of the Secretary and*  
22          *Directors with respect to the development and implementa-*  
23          *tion of the System.*

24          (c) *ELEMENTS OF SYSTEM.*—*In developing the System*  
25          *under subsection (a), the Secretary shall—*

1           (1) *conduct a review of security clearance busi-*  
2 *ness processes and, to the extent practicable, modify*  
3 *such processes to maximize compatibility with the se-*  
4 *curity clearance information technology architecture*  
5 *to minimize the need for customization of the System;*

6           (2) *conduct business process mapping (as such*  
7 *term is defined in section 2222(i) of title 10, United*  
8 *States Code) of the business processes described in*  
9 *paragraph (1);*

10          (3) *use spiral development and incremental ac-*  
11 *quisition practices to rapidly deploy the System, in-*  
12 *cluding through the use of prototyping and open ar-*  
13 *chitecture principles;*

14          (4) *establish a process to identify and limit*  
15 *interfaces with legacy systems and to limit*  
16 *customization of any commercial information tech-*  
17 *nology tools used;*

18          (5) *establish automated processes for measuring*  
19 *the performance goals of the System; and*

20          (6) *incorporate capabilities for the continuous*  
21 *monitoring of network security and the mitigation of*  
22 *insider threats to the System.*

23          (d) *COMPLETION DATE.*—*The Secretary shall complete*  
24 *the development and implementation of the System by not*  
25 *later than September 30, 2019.*

1       (e) *BRIEFING.*—Beginning on December 1, 2016, and  
2 on a quarterly basis thereafter until the completion date  
3 of the System under subsection (d), the Secretary of Defense  
4 shall provide a briefing to the Committees on Armed Serv-  
5 ices of the Senate and House of Representatives (and other  
6 appropriate congressional committees on request) on the  
7 progress of the Secretary in developing and implementing  
8 the System.

9       (f) *REVIEW OF APPLICABLE LAWS.*—The Secretary  
10 shall review laws, regulations, and executive orders relating  
11 to the maintenance of personnel security clearance informa-  
12 tion by the Federal Government. Not later than 90 days  
13 after the date of the enactment of this Act, the Secretary  
14 shall provide to the Committees on Armed Services of the  
15 Senate and House of Representatives (and other appro-  
16 priate congressional committees on request) a briefing that  
17 includes—

18           (1) the results of the review; and

19           (2) recommendations, if any, for consolidating  
20 and clarifying laws, regulations, and executive orders  
21 relating to the maintenance of personnel security  
22 clearance information by the Federal Government.

23       (g) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
24 *FINED.*—In this section, the term “appropriate congres-  
25 sional committees” means—

1           (1) *the Select Committee on Intelligence, the*  
2           *Committee on Homeland Security and Governmental*  
3           *Affairs, and the Committee on Appropriations of the*  
4           *Senate; and*

5           (2) *the Permanent Select Committee on Intel-*  
6           *ligence, the Committee on Oversight and Government*  
7           *Reform, and the Committee on Appropriations of the*  
8           *House of Representatives.*

9   **SEC. 216. PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
10                           **COUNTERING WEAPONS OF MASS DESTRUC-**  
11                           **TION SYSTEM CONSTELLATION.**

12           (a) *PROHIBITIONS.*—None of the funds authorized to  
13 *be appropriated by this Act or otherwise made available*  
14 *for fiscal year 2017 for the countering weapons of mass de-*  
15 *struction situational awareness information system com-*  
16 *monly known as “Constellation” may be obligated or ex-*  
17 *pended for research, development, or prototyping for such*  
18 *system.*

19           (b) *REVIEW.*—The Chief Information Officer of the De-  
20 *partment of Defense, in consultation with the Director of*  
21 *the Defense Information Systems Agency, shall review the*  
22 *requirements and program plan for research, development,*  
23 *and prototyping for the Constellation system.*

24           (c) *REPORT REQUIRED.*—Not later than February 1,  
25 *2017, the Chief Information Officer of the Department of*

1 *Defense, in consultation with the Director of the Defense*  
2 *Information Systems Agency, shall submit to the congres-*  
3 *sional defense committees a report on the review under sub-*  
4 *section (b). Such report shall include the following, with*  
5 *respect to the Constellation system:*

6           (1) *A review of the major software components of*  
7 *the system and an explanation of the requirements of*  
8 *the Department of Defense with respect to each such*  
9 *component.*

10           (2) *Identification of elements and applications of*  
11 *the system that cannot be implemented using the ex-*  
12 *isting technical infrastructure and tools of the De-*  
13 *partment of Defense or the infrastructure and tools in*  
14 *development.*

15           (3) *A description of major developmental mile-*  
16 *stones and decision points for additional prototypes*  
17 *needed to establish the full capabilities of the system,*  
18 *including a timeline and detailed metrics and cri-*  
19 *teria for each such milestone and decision point.*

20           (4) *An overview of a security plan to achieve an*  
21 *accredited cross-domain solution system, including se-*  
22 *curity milestones and proposed security architecture*  
23 *to mitigate both insider and outsider threats.*

24           (5) *Identification of the planned categories of*  
25 *end-users of the system, linked to organizations, mis-*

1        *sion requirements, and concept of operations, the ex-*  
2        *pected total number of end-users, and the associated*  
3        *permissions granted to such users.*

4                *(6) A cost estimate for the full life-cycle cost to*  
5        *complete the Constellation system.*

6    **SEC. 217. LIMITATION ON AVAILABILITY OF FUNDS FOR DE-**  
7                        **FENSE INNOVATION UNIT EXPERIMENTAL.**

8        *(a) LIMITATION.—Of the funds specified in subsection*  
9        *(c), not more than 80 percent may be obligated or expended*  
10        *until the date on which the Secretary of Defense submits*  
11        *to the congressional defense committees the report under*  
12        *subsection (b).*

13        *(b) REPORT REQUIRED.—The Secretary of Defense*  
14        *shall submit to the congressional defense committees a re-*  
15        *port on the Defense Innovation Unit Experimental. Such*  
16        *report shall include the following:*

17                *(1) The charter and mission statement of the*  
18        *Unit.*

19                *(2) A description of—*

20                        *(A) the governance structure of the Unit;*

21                        *(B) the metrics used to measure the effec-*  
22        *tiveness of the Unit;*

23                        *(C) the process for coordinating and*  
24        *deconflicting the activities of the Unit with simi-*  
25        *lar activities of the military departments, De-*

1        *defense Agencies, and other departments and agen-*  
2        *cies of the Federal Government, including activi-*  
3        *ties carried out by In-Q-Tel, the Defense Ad-*  
4        *vanced Research Projects Agency, and Depart-*  
5        *ment of Defense laboratories;*

6                *(D) the direct staffing requirements of the*  
7        *Unit, including a description of the desired skills*  
8        *and expertise of such staff;*

9                *(E) the number of civilian and military*  
10        *personnel provided by the military departments*  
11        *and Defense Agencies to support the Unit;*

12                *(F) any planned expansion to new sites, the*  
13        *metrics used to identify such sites, and an expla-*  
14        *nation of how such expansion will provide access*  
15        *to innovations of nontraditional defense contrac-*  
16        *tors (as such term is defined in section 2302 of*  
17        *title 10, United States Code) that are not other-*  
18        *wise accessible;*

19                *(G) how compliance with Department of*  
20        *Defense requirements could affect the ability of*  
21        *such nontraditional defense contractors to mar-*  
22        *ket products and obtain funding; and*

23                *(H) how to treat intellectual property that*  
24        *has been developed with little or no government*  
25        *funding.*

1           (3) *Any other information the Secretary deter-*  
2           *mines to be appropriate.*

3           (c) *FUNDS SPECIFIED.—The funds specified in this*  
4           *subsection are as follows:*

5           (1) *Funds authorized to be appropriated by this*  
6           *Act or otherwise made available for fiscal year 2017*  
7           *for operation and maintenance, Defense-wide, for the*  
8           *Defense Innovation Unit Experimental.*

9           (2) *Funds authorized to be appropriated by this*  
10          *Act or otherwise made available for fiscal year 2017*  
11          *for research, development, test, and evaluation, De-*  
12          *fense-wide, for the Defense Innovation Unit Experi-*  
13          *mental.*

14 **SEC. 218. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
15                                   **TACTICAL COMBAT TRAINING SYSTEM INCRE-**  
16                                   **MENT II.**

17          *Of the funds authorized to be appropriated by this Act*  
18          *or otherwise made available for fiscal year 2017 for the Tac-*  
19          *tical Combat Training System Increment II of the Navy,*  
20          *not more than 80 percent may be obligated or expended*  
21          *until the Secretary of the Navy and the Secretary of the*  
22          *Air Force submit to the congressional defense committees*  
23          *the report required by section 235 of the National Defense*  
24          *Authorization Act for Fiscal Year 2016 (Public Law 114-*  
25          *92; 129 Stat. 780).*



1 **SEC. 219. RESTRUCTURING OF THE DISTRIBUTED COMMON**  
2 **GROUND SYSTEM OF THE ARMY.**

3 (a) *IN GENERAL.*—Not later than April 1, 2017, the  
4 Secretary of the Army shall restructure versions of the dis-  
5 tributed common ground system of the Army after Incre-  
6 ment 1—

7 (1) *by discontinuing development of any compo-*  
8 *nent of the system for which there is commercial soft-*  
9 *ware that is capable of fulfilling at least 80 percent*  
10 *of the system requirements applicable to such compo-*  
11 *nent; and*

12 (2) *by conducting a review of the acquisition*  
13 *strategy of the program to ensure that procurement of*  
14 *commercial software is the preferred method of meet-*  
15 *ing program requirements.*

16 (b) *LIMITATION.*—The Secretary of the Army shall not  
17 award any contract for the development of any capability  
18 for the distributed common ground system of the Army if  
19 such a capability is available for purchase on the commer-  
20 cial market, except for minor capabilities that are inci-  
21 dental to and necessary for the proper functioning of a  
22 major component of the system.

1 **SEC. 220. DESIGNATION OF DEPARTMENT OF DEFENSE SEN-**  
2 **IOR OFFICIAL WITH PRINCIPAL RESPONSIBI-**  
3 **LITY FOR DIRECTED ENERGY WEAPONS.**

4 *Not later than 180 days after the date of the enactment*  
5 *of this Act, the Secretary of Defense shall—*

6 *(1) designate a senior official already serving*  
7 *within the Department of Defense as the official with*  
8 *principal responsibility for the development and dem-*  
9 *onstration of directed energy weapons for the Depart-*  
10 *ment; and*

11 *(2) set forth the responsibilities of that senior of-*  
12 *ficial with respect to such programs.*

13 ***Subtitle C—Reports and Other***  
14 ***Matters***

15 **SEC. 231. STRATEGY FOR ASSURED ACCESS TO TRUSTED**  
16 **MICROELECTRONICS.**

17 *(a) STRATEGY.—The Secretary of Defense shall develop*  
18 *a strategy to ensure that the Department of Defense has*  
19 *assured access to trusted microelectronics by not later than*  
20 *September 30, 2020.*

21 *(b) ELEMENTS.—The strategy under subsection (a)*  
22 *shall include the following:*

23 *(1) Definitions of the various levels of trust re-*  
24 *quired by classes of Department of Defense systems.*

25 *(2) Means of classifying systems of the Depart-*  
26 *ment of Defense based on the level of trust such sys-*

1        *tems are required to maintain with respect to micro-*  
2        *electronics.*

3            (3) *Means by which trust in microelectronics can*  
4        *be assured.*

5            (4) *Means to increase the supplier base for as-*  
6        *ssured microelectronics to ensure multiple supply*  
7        *pathways.*

8            (5) *An assessment of the microelectronics needs*  
9        *of the Department of Defense in future years, includ-*  
10       *ing the need for trusted, radiation-hardened micro-*  
11       *electronics.*

12           (6) *An assessment of the microelectronic needs of*  
13       *the Department of Defense that may not be fulfilled*  
14       *by entities outside the Department of Defense.*

15           (7) *The resources required to assure access to*  
16       *trusted microelectronics, including infrastructure and*  
17       *investments in science and technology.*

18        (c) *SUBMISSION.*—*Not later than one year after the*  
19       *date of the enactment of this Act, the Secretary shall submit*  
20       *to the congressional defense committees the strategy devel-*  
21       *oped under subsection (a). The strategy shall be submitted*  
22       *in unclassified form, but may include a classified annex.*

23        (d) *DIRECTIVE REQUIRED.*—*Not later than September*  
24       *30, 2020, the Secretary of Defense shall issue a directive*  
25       *for the Department of Defense describing how Department*

1 of Defense entities may access assured and trusted micro-  
2 electronics supply chains for Department of Defense sys-  
3 tems.

4 (e) *CERTIFICATION.*—Not later than September 30,  
5 2020, the Secretary of the Defense shall certify to the con-  
6 gressional defense committees that—

7 (1) the strategy developed under subsection (a)  
8 has been implemented; and

9 (2) the Department of Defense has an assured  
10 means for accessing a sufficient supply of trusted  
11 microelectronics, as required by the strategy developed  
12 under subsection (a).

13 (f) *DEFINITION.*—In this section, the terms “trust”  
14 and “trusted” refer, with respect to microelectronics, to the  
15 ability of the Department of Defense to have confidence that  
16 the microelectronics function as intended and are free of  
17 exploitable vulnerabilities, either intentionally or uninten-  
18 tionally designed or inserted as part of the system at any  
19 time during its life cycle.

20 **SEC. 232. PILOT PROGRAM ON EVALUATION OF COMMER-**  
21 **CIAL INFORMATION TECHNOLOGY.**

22 (a) *PILOT PROGRAM.*—The Director of the Defense In-  
23 formation Systems Agency shall carry out a pilot program  
24 to evaluate commercially available information technology  
25 tools to better understand the potential impact of such tools

1 *on networks and computing environments of the Depart-*  
2 *ment of Defense.*

3 (b) *ACTIVITIES.*—*Activities under the pilot program*  
4 *may include the following:*

5 (1) *Prototyping, experimentation, operational*  
6 *demonstration, military user assessments, and other*  
7 *means of obtaining quantitative and qualitative feed-*  
8 *back on the commercial information technology prod-*  
9 *ucts.*

10 (2) *Engagement with the commercial informa-*  
11 *tion technology industry to—*

12 (A) *forecast military requirements and tech-*  
13 *nology needs; and*

14 (B) *support the development of market*  
15 *strategies and program requirements before fi-*  
16 *nalizing acquisition decisions and strategies.*

17 (3) *Assessment of novel or innovative commercial*  
18 *technology for use by the Department of Defense.*

19 (4) *Assessment of novel or innovative contracting*  
20 *mechanisms to speed delivery of capabilities to the*  
21 *Armed Forces.*

22 (5) *Solicitation of operational user input to*  
23 *shape future information technology requirements of*  
24 *the Department of Defense.*

1           (c) *LIMITATION ON AVAILABILITY OF FUNDS.*—Of the  
2 amounts authorized to be appropriated for research, devel-  
3 opment, test, and evaluation, Defense-wide, for each of fiscal  
4 years 2017 through 2022, not more than \$15,000,000 may  
5 be expended on the pilot program in any such fiscal year.

6 **SEC. 233. PILOT PROGRAM FOR THE ENHANCEMENT OF THE**  
7                           **LABORATORIES AND TEST AND EVALUATION**  
8                           **CENTERS OF THE DEPARTMENT OF DEFENSE.**

9           (a) *IN GENERAL.*—The Assistant Secretaries shall  
10 jointly carry out a pilot program to demonstrate methods  
11 for the more effective development of research, development,  
12 test, and evaluation functions.

13           (b) *SELECTION AND PRIORITY.*—The Assistant Secre-  
14 taries shall jointly select not more than one laboratory and  
15 one test and evaluation center from each of the military  
16 services to participate in the pilot program under sub-  
17 section (a).

18           (c) *PARTICIPATION IN PROGRAM.*—

19                   (1) *IN GENERAL.*—Subject to paragraph (2), the  
20 director of a laboratory or test and evaluation center  
21 selected under subsection (b) shall propose and imple-  
22 ment alternative and innovative methods of rapid  
23 project delivery, support, experimentation, proto-  
24 typing, and partnership with universities and private  
25 sector entities to—

1           (A) generate greater value and efficiencies  
2           in research and development activities per dollar  
3           of cost; and

4           (B) enable more rapid deployment of  
5           warfighter capabilities.

6           (2) *IMPLEMENTATION.*—The director shall imple-  
7           ment each method proposed under paragraph (1) un-  
8           less such method is disapproved by the Assistant Sec-  
9           retary concerned.

10          (d) *WAIVER AUTHORITY FOR DEMONSTRATION AND*  
11 *IMPLEMENTATION.*—Until the termination of the pilot pro-  
12 gram under subsection (f), the director of a laboratory or  
13 test and evaluation center selected under subsection (b) may  
14 waive any restriction or departmental instruction that  
15 would affect the implementation of a method proposed  
16 under subsection (c), unless such implementation would be  
17 prohibited by Federal law.

18          (e) *MINIMUM PARTICIPATION REQUIREMENT.*—Each  
19 laboratory or test and evaluation center selected under sub-  
20 section (b) shall participate in the pilot program under sub-  
21 section (a) for a period of not fewer than six years begin-  
22 ning not later than 180 days after the date of the enactment  
23 of this Act.

24          (f) *TERMINATION.*—The pilot program under sub-  
25 section (a) shall terminate on the date determined appro-

1 *priate by the Secretary of Defense that is on or after the*  
 2 *end of the six-year period described in subsection (e).*

3 *(g) ASSISTANT SECRETARY DEFINED.—In this section,*  
 4 *the term “Assistant Secretary” means—*

5 *(1) the Assistant Secretary of the Air Force for*  
 6 *Acquisition, with respect to a working capital fund*  
 7 *institution of the Air Force;*

8 *(2) the Assistant Secretary of the Army for Ac-*  
 9 *quisition, Technology, and Logistics, with respect to*  
 10 *a working capital fund institution of the Army; and*

11 *(3) the Assistant Secretary of the Navy for Re-*  
 12 *search, Development, and Acquisition, with respect to*  
 13 *a working capital fund institution of the Navy.*

14 **SEC. 234. PILOT PROGRAM ON MODERNIZATION OF ELEC-**  
 15 **TROMAGNETIC SPECTRUM WARFARE SYS-**  
 16 **TEMS AND ELECTRONIC WARFARE SYSTEMS.**

17 *(a) PILOT PROGRAM.—*

18 *(1) IN GENERAL.—The Secretary of Defense may*  
 19 *carry out a pilot program on the modernization of*  
 20 *electromagnetic spectrum warfare systems and elec-*  
 21 *tronic warfare systems.*

22 *(2) SELECTION.—If the Secretary carries out the*  
 23 *pilot program under paragraph (1), the Electronic*  
 24 *Warfare Executive Committee shall select from the list*  
 25 *described in section 237(b)(4) a total of five electro-*



1       *magnetic spectrum warfare systems and electronic*  
2       *warfare systems across at least two military depart-*  
3       *ments that are currently in sustainment for mod-*  
4       *ernization under the pilot program.*

5       **(b) DEFINITIONS.**—*In this section:*

6           (1) *The term “electromagnetic spectrum warfare”*  
7       *means electronic warfare that encompasses military*  
8       *communications and sensing operations that occur in*  
9       *the electromagnetic operational domain.*

10          (2) *The term “electronic warfare” means mili-*  
11       *tary action involving the use of electromagnetic and*  
12       *directed energy to control the electromagnetic spec-*  
13       *trum or to attack the enemy.*

14       **SEC. 235. INDEPENDENT REVIEW OF F/A-18 PHYSIOLOGICAL**  
15                               **EPISODES AND CORRECTIVE ACTIONS.**

16       **(a) INDEPENDENT REVIEW REQUIRED.**—*The Sec-*  
17       *retary of the Navy shall conduct an independent review of*  
18       *the plans, programs, and research of the Department of the*  
19       *Navy with respect to—*

20           (1) *physiological events affecting aircrew of the*  
21       *F/A-18 Hornet and the F/A-18 Super Hornet air-*  
22       *craft during the covered period; and*

23           (2) *the efforts of the Navy and Marine Corps to*  
24       *prevent and mitigate the affects of such physiological*  
25       *events.*

1       (b) *CONDUCT OF REVIEW.*—*In conducting the review*  
2 *under subsection (a), the Secretary of the Navy shall—*

3           (1) *designate an appropriate senior official in*  
4 *the Office of the Secretary of the Navy to oversee the*  
5 *review; and*

6           (2) *consult experts from outside the Department*  
7 *of Defense in appropriate technical and medical*  
8 *fields.*

9       (c) *REVIEW ELEMENTS.*—*The review under subsection*  
10 *(a) shall include an evaluation of—*

11           (1) *any data of the Department of the Navy re-*  
12 *lating to the increased frequency of physiological*  
13 *events affecting aircrew of the F/A–18 Hornet and the*  
14 *F/A–18 Super Hornet aircraft during the covered pe-*  
15 *riod;*

16           (2) *aircraft mishaps potentially related to such*  
17 *physiological events;*

18           (3) *the cost and effectiveness of all material,*  
19 *operational, maintenance, and other measures carried*  
20 *out by the Department of the Navy to mitigate such*  
21 *physiological events during the covered period;*

22           (4) *material, operational, maintenance, or other*  
23 *measures that may reduce the rate of such physio-*  
24 *logical events in the future; and*

25           (5) *the performance of—*

1           (A) the onboard oxygen generation system  
2           in the F/A-18 Super Hornet;

3           (B) the overall environmental control sys-  
4           tem in the F/A-18 Hornet and F/A-18 Super  
5           Hornet; and

6           (C) other relevant subsystems of the F/A-18  
7           Hornet and F/A-18 Super Hornet, as deter-  
8           mined by the Secretary.

9           (d) *REPORT REQUIRED.*—Not later than December 1,  
10          2017, the Secretary of Navy shall submit to the congres-  
11          sional defense committees a report that includes the results  
12          of the review under subsection (a).

13          (e) *COVERED PERIOD.*—In this section, the term “cov-  
14          ered period” means the period beginning on January 1,  
15          2009, and ending on the date of the submission of the report  
16          under subsection (d).

17          **SEC. 236. STUDY ON HELICOPTER CRASH PREVENTION AND**  
18   **MITIGATION TECHNOLOGY.**

19          (a) *STUDY REQUIRED.*—The Secretary of Defense shall  
20          seek to enter into a contract with a federally funded re-  
21          search and development center to conduct a study on tech-  
22          nologies with the potential to prevent and mitigate heli-  
23          copter crashes.

24          (b) *ELEMENTS.*—The study required under subsection  
25          (a) shall include the following:

1           (1) *Identification of technologies with the poten-*  
2 *tial—*

3                   (A) *to prevent helicopter crashes (such as*  
4 *collision avoidance technologies and battle space*  
5 *and terrain situational awareness technologies);*  
6 *and*

7                   (B) *to improve survivability among indi-*  
8 *viduals involved in such crashes (such as adapt-*  
9 *ive flight control technologies and improved en-*  
10 *ergy absorbing technologies).*

11           (2) *A cost-benefit analysis of each technology*  
12 *identified under paragraph (1) that takes into ac-*  
13 *count the cost of developing and deploying the tech-*  
14 *nology compared to the potential of the technology to*  
15 *prevent casualties or injuries.*

16           (3) *A list that ranks the technologies identified*  
17 *under paragraph (1) based on—*

18                   (A) *the results of the cost-benefit analysis*  
19 *under paragraph (2); and*

20                   (B) *the readiness level of each technology.*

21           (4) *An analysis of helicopter crashes that—*

22                   (A) *compares the casualty rates of cockpit*  
23 *occupants to the casualty rates of occupants of*  
24 *cargo compartments and troop seats; and*

1                   (B) identifies the root causes of the casual-  
2                   ties described in subparagraph (A).

3           (c) *BRIEFING*.—Not later than one year after the date  
4 of the enactment of this Act, the Secretary shall provide to  
5 the Committees on Armed Services of the Senate and House  
6 of Representatives (and other congressional defense commit-  
7 tees on request) a briefing that includes—

8                   (1) the results of the study required under sub-  
9                   section (a); and

10                   (2) the list described in subsection (b)(3).

11 **SEC. 237. REPORT ON ELECTRONIC WARFARE CAPABILI-**  
12 **TIES.**

13           (a) *REPORT REQUIRED*.—Not later than April 1,  
14 2017, the Under Secretary of Defense for Acquisition, Tech-  
15 nology, and Logistics, acting through the Electronic War-  
16 fare Executive Committee, shall submit to the congressional  
17 defense committees a report on the electronic warfare capa-  
18 bilities of the Department of Defense.

19           (b) *ELEMENTS*.—The report under subsection (a) shall  
20 include the following:

21                   (1) A strategy for advancing and accelerating re-  
22 search, development, test, and evaluation, and field-  
23 ing, of electronic warfare capabilities to meet current  
24 and projected requirements, including recommenda-

1        *tions for streamlining acquisition processes with re-*  
2        *spect to such capabilities.*

3            (2) *A methodology for synchronizing and over-*  
4        *seeing electronic warfare strategies, operational con-*  
5        *cepts, and programs across the Department of De-*  
6        *fense, including electronic warfare programs that sup-*  
7        *port or enable cyber operations.*

8            (3) *The training and operational support re-*  
9        *quired for fielding and sustaining current and*  
10       *planned investments in electronic warfare capabili-*  
11       *ties.*

12           (4) *A comprehensive list of investments of the*  
13       *Department of Defense in electronic warfare capabili-*  
14       *ties, including the capabilities to be developed, pro-*  
15       *cured, or sustained in—*

16            (A) *the budget of the President for fiscal*  
17       *year 2018 submitted to Congress under section*  
18       *1105(a) of title 31, United States Code; and*

19            (B) *the future-years defense program sub-*  
20       *mitted to Congress under section 221 of title 10,*  
21       *United States Code, for that fiscal year.*

22           (5) *Progress on increasing innovative electro-*  
23       *magnetic spectrum warfighting methods and oper-*  
24       *ational concepts that provide advantages within the*  
25       *electromagnetic spectrum operational domain.*

1           (6) *Specific attributes needed in future electronic*  
2           *warfare capabilities, such as networking, adapt-*  
3           *ability, agility, multifunctionality, and miniaturiza-*  
4           *tion, and progress toward incorporating such at-*  
5           *tributes in new electronic warfare systems.*

6           (7) *Capability gaps with respect to asymmetric*  
7           *and near-peer adversaries identified pursuant to a*  
8           *capability gap assessment.*

9           (8) *A joint strategy on achieving near real-time*  
10          *system adaption to rapidly advancing modern digital*  
11          *electronics.*

12          (9) *Any other information the Secretary deter-*  
13          *mines to be appropriate.*

14          (c) *FORM.—The report under subsection (a) shall be*  
15          *submitted in unclassified form, but may include a classified*  
16          *annex.*

17                   ***TITLE III—OPERATION AND***  
18                   ***MAINTENANCE***

19                   ***Subtitle A—Authorization of***  
20                   ***Appropriations***

21           ***SEC. 301. AUTHORIZATION OF APPROPRIATIONS.***

22           *Funds are hereby authorized to be appropriated for fis-*  
23          *cal year 2017 for the use of the Armed Forces and other*  
24          *activities and agencies of the Department of Defense for ex-*

1 *penses, not otherwise provided for, for operation and main-*  
 2 *tenance, as specified in the funding table in section 4301.*

3 **SEC. 302. INCREASE IN FUNDING FOR CIVIL MILITARY PRO-**  
 4 **GRAMS.**

5 *(a) INCREASE.—Notwithstanding the amounts set*  
 6 *forth in the funding tables in division D, the amount au-*  
 7 *thorized to be appropriated for operation and maintenance,*  
 8 *Defense-wide, as specified in the corresponding funding*  
 9 *table in section 4301, for Civil Military Programs is hereby*  
 10 *increased by \$15,000,000 (to be used in support of the Na-*  
 11 *tional Guard Youth Challenge Program).*

12 *(b) OFFSET.—Notwithstanding the amounts set forth*  
 13 *in the funding tables in division D, the amount authorized*  
 14 *to be appropriated for operation and maintenance, Defense-*  
 15 *wide, as specified in the corresponding funding table in sec-*  
 16 *tion 4301, for Operation and Maintenance, Defense-wide is*  
 17 *hereby reduced by \$15,000,000.*

18 **Subtitle B—Energy and**  
 19 **Environment**

20 **SEC. 311. RULE OF CONSTRUCTION REGARDING ALTER-**  
 21 **NATIVE FUEL PROCUREMENT REQUIREMENT.**

22 *Section 526 of the Energy Independence and Security*  
 23 *Act of 2007 (Public Law 110–140; 42 U.S.C. 17142) is*  
 24 *amended by adding at the end the following: “This provi-*  
 25 *sion shall not be construed as a constraint on any conven-*



1 *tional or unconventional fuel procurement necessary for*  
 2 *military operations, including for test and certification*  
 3 *purposes.”.*

4 **SEC. 312. PRODUCTION AND USE OF NATURAL GAS AT FORT**  
 5 **KNOX.**

6 *(a) PRODUCTION AND USE OF NATURAL GAS AT FORT*  
 7 *KNOX.—Chapter 449 of title 10, United States Code, is*  
 8 *amended by adding at the end the following new section:*  
 9 **“§4781. Natural gas: production, treatment, manage-**  
 10 **ment, and use at Fort Knox, Kentucky**

11 *“(a) AUTHORITY.—(1) The Secretary of the Army may*  
 12 *provide for the production, treatment, management, and use*  
 13 *of natural gas located under Fort Knox, Kentucky, without*  
 14 *regard to section 3 of the Mineral Leasing Act for Acquired*  
 15 *Lands (30 U.S.C. 352).*

16 *“(2) The Secretary is authorized to enter into a con-*  
 17 *tract with an appropriate entity to carry out paragraph*  
 18 *(1).*

19 *“(b) LIMITATION ON USES.—Any natural gas pro-*  
 20 *duced under subsection (a) may be used only to support*  
 21 *activities and operations at Fort Knox and may not be sold*  
 22 *for use elsewhere.*

23 *“(c) OWNERSHIP OF FACILITIES.—The Secretary of*  
 24 *the Army may take ownership of any gas production and*  
 25 *treatment equipment and facilities and associated infra-*

1 *structure from an entity with which the Secretary has en-*  
 2 *tered into a contract under subsection (a) in accordance*  
 3 *with the terms of the contract.*

4       “(d) *APPLICABILITY.*—*The authority of the Secretary*  
 5 *of the Army under this section is effective as of August 2,*  
 6 *2007.”.*

7       “(b) *CLERICAL AMENDMENT.*—*The table of sections at*  
 8 *the beginning of such chapter is amended by adding at the*  
 9 *end the following new item:*

*“4781. Natural gas: production, treatment, management, and use at Fort Knox,  
 Kentucky.”.*

10 **SEC. 313. ALTERNATIVE TECHNOLOGIES FOR MUNITIONS**  
 11 **DISPOSAL.**

12       *In carrying out the disposal of munitions in the stock-*  
 13 *pile of conventional ammunition awaiting demilitarization*  
 14 *and disposal (commonly referred to as munitions in the*  
 15 *“B5A account”)* *the Secretary of the Army shall consider*  
 16 *using cost-competitive technologies that minimize waste*  
 17 *generation and air emissions as alternatives to disposal by*  
 18 *open burning, open detonation, direct contact combustion,*  
 19 *and incineration.*

20 **SEC. 314. SENSE OF CONGRESS.**

21       *It is the Sense of Congress that the Department of De-*  
 22 *fense should work with State and local health officials to*  
 23 *prevent human exposure to perfluorinated chemicals.*

1 **SEC. 315. PROHIBITION ON CARRYING OUT CERTAIN AU-**  
 2 **THORITIES RELATING TO CLIMATE CHANGE.**

3 (a) *IN GENERAL.*—None of the funds authorized to be  
 4 appropriated by this Act or otherwise made available for  
 5 fiscal year 2017 for the Department of Defense may be obli-  
 6 gated or expended to carry out the provisions described in  
 7 subsection (b).

8 (b) *PROVISIONS.*—The provisions described in this sub-  
 9 section are the following:

10 (1) Sections 2, 3, 4, 5, 6(b)(iii), and 6(c) of Ex-  
 11 ecutive Order 13653 (78 Fed. Reg. 66817, relating to  
 12 preparing the United States for the impacts of cli-  
 13 mate change).

14 (2) Sections 2, 3, 7, 8, 9, 10, 11, 12, 13, 14, and  
 15 15(b) of Executive Order 13693 (80 Fed. Reg. 15869,  
 16 relating to planning for Federal sustainability in the  
 17 next decade).

18 ***Subtitle C—Logistics and***  
 19 ***Sustainment***

20 **SEC. 321. PILOT PROGRAM FOR INCLUSION OF CERTAIN IN-**  
 21 **DUSTRIAL PLANTS IN THE ARMAMENT RE-**  
 22 **TOOLING AND MANUFACTURING SUPPORT**  
 23 **INITIATIVE.**

24 *During the five-year period beginning on the date of*  
 25 *the enactment of this Act, the Secretary of Defense shall*  
 26 *treat a Government-owned, contractor-operated industrial*

1 *plant of the Department of the Army as an eligible facility*  
2 *under section 4551(2) of title 10, United States Code.*

3 **SEC. 322. PRIVATE SECTOR PORT LOADING ASSESSMENT.**

4 *(a) ASSESSMENTS REQUIRED.—During the period be-*  
5 *ginning on the date of the enactment of this Act and ending*  
6 *on the date of the final briefing under subsection (d), the*  
7 *Secretary of the Navy shall conduct quarterly assessments*  
8 *of Naval ship maintenance and loading activities carried*  
9 *out by private sector entities at each covered port.*

10 *(b) ELEMENTS OF ASSESSMENTS.—Each assessment*  
11 *under subsection (a) shall include, with respect to each cov-*  
12 *ered port, the following:*

13 *(1) Resources per day, including daily ship*  
14 *availabilities and the workforce available to carry out*  
15 *maintenance and loading activities, for the fiscal year*  
16 *preceding the quarter covered by the assessment*  
17 *through the end of such quarter.*

18 *(2) Projected resources per day, including daily*  
19 *ship availabilities and the workforce available to*  
20 *carry out maintenance and loading activities,*  
21 *through the end of the second fiscal year beginning*  
22 *after the quarter covered by the assessment.*

23 *(3) A description of the methods by which the*  
24 *Secretary communicates projected workloads to pri-*

1        *vate sector entities engaged in ship maintenance ac-*  
2        *tivities and ship loading activities.*

3            (4) *A description of any processes that have been*  
4        *implemented to allow for timely feedback from private*  
5        *sector entities engaged in ship maintenance activities*  
6        *and ship loading activities.*

7        (c) *SENSE OF CONGRESS.—It is the Sense of Congress*  
8        *that the Secretary should implement measures to minimize*  
9        *workload fluctuations at covered ports to stabilize the pri-*  
10       *vate sector workforce and reduce the cost of maintenance*  
11       *availabilities.*

12       (d) *BRIEFINGS REQUIRED.—Not later than October 1,*  
13       *2016, and on a quarterly basis thereafter until September*  
14       *30, 2021, the Secretary shall provide to the Committees on*  
15       *Armed Services of the Senate and House of Representatives*  
16       *(and other congressional defense committees on request)—*

17            (1) *a briefing on the results of the assessments*  
18        *conducted under subsection (a); and*

19            (2) *a chart depicting the information described*  
20        *in paragraphs (1) and (2) of subsection (b) with re-*  
21        *spect to each covered port.*

22       (e) *COVERED PORTS.—In this section, the term “cov-*  
23       *ered ports” means port facilities used by the Department*  
24       *of Defense in each of the following locations:*

25            (1) *Mayport, Florida.*

1           (2) *Norfolk, Virginia.*

2           (3) *Pearl Harbor, Hawaii.*

3           (4) *Puget Sound, Washington.*

4           (5) *San Diego, California.*

5   **SEC. 323. LIMITATION ON AVAILABILITY OF FUNDS FOR DE-**  
6                           **ENSE CONTRACT MANAGEMENT AGENCY.**

7           (a) *LIMITATION.*—*Of the funds authorized to be appro-*  
8   *priated by this Act or otherwise made available for fiscal*  
9   *year 2017 for the operation of the Defense Contract Manage-*  
10   *ment Agency, not more than 90 percent may be obligated*  
11   *or expended in fiscal year 2017 until the Director of the*  
12   *agency provides to the congressional defense committees the*  
13   *briefing under subsection (b).*

14           (b) *BRIEFING.*—*The Director of the Defense Contract*  
15   *Management Agency shall provide to the Committees on*  
16   *Armed Services of the Senate and House of Representatives*  
17   *(and other congressional defense committees on request) a*  
18   *briefing that includes the following:*

19                   (1) *A plan describing how the agency will foster*  
20    *the adoption, implementation, and verification of*  
21    *item-unique identification standards for tangible per-*  
22    *sonal property across the Department of Defense and*  
23    *the defense industrial base (as prescribed under De-*  
24    *partment of Defense Instruction 8320.04).*

1           (2) *A description of the policies, procedures, staff*  
2           *training, and equipment needed to—*

3                   (A) *ensure contract compliance with item-*  
4                   *unique identification standards for all items that*  
5                   *require unique item-level traceability at any*  
6                   *time in their life cycle;*

7                   (B) *support counterfeit material risk reduc-*  
8                   *tion; and*

9                   (C) *provide for the systematic assessment*  
10                  *and accuracy of item-unique identification*  
11                  *marks.*

## 12                                   ***Subtitle D—Reports***

### 13   ***SEC. 331. MODIFICATION OF ANNUAL DEPARTMENT OF DE-*** 14                                   ***FENSE ENERGY MANAGEMENT REPORTS.***

15           (a) *MODIFICATION OF ANNUAL REPORT RELATED TO*  
16   *INSTALLATIONS ENERGY MANAGEMENT.—Subsection (a) of*  
17   *section 2925 of title 10, United States Code, is amended*  
18   *to read as follows:*

19           “(a) *ANNUAL REPORT RELATED TO INSTALLATIONS*  
20   *ENERGY MANAGEMENT.—Not later than 120 days after the*  
21   *end of each fiscal year ending before January 31, 2021, the*  
22   *Secretary of Defense shall submit to the congressional de-*  
23   *fense committees an installation energy report detailing the*  
24   *fulfillment during that fiscal year of the energy performance*

1 *goals for the Department of Defense under section 2911 of*  
2 *this title. Each report shall contain the following:*

3           “(1) *The energy performance goals for the De-*  
4 *partment of Defense with respect to transportation*  
5 *systems, support systems, utilities, and infrastructure*  
6 *and facilities for the fiscal year covered by the report*  
7 *and the next 5, 10, and 20 fiscal years, including any*  
8 *changes to such energy performance goals since the*  
9 *submission of the previous report under this section.*

10           “(2) *A master plan for the achievement of the en-*  
11 *ergy performance goals of the Department of Defense,*  
12 *as such goals are set forth in any laws, regulations,*  
13 *executive orders, or Department of Defense policies,*  
14 *including—*

15                   “(A) *a separate plan for each military de-*  
16 *partment and Defense Agency;*

17                   “(B) *a standard for the measurement of en-*  
18 *ergy consumed by transportation systems, sup-*  
19 *port systems, utilities, and facilities and infra-*  
20 *structure, applied consistently across the mili-*  
21 *tary departments;*

22                   “(C) *a methodology for measuring reduc-*  
23 *tions in energy consumption that accounts for*  
24 *changes—*

25                           “(i) *in the sizes of fleets; and*



1                   “(ii) in the number and overall square  
2                   footage of facility plants;

3                   “(D) standards to track annual progress in  
4                   meeting energy performance goals;

5                   “(E) a description of any requirements and  
6                   proposed investments relating to energy perform-  
7                   ance goals included in the materials submitted  
8                   in support of the budget of the President (as sub-  
9                   mitted to Congress under section 1105(a) of title  
10                  31) for the fiscal year covered by the report; and

11                  “(F) a description of any energy savings re-  
12                  sulting from the implementation of the master  
13                  plan or any other energy performance measures.

14                  “(3) A table listing all energy projects financed  
15                  through third party financing mechanisms (including  
16                  energy savings performance contracts, enhanced use  
17                  leases, utility energy service contracts, utility privat-  
18                  ization agreements, and other contractual mecha-  
19                  nisms), including—

20                  “(A) the duration of each such mechanism,  
21                  an estimate of the financial obligation incurred  
22                  through the duration of each such mechanism,  
23                  whether the project incorporates energy security  
24                  into its design, and the estimated payback period  
25                  for each such mechanism; and

1           “(B) any renewable energy certificates re-  
2 relating to the project, including the purchasing  
3 authority for the certificates, the price of the cer-  
4 tificates, and whether the certificates were bun-  
5 dled or unbundled.

6           “(4) A description of the types and quantities of  
7 energy consumed by the Department of Defense and  
8 by members of the armed forces and civilian per-  
9 sonnel residing or working on military installations  
10 during the fiscal year covered by the report, including  
11 a breakdown of energy consumption by—

12                   “(A) user group;

13                   “(B) the type of energy consumed, including  
14 the quantities of any renewable energy consumed  
15 that was produced or procured by the Depart-  
16 ment of Defense; and

17                   “(C) the cost of the energy consumed.

18           “(5) A description of the types and amount of fi-  
19 nancial incentives received under section 2913 of this  
20 title during the preceding fiscal year and the appro-  
21 priation account or accounts to which the incentives  
22 were credited.

23           “(6) A description and estimate of the progress  
24 made by the military departments in meeting the cer-  
25 tification requirements for sustainable green-building

1       *standards in construction and major renovations as*  
2       *required by section 433 of the Energy Independence*  
3       *and Security Act of 2007 (Public Law 110–140; 121*  
4       *Stat. 1612).*

5               “(7) *Details of utility outages at military instal-*  
6       *lations, including the total number and locations of*  
7       *outages, the financial impact of the outages, and*  
8       *measures taken to mitigate outages in the future at*  
9       *the affected locations and across the Department of*  
10       *Defense.*

11               “(8) *A description of any other issues and strate-*  
12       *gies the Secretary determines relevant to a com-*  
13       *prehensive and renewable energy policy.*”

14       (b) *MODIFICATION OF ANNUAL REPORT RELATED TO*  
15       *OPERATIONAL ENERGY.—Subsection (b) of section 2925 of*  
16       *title 10, United States Code, is amended—*

17               (1) *in paragraph (1), by striking “138c of this*  
18       *title” and inserting “2926(b) of this title”; and*

19               (2) *in paragraph (2), by adding at the end the*  
20       *following new subparagraph:*

21               “(H) *The comments and recommendations of the*  
22       *Assistant Secretary under section 2926(c) of this title,*  
23       *including the certification required under paragraph*  
24       *(3) of such section.*”

1           (c) *EFFECTIVE DATE.*—*The amendments made by this*  
2 *section shall take effect on the date of the enactment of this*  
3 *Act and shall apply with respect to reports required to be*  
4 *submitted under section 2925 of title 10, United States*  
5 *Code, after such date.*

6 **SEC. 332. REPORT ON EQUIPMENT PURCHASED FROM FOR-**  
7                                   **EIGN ENTITIES AND AUTHORITY TO ADJUST**  
8                                   **ARMY ARSENAL LABOR RATES.**

9           (a) *REPORT REQUIRED.*—*Not later than 30 days after*  
10 *the date on which the budget of the President for fiscal year*  
11 *2018 is submitted to Congress pursuant to section 1105 of*  
12 *title 31, United States Code, the Secretary of Defense shall*  
13 *submit to the congressional defense committees a report on*  
14 *the equipment, weapons, weapons systems, components, sub-*  
15 *components, and end-items purchased from foreign entities*  
16 *that identifies those items which could be manufactured in*  
17 *the military arsenals of the United States or the military*  
18 *depots of the United States to meet the goals of this section*  
19 *or section 2464 of title 10, United States Code, as well as*  
20 *a plan for moving that workload into such arsenals or de-*  
21 *pots.*

22           (b) *ELEMENTS.*—*The report under subsection (a) shall*  
23 *include each of the following:*

24                           (1) *A list of items identified in the report re-*  
25 *quired under section 333 of the National Defense Au-*

1 *thorization Act for Fiscal Year 2016 (Public Law*  
2 *114–92; 129 Stat. 792) and a list of any items pur-*  
3 *chased from foreign manufacturers after the date of*  
4 *the submission of such report that are—*

5 *(A) described in section 8302(a)(1) of title*  
6 *41, United States Code, and purchased from a*  
7 *foreign manufacturer by reason of an exception*  
8 *under section 8302(a)(2)(A) or section*  
9 *8302(a)(2)(B) of such title;*

10 *(B) described in section 2533b(a)(1) of title*  
11 *10, United States Code, and purchased from a*  
12 *foreign manufacturer by reason of an exception*  
13 *under section 2533b(b); and*

14 *(C) described in section 2534(a) of such title*  
15 *and purchased from a foreign manufacturer by*  
16 *reason of a waiver exercised under paragraph*  
17 *(1), (2), (4), or (5) of section 2534(d) of such*  
18 *title.*

19 *(2) An assessment of the skills required to manu-*  
20 *facture the items described in paragraph (1) and a*  
21 *comparison of those skills with skills required to meet*  
22 *the critical capabilities identified in the report of the*  
23 *Army to Congress on Critical Manufacturing Capa-*  
24 *bilities and Capacities, dated August 2013, and the*  
25 *core logistics capabilities identified by each military*

1     *service pursuant to section 2464 of title 10, United*  
2     *States Code, as of the date of the enactment of this*  
3     *Act.*

4             (3) *An identification of the tooling, equipment,*  
5     *and facilities upgrades necessary for a military arse-*  
6     *nal or depot to manufacture items described in para-*  
7     *graph (1).*

8             (4) *An identification of items described in para-*  
9     *graph (1) most appropriate for transfer to military*  
10    *arsenals or depots to meet the goals of this section or*  
11    *the requirements of section 2464 of title 10, United*  
12    *States Code.*

13            (5) *An explanation of the rationale for con-*  
14    *tinuing to sole-source the manufacturing of items de-*  
15    *scribed in paragraph (1) from a foreign source rather*  
16    *than a military arsenal, depot, or other organic facil-*  
17    *ity.*

18            (6) *Such other information the Secretary deter-*  
19    *mines to be appropriate.*

20     (c) *AUTHORITY TO ADJUST LABOR RATES TO RE-*  
21    *FLECT WORK PRODUCTION.—*

22            (1) *IN GENERAL.—Not later than March 1, 2017,*  
23    *the Secretary of Defense shall establish a two-year*  
24    *pilot program for the purpose of permitting the Army*  
25    *arsenals to adjust periodically, throughout the year,*

1        *their labor rates charged to customers based upon*  
2        *changes in workload and other factors.*

3            (2) *BRIEFING.*—*Not later than May 1, 2019, the*  
4        *Secretary of Defense shall provide to the Committees*  
5        *on Armed Services of the Senate and the House of*  
6        *Representatives a briefing that assesses—*

7            (A) *each Army arsenal’s changes in labor*  
8        *rates throughout the previous year;*

9            (B) *the ability of each arsenal to meet the*  
10       *costs of their working-capital funds; and*

11          (C) *the effect on arsenal workloads of labor*  
12       *rate changes.*

13 **SEC. 333. REPORT ON AVERAGE TRAVEL COSTS OF MEM-**  
14 **BERS OF THE RESERVE COMPONENTS.**

15        *Not later than 180 days after the date of the enactment*  
16 *of this Act, the Secretary of Defense shall submit to Congress*  
17 *a report on the travel expenses of members of reserve compo-*  
18 *nents associated with performing active duty service, active*  
19 *service, full-time National Guard duty, active Guard and*  
20 *Reserve duty, and inactive-duty training, as such terms are*  
21 *defined in section 101(d) of title 10, United States Code.*  
22 *Such report shall include the average annual cost for all*  
23 *travel expenses for a member of a reserve component.*

1                   **Subtitle E—Other Matters**

2   **SEC. 341. EXPLOSIVE ORDNANCE DISPOSAL CORPS.**

3           *Section 3063 of title 10, United States Code, is amend-*  
4 *ed—*

5                   (1) *in paragraph (12), by striking “and” at the*  
6 *end;*

7                   (2) *by redesignating paragraph (13) as para-*  
8 *graph (14); and*

9                   (3) *by inserting after paragraph (12) the fol-*  
10 *lowing new paragraph (13):*

11                   “(13) *Explosive Ordnance Disposal Corps; and*”.

12   **SEC. 342. EXPLOSIVE ORDNANCE DISPOSAL PROGRAM.**

13           (a) *IN GENERAL.*—*Chapter 136 of title 10, United*  
14 *States Code, is amended by adding at the end the following*  
15 *new section:*

16   **“§ 2283. Explosive ordnance disposal program**

17           “(a) *IN GENERAL.*—*The Secretary of Defense shall*  
18 *carry out a program to be known as the ‘Explosive Ord-*  
19 *nance Disposal Program’ (in this section referred to as the*  
20 *‘Program’)* *under which the Secretary shall ensure close and*  
21 *continuous coordination between the military departments*  
22 *on matters relating to explosive ordnance disposal.*

23           “(b) *ROLES, RESPONSIBILITIES, AND AUTHORITIES.*—  
24 *In carrying out the Program under subsection (a)—*

25                   “(1) *the Secretary of Defense shall—*



1           “(A) assign responsibility for the coordina-  
2           tion and integration of explosive ordnance dis-  
3           posal to a single office or entity in the Office of  
4           the Secretary of Defense;

5           “(B) designate the Secretary of the Navy, or  
6           a designee of the Secretary’s choice, as the execu-  
7           tive agent for the Department of Defense to co-  
8           ordinate and integrate research, development,  
9           test, and evaluation activities and procurement  
10          activities of the military departments with re-  
11          spect to explosive ordnance disposal; and

12          “(C) exercise oversight over explosive ord-  
13          nance disposal through the Defense Acquisition  
14          Board process; and

15          “(2) the Secretary of each military department  
16          shall assess the needs of the military department con-  
17          cerned with respect to explosive ordnance disposal  
18          and may carry out research, development, test, and  
19          evaluation activities and procurement activities to  
20          address such needs.

21          “(c) ANNUAL BUDGET JUSTIFICATION DOCUMENTS.—

22          (1) The Secretary of Defense shall submit to Congress, as  
23          a part of the defense budget materials for each fiscal year  
24          after fiscal year 2017, a consolidated budget justification

1 *display, in classified and unclassified form, that covers all*  
2 *activities of Department of Defense relating to the Program.*

3       “(2) *The budget display under paragraph (1) for a fis-*  
4 *cal year shall include a single program element for each*  
5 *of the following:*

6               “(A) *Research, development, test, and evaluation.*

7               “(B) *Procurement.*

8               “(C) *Military construction.*

9       “(d) *MANAGEMENT REVIEW.—(1) The Secretary of De-*  
10 *fense, acting through the Office of the Secretary of Defense*  
11 *assigned responsibility for the coordination and integration*  
12 *of explosive ordnance disposal under subsection (b)(1)(A),*  
13 *shall conduct a review of the management structure of the*  
14 *Program, including—*

15               “(A) *research, development, test, and evaluation;*

16               “(B) *procurement;*

17               “(C) *doctrine development;*

18               “(D) *policy;*

19               “(E) *training;*

20               “(F) *development of requirements;*

21               “(G) *readiness; and*

22               “(H) *risk assessment.*

23       “(2) *Not later than May 1, 2018, the Secretary shall*  
24 *provide to the Committees on Armed Services of the Senate*  
25 *and the House of Representatives a briefing that includes—*

1           “(A) *the results of the review described in para-*  
2 *graph (1); and*

3           “(B) *a description of any measures undertaken*  
4 *to improve joint coordination and oversight of the*  
5 *Program and ensure a coherent and effective ap-*  
6 *proach to its management.*

7           “(e) *DEFINITIONS.—In this section:*

8           “(1) *The term ‘explosive ordnance’ means any*  
9 *munition containing explosives, nuclear fission or fu-*  
10 *sion materials, or biological or chemical agents, in-*  
11 *cluding—*

12                   “(A) *bombs and warheads;*

13                   “(B) *guided and ballistic missiles;*

14                   “(C) *artillery, mortar, rocket, and*  
15 *small arms munitions;*

16                   “(D) *mines, torpedoes, and depth*  
17 *charges;*

18                   “(E) *demolition charges;*

19                   “(F) *pyrotechnics;*

20                   “(G) *clusters and dispensers;*

21                   “(H) *cartridge and propellant actuated*  
22 *devices;*

23                   “(I) *electro-explosive devices; and*

24                   “(J) *clandestine and improvised explo-*  
25 *sive devices.*

1           “(2) *The term ‘disposal’ means, with respect to*  
 2           *explosive ordnance, the detection, identification, field*  
 3           *evaluation, defeat, disablement, or rendering safe, re-*  
 4           *covery and exploitation, and final disposition of the*  
 5           *ordnance.’”.*

6           **(b) CLERICAL AMENDMENT.**—*The table of sections at*  
 7           *the beginning of such chapter is amended by adding at the*  
 8           *end the following new item:*

*“2283. Explosive ordnance disposal program.”.*

9           **SEC. 343. EXPANSION OF DEFINITION OF STRUCTURES**  
 10                                   **INTERFERING WITH AIR COMMERCE AND NA-**  
 11                                   **TIONAL DEFENSE.**

12           **(a) NOTICE.**—*Section 44718(a) of title 49, United*  
 13           *States Code, is amended—*

14                   **(1)** *in paragraph (1), by striking “and” at the*  
 15                   *end;*

16                   **(2)** *in paragraph (2), by striking the period at*  
 17                   *the end and inserting “; or”; and*

18                   **(3)** *by adding at the end the following:*

19                           *“(3) the interests of national security, as deter-*  
 20                           *mined by the Secretary of Defense.”.*

21           **(b) STUDIES.**—*Section 44718(b) of title 49, United*  
 22           *States Code, is amended to read as follows:*

23                   **“(b) STUDIES.**—

24                           **“(1) IN GENERAL.**—*Under regulations prescribed*  
 25                           *by the Secretary, if the Secretary decides that con-*

1        *structing or altering a structure may result in an ob-*  
2        *struction of the navigable airspace, an interference*  
3        *with air navigation facilities and equipment or the*  
4        *navigable airspace, or, after consultation with the*  
5        *Secretary of Defense, an unacceptable risk to the na-*  
6        *tional security of the United States, the Secretary*  
7        *shall conduct an aeronautical study to decide the ex-*  
8        *tent of such impacts on the safe and efficient use of*  
9        *the airspace, facilities, or equipment. In conducting*  
10       *the study, the Secretary shall—*

11                *“(A) consider factors relevant to the efficient*  
12                *and effective use of the navigable airspace, in-*  
13                *cluding—*

14                        *“(i) the impact on arrival, departure,*  
15                        *and en route procedures for aircraft oper-*  
16                        *ating under visual flight rules;*

17                        *“(ii) the impact on arrival, departure,*  
18                        *and en route procedures for aircraft oper-*  
19                        *ating under instrument flight rules;*

20                        *“(iii) the impact on existing public-use*  
21                        *airports and aeronautical facilities;*

22                        *“(iv) the impact on planned public-use*  
23                        *airports and aeronautical facilities;*

24                        *“(v) the cumulative impact resulting*  
25                        *from the proposed construction or alteration*

1           of a structure when combined with the im-  
 2           pact of other existing or proposed struc-  
 3           tures; and

4                   “(vi) other factors relevant to the effi-  
 5           cient and effective use of navigable airspace;  
 6           and

7                   “(B) include the finding made by the Sec-  
 8           retary of Defense under subsection (f).

9           “(2) *REPORT*.—On completing the study, the  
 10          Secretary shall issue a report disclosing the extent of  
 11          the—

12                   “(A) adverse impact on the safe and effi-  
 13          cient use of the navigable airspace that the Sec-  
 14          retary finds will result from constructing or al-  
 15          tering the structure; and

16                   “(B) unacceptable risk to the national secu-  
 17          rity of the United States, as determined by the  
 18          Secretary of Defense under subsection (f).”.

19          (c) *NATIONAL SECURITY FINDING; DEFINITION*.—Sec-  
 20          tion 44718 of title 49, United States Code, is amended by  
 21          adding at the end the following:

22                   “(f) *NATIONAL SECURITY FINDING*.—As part of an  
 23          aeronautical study conducted under subsection (b), the Sec-  
 24          retary of Defense shall—

1           “(1) make a finding on whether the construction,  
2           alteration, establishment, or expansion of a structure  
3           or sanitary landfill included in the study would re-  
4           sult in an unacceptable risk to the national security  
5           of the United States; and

6           “(2) transmit the finding to the Secretary of  
7           Transportation for inclusion in the report required  
8           under subsection (b)(2).

9           “(g) *UNACCEPTABLE RISK TO NATIONAL SECURITY OF*  
10          *UNITED STATES DEFINED.*—*In this section, the term ‘un-*  
11          *acceptable risk to the national security of the United States’*  
12          *has the meaning given the term in section 211.3 of title*  
13          *32, Code of Federal Regulations, as in effect on January*  
14          *6, 2014.’.*

15          (d) *CONFORMING AMENDMENTS.*—

16                 (1) *SECTION HEADING.*—*Section 44718 of title*  
17                 *49, United States Code, is amended in the section*  
18                 *heading by inserting “**or national security**”*  
19                 *after “**air commerce**”.*

20                 (2) *CLERICAL AMENDMENT.*—*The table of sec-*  
21                 *tions at the beginning of chapter 447 of title 49,*  
22                 *United States Code, is amended by striking the item*  
23                 *relating to section 44718 and inserting the following:*

*“44718. Structures interfering with air commerce or national security.”.*

1 **SEC. 344. DEVELOPMENT OF PERSONAL PROTECTIVE**  
2 **EQUIPMENT FOR FEMALE MARINES AND SOL-**  
3 **DIERS.**

4 *The Secretary of the Navy and the Commandant of*  
5 *the Marine Corps shall work in coordination with the Sec-*  
6 *retary of the Army to develop, not later than April 1, 2017,*  
7 *a joint acquisition strategy to provide more effective per-*  
8 *sonal protective equipment and organizational clothing and*  
9 *equipment to meet the specific and unique requirements for*  
10 *female Marines and soldiers.*

11 **SEC. 345. STUDY ON SPACE-AVAILABLE TRAVEL SYSTEM OF**  
12 **THE DEPARTMENT OF DEFENSE.**

13 *(a) STUDY REQUIRED.—Not later than 90 days after*  
14 *the date of the enactment of this Act, the Secretary of De-*  
15 *fense shall seek to enter into a contract with a federally*  
16 *funded research and development center to conduct an inde-*  
17 *pendent study on the space-available travel system of the*  
18 *Department of Defense.*

19 *(b) REPORT REQUIRED.—Not later than 180 days*  
20 *after entering into a contract with a federally funded re-*  
21 *search and development center under subsection (a), the*  
22 *Secretary shall submit to the congressional defense commit-*  
23 *tees a report summarizing the results of the study conducted*  
24 *under such subsection.*



1           (c) *ELEMENTS.*—*The report under subsection (b) shall*  
2 *include, with respect to the space-available travel system,*  
3 *the following:*

4           (1) *A determination of—*

5                   (A) *the capacity of the system as of the date*  
6 *of the enactment of this Act;*

7                   (B) *the projected capacity of the system for*  
8 *the 10-year period following such date of enact-*  
9 *ment; and*

10                   (C) *the projected number of reserve retirees,*  
11 *active duty retirees, and dependents of such re-*  
12 *tirees that will exist by the end of such 10-year*  
13 *period.*

14           (2) *Estimates of system capacity based the pro-*  
15 *jections described in paragraph (1).*

16           (3) *A discussion of the efficiency of the system*  
17 *and data regarding the use of available space with re-*  
18 *spect to each category of passengers eligible for space-*  
19 *available travel under existing regulations.*

20           (4) *A description of the effect on system capacity*  
21 *if eligibility for space-available travel is extended*  
22 *to—*

23                   (A) *drilling reserve component personnel*  
24 *and dependents of such personnel on inter-*  
25 *national flights;*

1           (B) dependents of reserve component retirees  
2           who are less than 60 years of age;

3           (C) retirees who are less than 60 years of  
4           age on international flights; and

5           (D) drilling reserve component personnel  
6           traveling to drilling locations.

7           (5) A discussion of logistical and management  
8           problems, including congestion at terminals, waiting  
9           times, lodging availability, and personal hardships  
10          experienced by travelers.

11          (6) An evaluation of the cost of the system and  
12          whether space-available travel is and can remain  
13          cost-neutral.

14          (7) An evaluation of the feasibility of expanding  
15          the categories of passengers eligible for space-available  
16          travel to include—

17               (A) in the case of overseas travel, retired  
18               members of an active or reserve component, in-  
19               cluding retired members of reserve components,  
20               who, but for being under the eligibility age ap-  
21               plicable to the member under section 12731 of  
22               title 10, United States Code, would be eligible for  
23               retired pay under chapter 1223 of such title; and

1           (B) unremarried widows and widowers of  
2           active or reserve component members of the  
3           Armed Forces.

4           (8) Such other factors relating to the efficiency  
5           and cost of the system as the Secretary determines to  
6           be appropriate.

7           (d) *ADDITIONAL RESPONSIBILITIES.*—In addition to  
8           carrying out subsections (a) through (c), the Secretary of  
9           Defense shall—

10           (1) analyze the methods used to prioritize among  
11           the categories of individuals eligible for space-avail-  
12           able travel and make recommendations for—

13                   (A) re-ordering the priority of such cat-  
14                   egories; and

15                   (B) adding additional categories of eligible  
16                   individuals; and

17           (2) collect data on travelers who request but do  
18           not obtain available travel spaces under the space-  
19           available travel system.

20   **SEC. 346. SUPPLY OF SPECIALTY MOTORS FROM CERTAIN**  
21           **MANUFACTURERS.**

22           To ensure that an adequate, competitive supply of cus-  
23           tom designed motors is available to the Department of De-  
24           fense, particularly to meet its replacement motor require-  
25           ments for older equipment, and to protect small businesses

1 *that supply such motors to the Department of Defense, the*  
2 *requirements of section 431.25 of title 10, Code of Federal*  
3 *Regulations, shall not be enforced against manufacturers of*  
4 *specialty motors, whether characterized by the Department*  
5 *as special purpose or definite purpose motors, provided that*  
6 *such manufacturers qualify as small businesses and pro-*  
7 *vided further that such manufacturers do not also manufac-*  
8 *ture general purpose motors and provided further that such*  
9 *manufacturers were in the business of manufacturing such*  
10 *motors on June 1, 2016.*

11 **SEC. 347. LIMITATION ON USE OF CERTAIN FUNDS UNTIL**  
12 **ESTABLISHMENT AND IMPLEMENTATION OF**  
13 **REQUIRED PROCESS BY WHICH MEMBERS OF**  
14 **THE ARMED FORCES MAY CARRY APPRO-**  
15 **PRIATE FIREARMS ON MILITARY INSTALLA-**  
16 **TIONS.**

17 *Of the amounts authorized to be appropriated for Op-*  
18 *eration and Maintenance, Defense-Wide, for the Office of*  
19 *the Under Secretary of Defense for Policy, for fiscal year*  
20 *2017, not more than 85 percent of such amounts may be*  
21 *obligated or expended until the Secretary of Defense estab-*  
22 *lishes and implements the process by which members of the*  
23 *Armed Forces may carry an appropriate firearm on a mili-*  
24 *tary installation, as required by section 526 of the National*

1 *Defense Authorization Act for Fiscal Year 2016 (Public*  
2 *Law 114–92; 129 Stat. 813; 10 U.S.C. 2672 note).*

3 **SEC. 348. MOTOR CARRIER SAFETY PERFORMANCE AND**  
4 **SAFETY TECHNOLOGY.**

5 (a) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
6 *that the Secretary of Defense, acting through the com-*  
7 *mander of the United States Transportation Command,*  
8 *should reassess the guidelines for the evaluation of motor*  
9 *carrier safety performance under the Transportation Pro-*  
10 *TECTIVE SERVICES program taking into consideration the Gov-*  
11 *ernment Accountability Office report numbered GAO-16-82*  
12 *and titled “Defense Transportation; DoD Needs to Improve*  
13 *the Evaluation of Safety and Performance Information for*  
14 *Carriers Transporting Security-Sensitive Materials”.*

15 (b) *EVALUATION OF SAFETY TECHNOLOGY.*—*To avoid*  
16 *catastrophic accidents and exposure of material, the Sec-*  
17 *retary shall evaluate the need for proven safety technology*  
18 *in vehicles transporting Transportation Protective Services*  
19 *shipments, such as electronic logging devices, roll stability*  
20 *control, forward collision avoidance, lane departure warn-*  
21 *ing systems, and speed limiters.*

22 **SEC. 349. BRIEFING ON WELL-DRILLING CAPABILITIES OF**  
23 **ACTIVE DUTY AND RESERVE COMPONENTS.**

24 (a) *BRIEFING REQUIRED.*—*Not later than 180 days*  
25 *after the date of the enactment of this Act, the Secretary*

1 *of Defense shall provide to the Committees on Armed Serv-*  
2 *ices of the Senate and the House of Representatives (and*  
3 *other congressional defense committees on request) a brief-*  
4 *ing on the well-drilling capabilities of the active and reserve*  
5 *components.*

6 (b) *ELEMENTS.—The briefing under subsection (a)*  
7 *shall include a description of—*

8 (1) *the training requirements of active and re-*  
9 *serve units with well-drilling capabilities;*

10 (2) *the locations at which such units conduct*  
11 *training relating to well-drilling; and*

12 (3) *the cost and feasibility of rotating the train-*  
13 *ing locations of such units to areas in the United*  
14 *States that are affected by drought conditions.*

15 **SEC. 350. ACCESS TO WIRELESS HIGH-SPEED INTERNET**  
16 **AND NETWORK CONNECTIONS FOR CERTAIN**  
17 **MEMBERS OF THE ARMED FORCES DEPLOYED**  
18 **OVERSEAS.**

19 *Consistent with section 2492a of title 10, United States*  
20 *Code, the Secretary of Defense is encouraged to enter into*  
21 *contracts with third-party vendors in order to provide*  
22 *members of the Armed Forces who are deployed overseas at*  
23 *any United States military facility, at which wireless high-*  
24 *speed Internet and network connections are otherwise avail-*

1 *able, with access to such Internet and network connections*  
2 *without charge.*

3 **SEC. 351. SYSTEM FOR COMMUNICATING AVAILABILITY OF**  
4 **SURPLUS AMMUNITION.**

5 *Not later than 180 days after the date of the enactment*  
6 *of this Act, the Secretary of Defense shall implement a for-*  
7 *mal process to provide Government agencies outside the De-*  
8 *partment of Defense with information on the availability*  
9 *of surplus, serviceable ammunition for the purpose of reduc-*  
10 *ing the overall storage and disposal costs related to such*  
11 *ammunition.*

12 **SEC. 352. INCREASE IN FUNDING FOR NATIONAL GUARD**  
13 **COUNTER-DRUG PROGRAMS.**

14 *(a) INCREASE.—Notwithstanding the amounts set*  
15 *forth in the funding tables in division D, the amount au-*  
16 *thorized to be appropriated in section 1404 for drug inter-*  
17 *diction and counter-drug activities, as specified in the cor-*  
18 *responding funding table in section 4501, for drug interdic-*  
19 *tion and counter-drug activities, Defense-wide is hereby in-*  
20 *creased by \$30,000,000 (to be used in support of the Na-*  
21 *tional Guard counter-drug programs).*

22 *(b) OFFSET.—Notwithstanding the amounts set forth*  
23 *in the funding tables in division D—*

24 *(1) the amount authorized to be appropriated for*  
25 *in section 101 for procurement, as specified in the*

1        *corresponding funding table in section 4101, for Air-*  
 2        *craft Procurement, Navy, for Common Ground*  
 3        *Equipment (Line 064), is hereby reduced by*  
 4        *\$20,000,000; and*

5                *(2) the amount authorized to be appropriated in*  
 6        *section 201 for research, development, test, and eval-*  
 7        *uation, as specified in the corresponding funding*  
 8        *table in section 4201, for advanced component devel-*  
 9        *opment and prototypes, Advanced Innovative Tech-*  
 10        *nologies (Line 095) is hereby reduced by \$10,000,000.*

11        ***TITLE IV—MILITARY PERSONNEL***  
 12                        ***AUTHORIZATIONS***

13                        ***Subtitle A—Active Forces***

14        ***SEC. 401. END STRENGTHS FOR ACTIVE FORCES.***

15                *The Armed Forces are authorized strengths for active*  
 16        *duty personnel as of September 30, 2017, as follows:*

17                        *(1) The Army, 480,000.*

18                        *(2) The Navy, 324,615.*

19                        *(3) The Marine Corps, 185,000.*

20                        *(4) The Air Force, 321,000.*

21        ***SEC. 402. REVISIONS IN PERMANENT ACTIVE DUTY END***  
 22                        ***STRENGTH MINIMUM LEVELS.***

23                *Section 691(b) of title 10, United States Code, is*  
 24        *amended by striking paragraphs (1) through (4) and insert-*  
 25        *ing the following new paragraphs:*



1           “(1) *For the Army, 480,000.*

2           “(2) *For the Navy, 324,615.*

3           “(3) *For the Marine Corps, 185,000.*

4           “(4) *For the Air Force, 321,000.*”.

5           ***Subtitle B—Reserve Forces***

6       ***SEC. 411. END STRENGTHS FOR SELECTED RESERVE.***

7           *(a) IN GENERAL.—The Armed Forces are authorized*  
8 *strengths for Selected Reserve personnel of the reserve com-*  
9 *ponents as of September 30, 2017, as follows:*

10           *(1) The Army National Guard of the United*  
11 *States, 350,000.*

12           *(2) The Army Reserve, 205,000.*

13           *(3) The Navy Reserve, 58,000.*

14           *(4) The Marine Corps Reserve, 38,500.*

15           *(5) The Air National Guard of the United*  
16 *States, 105,700.*

17           *(6) The Air Force Reserve, 69,000.*

18           *(7) The Coast Guard Reserve, 7,000.*

19           *(b) END STRENGTH REDUCTIONS.—The end strengths*  
20 *prescribed by subsection (a) for the Selected Reserve of any*  
21 *reserve component shall be proportionately reduced by—*

22           *(1) the total authorized strength of units orga-*  
23 *nized to serve as units of the Selected Reserve of such*  
24 *component which are on active duty (other than for*  
25 *training) at the end of the fiscal year; and*

1           (2) *the total number of individual members not*  
2 *in units organized to serve as units of the Selected*  
3 *Reserve of such component who are on active duty*  
4 *(other than for training or for unsatisfactory partici-*  
5 *ipation in training) without their consent at the end*  
6 *of the fiscal year.*

7           (c) **END STRENGTH INCREASES.**—*Whenever units or*  
8 *individual members of the Selected Reserve for any reserve*  
9 *component are released from active duty during any fiscal*  
10 *year, the end strength prescribed for such fiscal year for*  
11 *the Selected Reserve of such reserve component shall be in-*  
12 *creased proportionately by the total authorized strengths of*  
13 *such units and by the total number of such individual mem-*  
14 *bers.*

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

17           *Within the end strengths prescribed in section 411(a),*  
18 *the reserve components of the Armed Forces are authorized,*  
19 *as of September 30, 2017, the following number of Reserves*  
20 *to be serving on full-time active duty or full-time duty, in*  
21 *the case of members of the National Guard, for the purpose*  
22 *of organizing, administering, recruiting, instructing, or*  
23 *training the reserve components:*

24           (1) *The Army National Guard of the United*  
25 *States, 30,155.*

1           (2) *The Army Reserve, 16,261.*

2           (3) *The Navy Reserve, 9,955.*

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

4           (5) *The Air National Guard of the United*  
5           *States, 14,764.*

6           (6) *The Air Force Reserve, 2,955.*

7 **SEC. 413. END STRENGTHS FOR MILITARY TECHNICIANS**

8           **(DUAL STATUS).**

9           *The minimum number of military technicians (dual*  
10 *status) as of the last day of fiscal year 2017 for the reserve*  
11 *components of the Army and the Air Force (notwith-*  
12 *standing section 129 of title 10, United States Code) shall*  
13 *be the following:*

14           (1) *For the Army National Guard of the United*  
15 *States, 25,507.*

16           (2) *For the Army Reserve, 7,570.*

17           (3) *For the Air National Guard of the United*  
18 *States, 22,103.*

19           (4) *For the Air Force Reserve, 10,061.*

20 **SEC. 414. FISCAL YEAR 2017 LIMITATION ON NUMBER OF**

21           **NON-DUAL STATUS TECHNICIANS.**

22           (a) *LIMITATIONS.—*

23           (1) *NATIONAL GUARD.—Within the limitation*  
24 *provided in section 10217(c)(2) of title 10, United*  
25 *States Code, the number of non-dual status techni-*

1        *cians employed by the National Guard as of Sep-*  
 2        *tember 30, 2017, may not exceed the following:*

3                *(A) For the Army National Guard of the*  
 4                *United States, 1,600.*

5                *(B) For the Air National Guard of the*  
 6                *United States, 350.*

7                *(2) ARMY RESERVE.—The number of non-dual*  
 8                *status technicians employed by the Army Reserve as*  
 9                *of September 30, 2017, may not exceed 420.*

10                *(3) AIR FORCE RESERVE.—The number of non-*  
 11                *dual status technicians employed by the Air Force*  
 12                *Reserve as of September 30, 2017, may not exceed 90.*

13                *(b) NON-DUAL STATUS TECHNICIANS DEFINED.—In*  
 14                *this section, the term “non-dual status technician” has the*  
 15                *meaning given that term in section 10217(a) of title 10,*  
 16                *United States Code.*

17        **SEC. 415. MAXIMUM NUMBER OF RESERVE PERSONNEL AU-**  
 18                                **THORIZED TO BE ON ACTIVE DUTY FOR**  
 19                                **OPERATIONAL SUPPORT.**

20        *During fiscal year 2017, the maximum number of*  
 21        *members of the reserve components of the Armed Forces who*  
 22        *may be serving at any time on full-time operational sup-*  
 23        *port duty under section 115(b) of title 10, United States*  
 24        *Code, is the following:*

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

3           (2) *The Army Reserve, 13,000.*

4           (3) *The Navy Reserve, 6,200.*

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

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

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

9   **SEC. 416. SENSE OF CONGRESS ON FULL-TIME SUPPORT**

10                           **FOR THE ARMY NATIONAL GUARD.**

11           *It is the sense of Congress that—*

12           (1) *an adequately supported, full-time support*  
13           *force consisting of active and reserve personnel and*  
14           *military technicians for the Army National Guard is*  
15           *essential to maintaining the readiness of the Army*  
16           *National Guard;*

17           (2) *the full-time support force for the Army Na-*  
18           *tional Guard is the primary mechanism through*  
19           *which the programs of the Army and the Department*  
20           *of Defense are delivered to all 350,000 soldiers of the*  
21           *Army National Guard;*

22           (3) *reductions in active and reserve personnel*  
23           *and military technicians since 2014, totaling 2401,*  
24           *have adversely impacted the readiness of the Army*  
25           *National Guard;*

1           (4) *the growth in the full-time support force for*  
2 *the Army National Guard since 2014 is due solely to*  
3 *validated requirements originating before September*  
4 *11, 2001, and not war-time growth;*

5           (5) *funding for the full-time support force for the*  
6 *Army National Guard has never exceeded 72 percent*  
7 *of the validated requirement of the headquarters of the*  
8 *Department of the Army;*

9           (6) *the current size of the full-time support force*  
10 *for the Army National Guard is the minimum re-*  
11 *quired to maintain foundational readiness require-*  
12 *ments; and*

13           (7) *further reducing the size of the full-time sup-*  
14 *port force for the Army National Guard will have ad-*  
15 *verse and long-lasting impacts on readiness.*

16           ***Subtitle C—Authorization of***  
17           ***Appropriations***

18           ***SEC. 421. MILITARY PERSONNEL.***

19           (a) *AUTHORIZATION OF APPROPRIATIONS.—Funds are*  
20 *hereby authorized to be appropriated for fiscal year 2017*  
21 *for the use of the Armed Forces and other activities and*  
22 *agencies of the Department of Defense for expenses, not oth-*  
23 *erwise provided for, for military personnel, as specified in*  
24 *the funding table in section 4401.*

1           (b) *CONSTRUCTION OF AUTHORIZATION*.—*The author-*  
 2 *ization of appropriations in subsection (a) supersedes any*  
 3 *other authorization of appropriations (definite or indefi-*  
 4 *nite) for such purpose for fiscal year 2017.*

5           ***TITLE V—MILITARY PERSONNEL***  
 6                                   ***POLICY***

7           ***Subtitle A—Officer Personnel Policy***

8           ***SEC. 501. NUMBER OF MARINE CORPS GENERAL OFFICERS.***

9           (a) *DISTRIBUTION OF COMMISSIONED OFFICERS ON*  
 10 *ACTIVE DUTY IN GENERAL OFFICER AND FLAG OFFICER*  
 11 *GRADES*.—*Section 525(a)(4) of title 10, United States*  
 12 *Code, is amended—*

13                   (1) *in subparagraph (B), by striking “15” and*  
 14                   *inserting “17”; and*

15                   (2) *in subparagraph (C), by striking “23” and*  
 16                   *inserting “22”.*

17           (b) *GENERAL AND FLAG OFFICERS ON ACTIVE*  
 18 *DUTY*.—*Section 526(a)(4) of such title is amended by strik-*  
 19 *ing “61” and inserting “62”.*

20           (c) *DEPUTY COMMANDANTS*.—*Section 5045 of such*  
 21 *title is amended by striking “six” and inserting “seven”.*

22           ***SEC. 502. EQUAL CONSIDERATION OF OFFICERS FOR EARLY***  
 23                                   ***RETIREMENT OR DISCHARGE.***

24           *Section 638a of title 10, United States Code, is amend-*  
 25 *ed—*

1           (1) *in subsection (b), by adding at the end the*  
2           *following new paragraph:*

3           “(4) *Convening selection boards under section*  
4           *611(b) of this title to consider for early retirement or*  
5           *discharge regular officers on the active-duty list in a*  
6           *grade below lieutenant colonel or commander—*

7                     “(A) *who have served at least one year of*  
8                     *active duty in the grade currently held; and*

9                     “(B) *whose names are not on a list of offi-*  
10                    *cers recommended for promotion.”;*

11           (2) *by redesignating subsection (e) as subsection*  
12           *(f); and*

13           (3) *by inserting after subsection (d) the following*  
14           *new subsection (e):*

15           “(e)(1) *In the case of action under subsection (b)(4),*  
16           *the Secretary of the military department concerned shall*  
17           *specify the total number of officers described in that sub-*  
18           *section that a selection board convened under section 611(b)*  
19           *of this title pursuant to the authority of that subsection may*  
20           *recommend for early retirement or discharge. Officers who*  
21           *are eligible, or are within two years of becoming eligible,*  
22           *to be retired under any provision of law (other than by rea-*  
23           *son of eligibility pursuant to section 4403 of the National*  
24           *Defense Authorization Act for Fiscal Year 1993 (Public*  
25           *Law 102-484)), if selected by the board, shall be retired*



1 *or retained until becoming eligible to retire under sections*  
2 *3911, 6323, or 8911 of this title, and those officers who are*  
3 *otherwise ineligible to retire under any provision of law*  
4 *shall, if selected by the board, be discharged.*

5       “(2) *In the case of action under subsection (b)(4), the*  
6 *Secretary of the military department concerned may submit*  
7 *to a selection board convened pursuant to that subsection—*

8               “(A) *the names of all eligible officers described in*  
9 *that subsection, whether or not they are eligible to be*  
10 *retired under any provision of law, in a particular*  
11 *grade and competitive category; or*

12               “(B) *the names of all eligible officers described in*  
13 *that subsection in a particular grade and competitive*  
14 *category, whether or not they are eligible to be retired*  
15 *under any provision of law, who are also in par-*  
16 *ticular year groups, specialties, or retirement cat-*  
17 *egories, or any combination thereof, with that com-*  
18 *petitive category.*

19       “(3) *The number of officers specified under paragraph*  
20 *(1) may not be more than 30 percent of the number of offi-*  
21 *cers considered.*

22       “(4) *An officer who is recommended for discharge by*  
23 *a selection board convened pursuant to the authority of sub-*  
24 *section (b)(4) and whose discharge is approved by the Sec-*

1 *retary concerned shall be discharged on a date specified by*  
 2 *the Secretary concerned.*

3 “(5) *Selection of officers for discharge under this sub-*  
 4 *section shall be based on the needs of the service.*”.

5 **SEC. 503. MODIFICATION OF AUTHORITY TO DROP FROM**  
 6 **ROLLS A COMMISSIONED OFFICER.**

7 *Section 1161(b) of title 10, United States Code, is*  
 8 *amended by inserting “or the Secretary of Defense, or in*  
 9 *the case of a commissioned officer of the Coast Guard, the*  
 10 *Secretary of the department in which the Coast Guard is*  
 11 *operating when it is not operating in the Navy,” after*  
 12 *“President”.*

13 ***Subtitle B—Reserve Component***  
 14 ***Management***

15 **SEC. 511. EXTENSION OF REMOVAL OF RESTRICTIONS ON**  
 16 ***THE TRANSFER OF OFFICERS BETWEEN THE***  
 17 ***ACTIVE AND INACTIVE NATIONAL GUARD.***

18 *Section 512 of the National Defense Authorization Act*  
 19 *for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 752;*  
 20 *32 U.S.C. prec. 301 note) is amended—*

21 *(1) in subsection (a) in the matter preceding*  
 22 *paragraph (1), by striking “December 31, 2016” and*  
 23 *inserting “December 31, 2019”; and*

1           (2) *in subsection (b) in the matter preceding*  
2           *paragraph (1), by striking “December 31, 2016” and*  
3           *inserting “December 31, 2019”.*

4 **SEC. 512. EXTENSION OF TEMPORARY AUTHORITY TO USE**  
5           **AIR FORCE RESERVE COMPONENT PER-**  
6           **SONNEL TO PROVIDE TRAINING AND IN-**  
7           **STRUCTION REGARDING PILOT TRAINING.**

8           *Section 514(a)(1) of the National Defense Authoriza-*  
9           *tion Act for Fiscal Year 2016 (Public Law 114–92; 129*  
10           *Stat. 810) is amended by inserting “and fiscal year 2017”*  
11           *after “During fiscal year 2016”.*

12 **SEC. 513. LIMITATIONS ON ORDERING SELECTED RESERVE**  
13           **TO ACTIVE DUTY FOR PREPLANNED MIS-**  
14           **SIONS IN SUPPORT OF THE COMBATANT COM-**  
15           **MANDS.**

16           *Section 12304b(b) of title 10, United States Code, is*  
17           *amended—*

18           (1) *in paragraph (1), by striking “only” in the*  
19           *matter preceding subparagraph (A);*

20           (2) *by redesignating paragraph (2) as para-*  
21           *graph (3); and*

22           (3) *by inserting after paragraph (1) the fol-*  
23           *lowing new paragraph:*

24           “(2) *In lieu of paragraph (1), units may be ordered*  
25           *to active duty under this section if—*

1           “(A) *the manpower and associated costs of such*  
2           *active duty has been identified by the Secretary con-*  
3           *cerned as an emerging requirement in the year of exe-*  
4           *cution; and*

5           “(B) *the Secretary concerned provides 30-day*  
6           *advance notification to the congressional defense com-*  
7           *mittees that identifies the funds required to support*  
8           *the order, a description of the mission for which the*  
9           *units will be ordered to active duty, and the antici-*  
10          *pated length of time of the order of such units to ac-*  
11          *tive duty on an involuntary basis.”.*

12 **SEC. 514. EXEMPTION OF MILITARY TECHNICIANS (DUAL**  
13                   **STATUS) FROM CIVILIAN EMPLOYEE FUR-**  
14                   **LOUGHS.**

15           *Section 10216(b)(3) of title 10, United States Code, is*  
16           *amended by inserting after “reductions” the following: “(in-*  
17           *cluding temporary reductions by furlough or otherwise)”.*

18 **SEC. 515. ELECTRONIC TRACKING OF OPERATIONAL AC-**  
19                   **TIVE-DUTY SERVICE PERFORMED BY MEM-**  
20                   **BERS OF THE READY RESERVE OF THE**  
21                   **ARMED FORCES.**

22           *The Secretary of Defense shall establish an electronic*  
23           *means by which members of the Ready Reserve of the Armed*  
24           *Forces can track their operational active-duty service per-*  
25           *formed after January 28, 2008, under section 12301(a),*

1 12301(d), 12301(g), 12302, or 12304 of title 10, United  
 2 States Code. The tour calculator shall specify early retire-  
 3 ment credit authorized for each qualifying tour of active  
 4 duty, as well as cumulative early reserve retirement credit  
 5 authorized to date under section 12731(f) of such title.

6 **Subtitle C—General Service**  
 7 **Authorities**

8 **SEC. 521. TECHNICAL CORRECTION TO ANNUAL AUTHOR-**  
 9 **IZATION FOR PERSONNEL STRENGTHS.**

10 *Section 115 of title 10, United States Code, is amend-*  
 11 *ed—*

12 *(1) in subsection (b)(1)—*

13 *(A) in subparagraph (B), by striking*

14 *“502(f)(2)” and inserting “502(f)(1)(B)”;* and

15 *(B) in subparagraph (C), by striking*

16 *“502(f)(2)” and inserting “502(f)(1)(B)”;* and

17 *(2) in subsection (i)(7), by striking “502(f)(1)”*

18 *and inserting “502(f)(1)(A)”.*

19 **SEC. 522. ENTITLEMENT TO LEAVE FOR ADOPTION OF**  
 20 **CHILD BY DUAL MILITARY COUPLES.**

21 *Section 701(i) of title 10, United States Code, is*  
 22 *amended by striking paragraph (3) and inserting the fol-*  
 23 *lowing new paragraph:*

24

1       “(3) *In the event that two members of the armed forces*  
2 *who are married to each other adopt a child in a qualifying*  
3 *child adoption, the two members shall be allowed a total*  
4 *of at least 36 days of leave under this subsection, to be*  
5 *shared between the two members. The Secretary concerned*  
6 *shall permit the transfer of such leave between the two mem-*  
7 *bers to accommodate individual family circumstances.”.*

8   **SEC. 523. REVISION OF DEPLOYABILITY RATING SYSTEM**  
9   **AND PLANNING REFORM.**

10       (a) *DEPLOYMENT PRIORITIZATION AND READINESS.—*

11                   (1) *IN GENERAL.—Chapter 1003 of title 10,*  
12       *United States Code, is amended by inserting after sec-*  
13       *tion 10102 the following new section:*

14   **“§ 10102a. Deployment prioritization and readiness of**  
15   **army components**

16       “(a) *DEPLOYMENT PRIORITIZATION.—The Secretary*  
17 *of the Army shall maintain a system for identifying the*  
18 *priority of deployment for units of all components of the*  
19 *Army.*

20       “(b) *DEPLOYABILITY READINESS RATING.—The Sec-*  
21 *retary of the Army shall maintain a readiness rating sys-*  
22 *tem for units of all components of the Army that provides*  
23 *an accurate assessment of the deployability of a unit and*  
24 *those shortfalls of a unit that require the provision of addi-*  
25 *tional resources. The system shall ensure—*

1           “(1) that the personnel readiness rating of a unit  
2 reflects—

3           “(A) both the percentage of the overall per-  
4 sonnel requirement of the unit that is manned  
5 and deployable and the fill and deployability  
6 rate for critical occupational specialties nec-  
7 essary for the unit to carry out its basic mission  
8 requirements; and

9           “(B) the number of personnel in the unit  
10 who are qualified in their primary military oc-  
11 cupational specialty; and

12           “(2) that the equipment readiness assessment of  
13 a unit—

14           “(A) documents all equipment required for  
15 deployment;

16           “(B) reflects only that equipment that is di-  
17 rectly possessed by the unit;

18           “(C) specifies the effect of substitute items;  
19 and

20           “(D) assesses the effect of missing compo-  
21 nents and sets on the readiness of major equip-  
22 ment items.”.

23           (2) *CLERICAL AMENDMENT.*—The table of sec-  
24 tions at the beginning of chapter 1003 of such title is

1        amended by inserting after the item relating to sec-  
2        tion 10102 the following new item:

      “10102a. Deployment prioritization and readiness of Army components.”.

3        (b) *REPEAL OF SUPERSEDED PROVISIONS OF LAW.*—  
4        Sections 1121 and 1135 of the Army National Guard Com-  
5        bat Readiness Reform Act of 1992 (title XI of Public Law  
6        102-484; 10 U.S.C. 10105 note) are repealed.

7        **SEC. 524. EXPANSION OF AUTHORITY TO EXECUTE CERTAIN**  
8        **MILITARY INSTRUMENTS.**

9        (a) *EXPANSION OF AUTHORITY TO EXECUTE MILITARY*  
10        *TESTAMENTARY INSTRUMENTS.*—

11        (1) *IN GENERAL.*—Paragraph (2) of section  
12        1044d(c) of title 10, United States Code, is amended  
13        to read as follows:

14        “(2) the execution of the instrument is notarized  
15        by—

16        “(A) a military legal assistance counsel;

17        “(B) a person who is authorized to act as  
18        a notary under section 1044a of this title who—

19        “(i) is not an attorney; and

20        “(ii) is supervised by a military legal  
21        assistance counsel; or

22        “(C) a State-licensed notary employed by a  
23        military department or the Coast Guard who is  
24        supervised by a military legal assistance coun-  
25        sel;”.



1           (2) *CLARIFICATION.*—Paragraph (3) of such sec-  
2           tion is amended by striking “presiding attorney” and  
3           inserting “person notarizing the instrument in ac-  
4           cordance with paragraph (2)”.

5           (b) *EXPANSION OF AUTHORITY TO NOTARIZE DOCU-*  
6           *MENTS TO CIVILIANS SERVING IN MILITARY LEGAL ASSIST-*  
7           *ANCE OFFICES.*—

8           (1) *IN GENERAL.*—Subsection (b) of section  
9           1044a of title 10, United States Code, is amended by  
10           adding at the end the following new paragraph:

11           “(6) All civilian paralegals serving at military  
12           legal assistance offices, supervised by a military legal  
13           assistance counsel (as defined in section 1044d(g) of  
14           this title).”.

15           **SEC. 525. TECHNICAL CORRECTION TO VOLUNTARY SEPA-**  
16           **RATION PAY AND BENEFITS.**

17           Section 1175a(j) of title 10, United States Code, is  
18           amended—

19           (1) in paragraph (2)—

20           (A) by striking “or 12304” and inserting  
21           “12304, 12304a, or 12304b”; and

22           (B) by striking “502(f)(1)” and inserting  
23           “502(f)(1)(A)”; and

24           (2) in paragraph (3), by striking “502(f)(2)”  
25           and inserting “502(f)(1)(B)”.

1 **SEC. 526. ANNUAL NOTICE TO MEMBERS OF THE ARMED**  
2 **FORCES REGARDING CHILD CUSTODY PRO-**  
3 **TECTIONS GUARANTEED BY THE**  
4 **SERVICEMEMBERS CIVIL RELIEF ACT.**

5 *The Secretaries of each of the military departments*  
6 *shall ensure that each member of the Armed Forces with*  
7 *dependents receives annually, and prior to each deploy-*  
8 *ment, notice of the child custody protections afforded to*  
9 *members of the Armed Forces under the Servicemembers*  
10 *Civil Relief Act (50 U.S.C. 3901 et seq.).*

11 **SEC. 527. PILOT PROGRAM ON CONSOLIDATED ARMY RE-**  
12 **CRUITING.**

13 *(a) PILOT PROGRAM.—*

14 *(1) IN GENERAL.—Not later than 180 days after*  
15 *the date of the enactment of this Act, the Secretary of*  
16 *the Army shall carry out a pilot program to consoli-*  
17 *date the recruiting efforts of the Regular Army, Army*  
18 *Reserve, and Army National Guard under which a*  
19 *recruiter in one of the components participating in*  
20 *the pilot program may recruit individuals to enlist in*  
21 *any of the components regardless of the funding*  
22 *source of the recruiting activity. Under the pilot pro-*  
23 *gram, the recruiter shall receive credit toward peri-*  
24 *odic enlistment goals for each enlistment regardless of*  
25 *the component in which the individual enlists.*

1           (2) *DURATION.*—*The Secretary shall carry out*  
2 *the pilot program for a period of not less than three*  
3 *years.*

4           **(b) *REPORTS.***—

5                 **(1) *INTERIM REPORT.***—

6                     **(A) *IN GENERAL.***—*Not later than one year*  
7 *after the date on which the pilot program under*  
8 *subsection (a) commences, the Secretary shall*  
9 *submit to the Committee on Armed Services of*  
10 *the House of Representatives a report on the*  
11 *pilot program.*

12                     **(B) *ELEMENTS.***—*The report under sub-*  
13 *paragraph (A) shall include each of the fol-*  
14 *lowing:*

15                         **(i)** *An analysis of the effects that con-*  
16 *solidated recruiting efforts has on the over-*  
17 *all ability of recruiters to attract and place*  
18 *qualified candidates.*

19                         **(ii)** *A determination of the extent to*  
20 *which consolidating recruiting efforts affects*  
21 *efficiency and recruiting costs.*

22                         **(iii)** *An analysis of any challenges as-*  
23 *sociated with a recruiter working to recruit*  
24 *individuals to enlist in a component in*  
25 *which the recruiter has not served.*

1                   (iv) *An analysis of the satisfaction of*  
 2                   *recruiters and the component recruiting*  
 3                   *commands with the pilot program.*

4                   (2) *FINAL REPORT.*—*Not later than 180 days*  
 5                   *after the date on which the pilot program under sub-*  
 6                   *section (a) is completed, the Secretary shall submit to*  
 7                   *the committees specified in paragraph (1)(A) a final*  
 8                   *report on the pilot program. Such final report shall*  
 9                   *include any recommendations of the Secretary with*  
 10                   *respect to extending or making permanent the pilot*  
 11                   *program and a description of any related legislative*  
 12                   *actions that the Secretary considers appropriate.*

13 **SEC. 528. REPORT ON PURPOSE AND UTILITY OF REGISTRA-**  
 14                   **TION SYSTEM UNDER MILITARY SELECTIVE**  
 15                   **SERVICE ACT.**

16                   (a) *REPORT REQUIRED.*—*Not later than July 1, 2017,*  
 17 *the Secretary of Defense shall—*

18                   (1) *submit to the Committees on Armed Services*  
 19                   *of the Senate and the House of Representatives a re-*  
 20                   *port on the current and future need for a centralized*  
 21                   *registration system under the Military Selective Serv-*  
 22                   *ice Act (50 U.S.C. 3801 et seq.); and*

23                   (2) *provide a briefing on the results of the report.*

24                   (b) *ELEMENTS OF REPORT.*—*The report required by*  
 25 *subsection (a) shall include the following:*

1           (1) *A detailed analysis of the current benefits de-*  
2 *rired, both directly and indirectly, from the Military*  
3 *Selective Service System, including—*

4                   (A) *the extent to which mandatory registra-*  
5 *tion benefits military recruiting;*

6                   (B) *the extent to which a national registra-*  
7 *tion capability serves as a deterrent to potential*  
8 *enemies of the United States; and*

9                   (C) *the extent to which expanding registra-*  
10 *tion to include women would impact these bene-*  
11 *fits.*

12           (2) *An analysis of the functions currently per-*  
13 *formed by the Selective Service System that would be*  
14 *assumed by the Department of Defense in the absence*  
15 *of a national registration capability.*

16           (3) *An analysis of the systems, manpower, and*  
17 *facilities that would be needed by the Department to*  
18 *physically mobilize inductees in the absence of the Se-*  
19 *lective Service System.*

20           (4) *An analysis of the feasibility and utility of*  
21 *eliminating the current focus on mass mobilization of*  
22 *primarily combat troops in favor of a system that fo-*  
23 *cuses on mobilization of all military occupational*  
24 *specialties, and the extent to which such a change*

1       *would impact the need for both male and female in-*  
2       *ductees.*

3               *(5) A detailed analysis of the Department's per-*  
4       *sonnel needs in the event of an emergency requiring*  
5       *mass mobilization, including—*

6               *(A) a detailed timeline, along with the fac-*  
7       *tors considered in arriving at this timeline, of*  
8       *when the Department would require—*

9                       *(i) the first inductees to report for serv-*  
10       *ice;*

11                      *(ii) the first 100,000 inductees to re-*  
12       *port for service; and*

13                      *(iii) the first medical personnel to re-*  
14       *port for service; and*

15               *(B) an analysis of any additional critical*  
16       *skills that would be needed in the event of a na-*  
17       *tional emergency, and a timeline for when the*  
18       *Department would require the first inductees to*  
19       *report for service.*

20               *(6) A list of the assumptions used by the Depart-*  
21       *ment when conducting its analysis in preparing the*  
22       *report.*

23               *(c) COMPTROLLER GENERAL REVIEW.—Not later than*  
24       *December 1, 2017, the Comptroller General of the United*  
25       *States shall submit to the Committees on Armed Services*

1 *of the Senate and the House of Representatives a review*  
 2 *of the procedures used by the Department of Defense in eval-*  
 3 *uating selective service requirements.*

4 **SEC. 529. PARENTAL LEAVE FOR MEMBERS OF THE ARMED**  
 5 **FORCES.**

6 *(a) ADDITIONAL PARENTAL LEAVE AUTHORITY.—*

7 *(1) AVAILABILITY OF PARENTAL LEAVE.—Chapter*  
 8 *40 of title 10, United States Code, is amended by*  
 9 *inserting after section 701 the following new section:*

10 **“§ 701a. Parental leave**

11 *“(a) LEAVE AUTHORIZED.—A member of the armed*  
 12 *forces who is performing active service may be allowed leave*  
 13 *under this section for each instance in which the member*  
 14 *becomes a parent as a result of the member’s spouse giving*  
 15 *birth.*

16 *“(b) AMOUNT OF LEAVE.—Leave under this section*  
 17 *shall be at least 14 days, under regulations prescribed under*  
 18 *this section by the Secretary concerned.*

19 *“(c) DURATION OF AVAILABILITY OF LEAVE.—Leave*  
 20 *under this section is lost as follows:*

21 *“(1) If not used within one year of the date of*  
 22 *the birth giving rise to the leave.*

23 *“(2) If the member having the leave becomes en-*  
 24 *titled to leave under this section with respect to a dif-*  
 25 *ferent child.*

1           “(3) *If not used before separation from active*  
2           *service.*”

3           “(d) *COORDINATION WITH OTHER LEAVE AUTHORI-*  
4           *TIES.—Leave under this section is in addition to any other*  
5           *leave and may not be deducted or charged against other*  
6           *leave authorized by this chapter.*”

7           “(e) *REGULATIONS.—This section shall be carried out*  
8           *under regulations prescribed by the Secretary concerned.*  
9           *Regulations prescribed under this section by the Secretaries*  
10           *of the military departments shall be as uniform as prac-*  
11           *ticable and shall be subject to approval by the Secretary*  
12           *of Defense.*”.

13           (2) *CLERICAL AMENDMENT.—The table of sec-*  
14           *tions at the beginning of chapter 40 of title 10,*  
15           *United States Code, is amended by inserting after the*  
16           *item relating to section 701 the following new item:*

          “701a. *Parental leave.*”.

17           (3) *CONFORMING AMENDMENT.—Subsection (j) of*  
18           *section 701 of title 10, United States Code, is re-*  
19           *pealed.*

20           (b) *COVERAGE OF COMMISSIONED OFFICERS OF THE*  
21           *PUBLIC HEALTH SERVICE.—Section 221(a) of the Public*  
22           *Health Service Act (42 U.S.C. 213a(a)) is amended by add-*  
23           *ing at the end the following new paragraph:*

24           “(19) *Section 701(i) and 701a, Adoption Leave*  
25           *and Parental Leave.*”.



1 ***Subtitle D—Military Justice, In-***  
 2 ***cluding Sexual Assault and Do-***  
 3 ***mestic Violence Prevention and***  
 4 ***Response***

5 ***SEC. 541. EXPEDITED REPORTING OF CHILD ABUSE AND***  
 6 ***NEGLECT TO STATE CHILD PROTECTIVE***  
 7 ***SERVICES.***

8 *(a) REPORTING BY MILITARY AND CIVILIAN PER-*  
 9 *SONNEL OF THE DEPARTMENT OF DEFENSE.—Section 1787*  
 10 *of title 10, United States Code, is amended—*

11 *(1) by redesignating subsections (a) and (b) as*  
 12 *subsections (c) and (d), respectively; and*

13 *(2) by inserting before subsection (c), as so red-*  
 14 *esignated, the following new subsections:*

15 *“(a) REPORTING BY MILITARY AND CIVILIAN PER-*  
 16 *SONNEL.—A member of the armed forces, civilian employee*  
 17 *of the Department of Defense, or contractor employee work-*  
 18 *ing on a military installation who is mandated by Federal*  
 19 *regulation or State law to report known or suspected in-*  
 20 *stances of child abuse and neglect shall provide the report*  
 21 *directly to State Child Protective Services or another appro-*  
 22 *priate State agency in addition to the member’s or employ-*  
 23 *ee’s chain of command or any designated Department point*  
 24 *of contact.*

1       “(b) *TRAINING FOR MANDATED REPORTERS.*—The  
 2 *Secretary of Defense shall ensure that individuals referred*  
 3 *to in subsection (a) who are mandated by State law to re-*  
 4 *port known or suspected instances of child abuse and neglect*  
 5 *receive appropriate training, in accordance with State*  
 6 *guidelines, intended to improve their—*

7               “(1) *ability to recognize evidence of child abuse*  
 8 *and neglect; and*

9               “(2) *understanding of the mandatory reporting*  
 10 *requirements imposed by law.”.*

11       “(b) *CONFORMING AND CLERICAL AMENDMENTS.*—Sec-  
 12 *tion 1787 of title 10, United States Code, is further amend-*  
 13 *ed—*

14               (1) *in subsection (c), as redesignated by sub-*  
 15 *section (a)(1), by striking “IN GENERAL.—” and in-*  
 16 *serting “REPORTING BY STATES.—”; and*

17               (2) *in subsection (d), as redesignated by sub-*  
 18 *section (a)(1)—*

19                       (A) *by striking “(d) DEFINITION.—In this*  
 20 *section, the term” and inserting the following:*

21               “(d) *DEFINITIONS.*—*In this section:*

22                       “(1) *The term*”; *and*

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

1           “(2) *The term ‘State’ includes the District of Co-*  
 2           *lumbia, the Commonwealth of Puerto Rico, the Com-*  
 3           *monwealth of the Northern Mariana Islands, Guam,*  
 4           *the Virgin Islands, American Samoa, the Federated*  
 5           *States of Micronesia, the Republic of the Marshall Is-*  
 6           *lands, and the Republic of Palau.”.*

7   **SEC. 542. EXTENSION OF THE REQUIREMENT FOR ANNUAL**  
 8                           **REPORT REGARDING SEXUAL ASSAULTS AND**  
 9                           **COORDINATION WITH RELEASE OF FAMILY**  
 10                          **ADVOCACY REPORT.**

11           *Section 1631 of the Ike Skelton National Defense Au-*  
 12           *thorization Act for Fiscal Year 2011 (Public Law 111–383;*  
 13           *124 Stat. 4433; 10 U.S.C. 1561 note) is amended—*

14                   (1) *in subsection (a) by striking “March 1,*  
 15                   *2017” and inserting “January 31, 2021”; and*

16                   (2) *by adding at the end the following new sub-*  
 17                   *section:*

18           “(g) *COORDINATION OF RELEASE DATE BETWEEN AN-*  
 19           *NUAL REPORT REGARDING SEXUAL ASSAULTS AND FAMILY*  
 20           *ADVOCACY REPORT.—The Secretary of Defense shall ensure*  
 21           *that the report required under subsection (a) for a year is*  
 22           *delivered to the Committees on Armed Services of the Senate*  
 23           *and House of Representatives simultaneously with the De-*  
 24           *partment of Defense Family Advocacy Report for that year*

1 *required by section 543 of the National Defense Authoriza-*  
2 *tion Act for Fiscal Year 2017.”.*

3 **SEC. 543. REQUIREMENT FOR ANNUAL FAMILY ADVOCACY**  
4 **PROGRAM REPORT REGARDING CHILD ABUSE**  
5 **AND DOMESTIC VIOLENCE.**

6 (a) *ANNUAL REPORT ON CHILD ABUSE AND DOMESTIC*  
7 *VIOLENCE.—Not later than January 31, 2017, and annu-*  
8 *ally thereafter through January 31, 2021, the Secretary of*  
9 *Defense shall submit to the Committees on Armed Services*  
10 *of the House of Representatives and the Senate a report on*  
11 *the child abuse and domestic abuse incident data from the*  
12 *Department of Defense Family Advocacy Program central*  
13 *registry of child abuse and domestic abuse incidents for the*  
14 *preceding calendar year.*

15 (b) *CONTENTS.—The report shall contain each of the*  
16 *following:*

17 (1) *The number of incidents reported during the*  
18 *year covered by the report involving—*

19 (A) *spouse physical or sexual abuse;*

20 (B) *intimate partner physical or sexual*  
21 *abuse;*

22 (C) *child physical or sexual abuse; and*

23 (D) *child or domestic abuse resulting in a*  
24 *fatality.*

1           (2) *An analysis of the number of such incidents*  
2           *that met the criteria for substantiation.*

3           (3) *An analysis of—*

4                 (A) *the types of abuse reported;*

5                 (B) *for cases involving children as the re-*  
6                 *ported victims of the abuse, the ages of the*  
7                 *abused children; and*

8                 (C) *other relevant characteristics of the re-*  
9                 *ported victims.*

10           (4) *An analysis of the military status, sex, and*  
11           *pay grade of the alleged perpetrator of the child or do-*  
12           *mestic abuse.*

13           (5) *An analysis of the effectiveness of the Family*  
14           *Advocacy Program.*

15           (c) *COORDINATION OF RELEASE DATE BETWEEN AN-*  
16           *NUAL REPORT REGARDING SEXUAL ASSAULTS AND FAMILY*  
17           *ADVOCACY PROGRAM REPORT.—The Secretary of Defense*  
18           *shall ensure that the sexual assault report required under*  
19           *section 1631 of the Ike Skelton National Defense Authoriza-*  
20           *tion Act for Fiscal Year 2011 (Public Law 111–383; 10*  
21           *U.S.C. 1561 note) is delivered to the Committees on Armed*  
22           *Services of the House of Representatives and the Senate si-*  
23           *multaneously with the report required under this section.*

1 **SEC. 544. IMPROVED DEPARTMENT OF DEFENSE PREVEN-**  
2 **TION OF AND RESPONSE TO HAZING IN THE**  
3 **ARMED FORCES.**

4 (a) *ANTI-HAZING DATABASE.*—*The Secretary of De-*  
5 *fense shall provide for the establishment and use of a com-*  
6 *prehensive and consistent data-collection system for the col-*  
7 *lection of reports, including anonymous reports, of inci-*  
8 *dents of hazing involving a member of the Armed Forces.*  
9 *The Secretary shall issue department-wide guidance regard-*  
10 *ing the availability and use of the database, including in-*  
11 *formation on protected classes, such as race and religion,*  
12 *who are often the victims of hazing.*

13 (b) *IMPROVED TRAINING.*—*The Secretary of each mili-*  
14 *tary department, in consultation with the Chief of Staff of*  
15 *each Armed Force under the jurisdiction of such Secretary,*  
16 *shall seek to improve training to assist members of the*  
17 *Armed Forces better recognize, prevent, and respond to haz-*  
18 *ing at all command levels.*

19 (c) *ANNUAL SURVEY.*—*The Secretary of each military*  
20 *department, in consultation with the Chief of Staff of each*  
21 *Armed Force under the jurisdiction of such Secretary, shall*  
22 *conduct an annual survey among members of each Armed*  
23 *Force under the jurisdiction of such Secretary to determine*  
24 *the following:*

25 (1) *The prevalence of hazing in the Armed Force.*

1           (2) *The effectiveness of training provided mem-*  
2 *bers of the Armed Force to recognize and prevent haz-*  
3 *ing.*

4           (3) *The extent to which members of the Armed*  
5 *Force report, including anonymously report, incidents*  
6 *of hazing.*

7           (d) *ANNUAL REPORTS ON HAZING.—*

8           (1) *REPORT REQUIRED.—Not later than Janu-*  
9 *ary 31 of each year through January 31, 2021, the*  
10 *Secretary of each military department, in consulta-*  
11 *tion with the Chief of Staff of each Armed Force*  
12 *under the jurisdiction of such Secretary, shall submit*  
13 *to the Committees on Armed Services of the Senate*  
14 *and the House of Representatives a report containing*  
15 *a description of efforts during the previous year—*

16           (A) *to prevent and to respond to incidents*  
17 *of hazing involving members of the Armed*  
18 *Forces;*

19           (B) *to track and encourage reporting, in-*  
20 *cluding reporting anonymously, incidents of haz-*  
21 *ing in the Armed Force; and*

22           (C) *to ensure the consistent implementation*  
23 *of anti-hazing policies.*

24           (2) *ADDITIONAL ELEMENTS.—Each report re-*  
25 *quired by this subsection also shall address the same*

1 *elements originally addressed in the anti-hazing re-*  
 2 *ports required by section 534 of the National Defense*  
 3 *Authorization Act for Fiscal Year 2013 (Public Law*  
 4 *112–239; 126 Stat. 1726).*

5 **SEC. 545. BURDENS OF PROOF APPLICABLE TO INVESTIGA-**  
 6 **TIONS AND REVIEWS RELATED TO PRO-**  
 7 **TECTED COMMUNICATIONS OF MEMBERS OF**  
 8 **THE ARMED FORCES AND PROHIBITED RE-**  
 9 **TALIATORY ACTIONS.**

10 *(a) BURDENS OF PROOF.—Section 1034 of title 10,*  
 11 *United States Code, is amended—*

12 *(1) by redesignating subsections (i) and (j) as*  
 13 *subsections (j) and (k), respectively; and*

14 *(2) by inserting after subsection (h) the following*  
 15 *new subsection (i):*

16 *“(i) BURDENS OF PROOF.—The burdens of proof speci-*  
 17 *fied in section 1221(e) of title 5 shall apply in any inves-*  
 18 *tigation conducted by an Inspector General under sub-*  
 19 *section (c) or (d), any review performed by a board for the*  
 20 *correction of military records under subsection (g), and any*  
 21 *review conducted by the Secretary of Defense under sub-*  
 22 *section (h).”.*

23 *(b) EFFECTIVE DATE.—The amendments made by sub-*  
 24 *section (a) shall take effect on the date that is 30 days after*  
 25 *the date of the enactment of this Act, and shall apply with*



1 *respect to allegations pending or submitted under section*  
 2 *1034 of title 10, United States Code, on or after that date.*

3 **SEC. 546. IMPROVED INVESTIGATION OF ALLEGATIONS OF**  
 4 **PROFESSIONAL RETALIATION.**

5 *Section 1034(c)(4) of title 10, United States Code, is*  
 6 *amended by adding at the end the following new subpara-*  
 7 *graph:*

8 *“(F) The Secretary concerned shall ensure that any in-*  
 9 *dividual investigating an allegation as described in para-*  
 10 *graph (1) must have training in the definition and charac-*  
 11 *teristics of retaliation. In addition, if the investigation in-*  
 12 *volves alleged retaliation in response to a communication*  
 13 *regarding a violation of a law or regulation prohibiting*  
 14 *rape, sexual assault, or other sexual misconduct in violation*  
 15 *of sections 920 through 920c of this title (articles 120*  
 16 *through 120c of the Uniform Code of Military Justice), the*  
 17 *training shall include specific instruction regarding such*  
 18 *violations.”.*

19 **SEC. 547. CAREER MILITARY JUSTICE LITIGATION TRACK**  
 20 **FOR JUDGE ADVOCATES.**

21 *(a) CAREER LITIGATION TRACK REQUIRED.—*

22 *(1) IN GENERAL.—The Secretary of each mili-*  
 23 *tary department shall establish a career military jus-*  
 24 *tice litigation track for judge advocates in the Armed*  
 25 *Forces under the jurisdiction of the Secretary.*

1           (2) *CONSULTATION.*—*The Secretary of the Army*  
2           *and the Secretary of the Air Force shall establish the*  
3           *litigation track required by this section in consulta-*  
4           *tion with the Judge Advocate General of the Army*  
5           *and the Judge Advocate General of the Air Force, re-*  
6           *spectively. The Secretary of the Navy shall establish*  
7           *the litigation track in consultation with the Judge*  
8           *Advocate General of the Navy and the Staff Judge*  
9           *Advocate to the Commandant of the Marine Corps.*

10          (b) *ELEMENTS.*—*Each career litigation track under*  
11          *this section shall provide for the following:*

12               (1) *Assignment and advancement of qualified*  
13               *judge advocates in and through assignments and bil-*  
14               *lets relating to the practice of military justice under*  
15               *chapter 47 of title 10, United States Code (the Uni-*  
16               *form Code of Military Justice).*

17               (2) *Establishing for each Armed Force the as-*  
18               *signments and billets covered by paragraph (1), which*  
19               *shall include trial counsel, defense counsel, military*  
20               *trial judge, military appellate judge, academic in-*  
21               *structor, all positions within criminal law offices or*  
22               *divisions of such Armed Force, Special Victims Pros-*  
23               *ecutor, Victims' Legal Counsel, Special Victims'*  
24               *Counsel, and such other positions as the Secretary of*  
25               *the military department concerned shall specify.*

1           (3) *For judge advocates participating in such*  
2 *litigation track, mechanisms as follows:*

3           (A) *To prohibit a judge advocate from more*  
4 *than a total of four years of duty or assignments*  
5 *outside such litigation track.*

6           (B) *To prohibit any adverse assessment of*  
7 *a judge advocate so participating by reason of*  
8 *such participation in the promotion of officers*  
9 *through grade O–6 (or such higher grade as the*  
10 *Secretary of the military department concerned*  
11 *shall specify for purposes of such litigation*  
12 *track).*

13          (4) *Such additional requirements and qualifica-*  
14 *tions for the litigation track as the Secretary of the*  
15 *military department concerned considers appropriate,*  
16 *including requirements and qualifications that take*  
17 *into account the unique personnel needs and require-*  
18 *ment of an Armed Force.*

19          (c) *IMPLEMENTATION DEADLINE.—Each Secretary of*  
20 *a military department shall implement the career litigation*  
21 *track required by this section for the Armed Forces under*  
22 *the jurisdiction of such Secretary by not later than 18*  
23 *months after the date of the enactment of this Act.*

24          (d) *REPORT.—Not later than one year after the date*  
25 *of the enactment of this Act, each Secretary of a military*

1 *department shall submit to the Committees on Armed Serv-*  
2 *ices of the Senate and the House of Representatives a report*  
3 *on the progress of such Secretary in implementing the ca-*  
4 *reer litigation track required under this section for the*  
5 *Armed Forces under the jurisdiction of such Secretary.*

6       ***Subtitle E—Member Education,***  
7               ***Training, and Transition***

8 ***SEC. 561. REVISION TO QUALITY ASSURANCE OF CERTIFI-***  
9               ***CATION PROGRAMS AND STANDARDS.***

10       *Section 2015(c) of title 10, United States Code, is*  
11 *amended—*

12               (1) *in paragraph (1), by striking “is accredited*  
13 *by an accreditation body that” and all that follows*  
14 *and inserting “meets one of the requirements specified*  
15 *in paragraph (2).”;* and

16               (2) *by striking paragraph (2) and inserting the*  
17 *following new paragraph:*

18               “(2) *The requirements for a credentialing pro-*  
19 *gram specified in this paragraph are that the*  
20 *credentialing program—*

21                       “(A) *is accredited by a nationally-recog-*  
22 *nized third-party personnel certification pro-*  
23 *gram accreditor;*

24                       “(B)(i) *is sought or accepted by employers*  
25 *within the industry or sector involved as a recog-*

1           nized, preferred, or required credential for re-  
 2           cruitment, screening, hiring, retention, or ad-  
 3           vancement purposes; and

4                   “(i) where appropriate, is endorsed by a  
 5           nationally-recognized trade association or orga-  
 6           nization representing a significant part of the  
 7           industry or sector;

8                   “(C) grants licenses that are recognized by  
 9           the Federal Government or a State government;  
 10          or

11                   “(D) meets credential standards of a Fed-  
 12          eral agency.”.

13 **SEC. 562. ESTABLISHMENT OF ROTC CYBER INSTITUTES AT**  
 14                   **SENIOR MILITARY COLLEGES.**

15          (a) *IN GENERAL.*—Chapter 103 of title 10, United  
 16          States Code, is amended by adding at the end the following  
 17          new section:

18 **“§2111c. Senior military colleges: ROTC cyber insti-**  
 19                   **tutes**

20                   “(a) *PROGRAM AUTHORIZED.*—The Secretary of De-  
 21          fense may establish cyber institutes at each of the senior  
 22          military colleges and each of the Reserve Officer Training  
 23          Corps institutions selected for partnership by the cyber in-  
 24          stitutes at the individual service academies for the purpose  
 25          of accelerating the development of foundational expertise in

1 *critical cyber operational skills for future military and ci-*  
2 *vilian leaders of the armed forces and the Department of*  
3 *Defense, including such leaders of the reserve components.*

4       “(b) *ELEMENTS.—Each cyber institute established*  
5 *under this section shall include each of the following:*

6               “(1) *Training for members of the program who*  
7 *possess cyber operational expertise from beginning*  
8 *through advanced skill levels, including instruction*  
9 *and practical experiences that lead to cyber certifi-*  
10 *cations recognized in the field.*

11              “(2) *Training in targeted strategic foreign lan-*  
12 *guage proficiency designed to significantly enhance*  
13 *critical cyber operational capabilities and tailored to*  
14 *current and anticipated readiness requirements.*

15              “(3) *Training related to mathematical founda-*  
16 *tions of cryptography and cryptographic theory and*  
17 *practice designed to complement and reinforce cyber*  
18 *education along with the strategic language programs*  
19 *critical to cyber operations.*

20              “(4) *Training designed to expand the pool of*  
21 *qualified cyber instructors necessary to support cyber*  
22 *education in regional school systems.*

23       “(c) *PARTNERSHIPS WITH DEPARTMENT OF DEFENSE*  
24 *AND THE ARMED FORCES.—Any cyber institute established*  
25 *under this section may enter into a partnership with any*

1 *active or reserve component of the armed forces or any agen-*  
2 *cy of the Department of Defense to facilitate the develop-*  
3 *ment of critical cyber skills.*

4       “(d) *PARTNERSHIPS WITH OTHER SCHOOLS.—Any*  
5 *cyber institute established under this section may enter into*  
6 *a partnership with one or more local educational agencies*  
7 *to facilitate the development of critical cyber skills under*  
8 *the program among students attending the elementary and*  
9 *secondary schools of such agencies who may pursue a mili-*  
10 *tary career. The cyber institute may place a special empha-*  
11 *sis on entering into a partnership under this subsection*  
12 *with a local educational agency located in a rural, under-*  
13 *served, or underrepresented community.*

14       “(e) *SENIOR MILITARY COLLEGES.—The senior mili-*  
15 *tary colleges are the senior military colleges in section*  
16 *2111a(f) of this title.”.*

17       “(b) *CLERICAL AMENDMENT.—The table of sections at*  
18 *the beginning of such chapter is amended by adding at the*  
19 *end the following new item:*

      “2111c. *Senior military colleges: ROTC cyber institutes.”.*

20 **SEC. 563. MILITARY-TO-MARINER TRANSITION.**

21       “(a) *REPORT.— Not later than 180 days after the date*  
22 *of the enactment of this Act, the Secretary of Defense and*  
23 *the Secretary of the department in which the Coast Guard*  
24 *is operating shall jointly report to the Committee on Armed*  
25 *Services and the Committee on Transportation and Infra-*

1 *structure of the House of Representatives and the Committee*  
2 *on Armed Services and the Committee on Commerce,*  
3 *Science, and Transportation of the Senate on steps the De-*  
4 *partments of Defense and Homeland Security have taken*  
5 *or intend to take to—*

6           (1) *maximize the extent to which United States*  
7 *armed forces service, training, and qualifications are*  
8 *creditable toward meeting the laws and regulations*  
9 *governing United States merchant mariner license,*  
10 *certification, and document laws and the Inter-*  
11 *national Convention on Standards of Training, Cer-*  
12 *tification and Watchkeeping for Seafarers, 1978, in-*  
13 *cluding steps to enhance interdepartmental coordina-*  
14 *tion; and*

15           (2) *to promote better awareness among armed*  
16 *forces personnel who serve in vessel operating posi-*  
17 *tions of the requirements for post-service use of armed*  
18 *forces training, education, and practical experience in*  
19 *satisfaction of requirements for merchant mariner*  
20 *credentials under section 11.213 of title 46, Code of*  
21 *Federal Regulation, and the need to document such*  
22 *service in a manner suitable for post-service use.*

23           (b) *LIST OF TRAINING PROGRAMS.—The report under*  
24 *subsection (a) shall include a list of Army, Navy, and Coast*



1 *Guard training programs open to Army, Navy, and Coast*  
 2 *Guard vessel operators, respectively, that shows—*

3           (1) *which programs have been approved for cred-*  
 4 *it toward merchant mariner credentials;*

5           (2) *which programs are under review for such*  
 6 *approval;*

7           (3) *which programs are not relevant to the train-*  
 8 *ing needed for merchant mariner credentials; and*

9           (4) *which programs could become eligible for*  
 10 *credit toward merchant mariner credentials with*  
 11 *minor changes.*

12 **SEC. 564. EMPLOYMENT AUTHORITY FOR CIVILIAN FAC-**  
 13 **ULTY AT CERTAIN MILITARY DEPARTMENT**  
 14 **SCHOOLS.**

15           (a) *ADDITION OF ARMY UNIVERSITY AND ADDITIONAL*  
 16 *FACULTY.—*

17           (1) *IN GENERAL.—Section 4021 of title 10,*  
 18 *United States Code, is amended—*

19                   (A) *by striking subsection (a) and inserting*  
 20 *the following new subsection:*

21           “(a) *AUTHORITY OF SECRETARY.—The Secretary of*  
 22 *the Army may employ as many civilians as professors, in-*  
 23 *structors, lecturers, researchers, and administrative faculty*  
 24 *at the Army War College, the United States Army Com-*

1 *mand and General Staff College, and the Army University*  
 2 *as the Secretary considers necessary.”; and*

3 *(B) by striking subsection (c).*

4 *(2) CLERICAL AMENDMENT.—The heading of*  
 5 *such section is amended to read as follows:*

6 **“§4021. Army War College, United States Army Com-**  
 7 **mand and General Staff College, and**  
 8 **Army University: civilian faculty mem-**  
 9 **bers”.**

10 *(b) NAVAL WAR COLLEGE AND MARINE CORPS UNI-*  
 11 *VERSITY.—Section 7478 of title 10, United States Code, is*  
 12 *amended—*

13 *(1) by striking subsection (a) and inserting the*  
 14 *following new subsection:*

15 *“(a) AUTHORITY OF SECRETARY.—The Secretary of*  
 16 *the Navy may employ as many civilians as professors, in-*  
 17 *structors, lecturers, researchers, and administrative faculty*  
 18 *at a school of the Naval War College or of the Marine Corps*  
 19 *University as the Secretary considers necessary.”; and*

20 *(2) by striking subsection (c).*

21 *(c) AIR UNIVERSITY.—Section 9021 of title 10, United*  
 22 *States Code, is amended—*

23 *(1) by striking subsection (a) and inserting the*  
 24 *following new subsection:*

1       “(a) *AUTHORITY OF SECRETARY.*—*The Secretary of*  
 2 *the Air Force may employ as many civilians as professors,*  
 3 *instructors, lecturers, researchers, and administrative fac-*  
 4 *ulty at a school of the Air University as the Secretary con-*  
 5 *siders necessary.”; and*

6               (2) *by striking subsection (c).*

7 **SEC. 565. REVISION OF NAME ON MILITARY SERVICE**  
 8               **RECORD TO REFLECT CHANGE IN NAME OF A**  
 9               **MEMBER OF THE ARMY, NAVY, AIR FORCE, OR**  
 10              **MARINE CORPS, AFTER SEPARATION FROM**  
 11              **THE ARMED FORCES.**

12       (a) *REVISION REQUIRED.*—*Section 1551 of title 10,*  
 13 *United States Code, is amended—*

14               (1) *by inserting “(a) SERVICE UNDER ASSUMED*  
 15 *NAME.—” before “The Secretary”; and*

16               (2) *by adding at the end the following new sub-*  
 17 *section:*

18       “(b) *EFFECT OF CHANGE IN NAME.*—*The Secretary of*  
 19 *the military department concerned shall reissue a certificate*  
 20 *of discharge or an order of acceptance of resignation in the*  
 21 *new name of any person who, after separation from an*  
 22 *armed force under the jurisdiction of that Secretary, legally*  
 23 *changes the person’s name to reflect the person’s gender*  
 24 *identity.”.*

25       (b) *CLERICAL AMENDMENTS.*—

1           (1) *SECTION HEADING.*—*The heading of section*  
 2           *1551 of title 10, United States Code, is amended to*  
 3           *read as follows:*

4           “**§1551. Correction of name after separation from**  
 5                           **service**”.

6           (2) *TABLE OF SECTIONS.*—*The table of sections*  
 7           *at the beginning of chapter 79 of title 10, United*  
 8           *States Code, is amended by striking the item relating*  
 9           *to section 1551 and inserting the following new item:*

          “1551. *Correction of name after separation from service.*”.

10          **SEC. 566. DIRECT EMPLOYMENT PILOT PROGRAM FOR MEM-**  
 11                           **BERS OF THE NATIONAL GUARD AND RE-**  
 12                           **SERVE.**

13           (a) *PROGRAM AUTHORITY.*—*The Secretary of Defense*  
 14           *may carry out a pilot program to enhance the efforts of*  
 15           *the Department of Defense to provide job placement assist-*  
 16           *ance and related employment services directly to members*  
 17           *in the National Guard and Reserves.*

18           (b) *ADMINISTRATION.*—*The pilot program shall be of-*  
 19           *fered to, and administered by, the adjutants general ap-*  
 20           *pointed under section 314 of title 32, United States Code.*

21           (c) *COST-SHARING REQUIREMENT.*—*As a condition on*  
 22           *the provision of funds under this section to a State to sup-*  
 23           *port the operation of the pilot program in the State, the*  
 24           *State must agree to contribute an amount, derived from*

1 *non-Federal sources, equal to at least 30 percent of the funds*  
2 *provided by the Secretary of Defense under this section.*

3 (d) *DIRECT EMPLOYMENT PROGRAM MODEL.—The*  
4 *pilot program should follow a job placement program model*  
5 *that focuses on working one-on-one with a member of a re-*  
6 *serve component to cost-effectively provide job placement*  
7 *services, including services such as identifying unemployed*  
8 *and under employed members, job matching services, re-*  
9 *sume editing, interview preparation, and post-employment*  
10 *follow up. Development of the pilot program should be in-*  
11 *formed by State direct employment programs for members*  
12 *of the reserve components, such as the programs conducted*  
13 *in California and South Carolina.*

14 (e) *EVALUATION.—The Secretary of Defense shall de-*  
15 *velop outcome measurements to evaluate the success of the*  
16 *pilot program.*

17 (f) *REPORTING REQUIREMENTS.—*

18 (1) *REPORT REQUIRED.—Not later than Janu-*  
19 *ary 31, 2021, the Secretary of Defense shall submit to*  
20 *the Committees on Armed Services of the Senate and*  
21 *the House of Representatives a report describing the*  
22 *results of the pilot program. The Secretary shall pre-*  
23 *pare the report in coordination with the Chief of the*  
24 *National Guard Bureau.*

1           (2) *ELEMENTS OF REPORT.*—A report under  
2           paragraph (1) shall include the following:

3                   (A) A description and assessment of the ef-  
4                   fectiveness and achievements of the pilot pro-  
5                   gram, including the number of members of the  
6                   reserve components hired and the cost-per-place-  
7                   ment of participating members.

8                   (B) An assessment of the impact of the pilot  
9                   program and increased reserve component em-  
10                  ployment levels on the readiness of members of  
11                  the reserve components.

12                  (C) A comparison of the pilot program to  
13                  other programs conducted by the Department of  
14                  Defense and Department of Veterans Affairs to  
15                  provide unemployment and underemployment  
16                  support to members of the reserve components  
17                  and veterans.

18                  (D) Any other matters considered appro-  
19                  priate by the Secretary.

20           (g) *DURATION OF AUTHORITY.*—

21                   (1) *IN GENERAL.*—The authority to carry out the  
22                   pilot program expires September 30, 2019.

23                   (2) *EXTENSION.*—Upon the expiration of the au-  
24                   thority under paragraph (1), the Secretary of Defense

1        *may extend the pilot program for not more than two*  
2        *additional fiscal years.*

3        **SEC. 567. PROHIBITION ON ESTABLISHMENT, MAINTENANCE,**  
4                                    **OR SUPPORT OF SENIOR RESERVE**  
5                                    **OFFICERS' TRAINING CORPS UNITS AT EDUCATIONAL**  
6                                    **INSTITUTIONS THAT DISPLAY**  
7                                    **CONFEDERATE BATTLE FLAG.**

8        *(a) PROHIBITION.—Section 2102 of title 10, United*  
9        *States Code, is amended by adding at the end the following*  
10       *new subsection:*

11                                *“(e) PROHIBITION RELATED TO DISPLAY OF CONFED-*  
12       *ERATE BATTLE FLAG.—(1) The Secretary of a military de-*  
13       *partment may not establish, maintain, or support a unit*  
14       *of the program at any educational institution, including*  
15       *any senior military college specified in section 2111a of this*  
16       *title, that displays, in a location other than in a museum*  
17       *exhibit, the Confederate battle flag.*

18                                *“(2)(A) Upon making a determination under para-*  
19       *graph (1) that an educational institution displays, in a lo-*  
20       *cation other than in a museum exhibit, the Confederate bat-*  
21       *tle flag, the Secretary of the military department concerned*  
22       *shall terminate, in accordance with subparagraph (B), any*  
23       *unit of the program at that educational institution in exist-*  
24       *ence as of the date of the determination.*

1       “(B) *The termination of a unit of the program at an*  
2 *educational institution pursuant to this paragraph shall*  
3 *take effect on the date on which—*

4               “(i) *each member of the program who, as of the*  
5 *date of the determination, is enrolled in the edu-*  
6 *cational institution is no longer so enrolled; and*

7               “(ii) *each student who, as of the date of the de-*  
8 *termination, is enrolled in the educational institution*  
9 *but not yet a member of the program, is no longer so*  
10 *enrolled.*

11       “(3) *Not later than January 31, 2017, and each Janu-*  
12 *ary 31 thereafter through January 31, 2021, the Secretary*  
13 *of Defense shall submit to the congressional defense commit-*  
14 *tees a report—*

15               “(A) *identifying each unit of the program lo-*  
16 *cated at an educational institution that displays, in*  
17 *a location other than in a museum exhibit, the Con-*  
18 *federate battle flag; and*

19               “(B) *describing the implementation of this sub-*  
20 *section with respect to that educational institution.*

21       “(4) *In this subsection, the term ‘Confederate battle*  
22 *flag’ means the battle flag of the Army of Northern Virginia,*  
23 *the battle flag of the Army of Tennessee, the battle flag of*  
24 *Forrest’s Cavalry Corps, the Second Confederate Navy Jack,*



1 *the Second Confederate Navy Ensign, or other flag with a*  
2 *like design.”.*

3 (b) *CONFORMING AMENDMENTS.—(1) Section 2102(d)*  
4 *of title 10, United States Code, is amended by striking “The*  
5 *President” and inserting “Subject to subsection (e), the*  
6 *President”.*

7 (2) *Section 2111a of title 10, United States Code, is*  
8 *amended—*

9 (A) *in subsection (d), by striking “The Sec-*  
10 *retary” and inserting “Except as provided in section*  
11 *2102(e) of this title, the Secretary”;* and

12 (B) *in subsection (e)(1), by striking “The Sec-*  
13 *retary” and inserting “Except in the case of a senior*  
14 *miliary college at which a unit of the program is ter-*  
15 *minated pursuant to section 2102(e) of this title, the*  
16 *Secretary”.*

17 (c) *EXCEPTION.—Section 2102 of title 10, United*  
18 *States Code, is further amended by adding at the end the*  
19 *following:*

20 “(f) *EXCEPTION.—The prohibition under subsection*  
21 *(e) shall not apply to an educational institution if the board*  
22 *of visitors of such institution has voted to take down the*  
23 *flag described in such subsection.”.*

1 **SEC. 568. REPORT ON COMPOSITION OF SERVICE ACAD-**  
2 **EMIES.**

3 (a) *REPORT.*—Not later than one year after the date  
4 of the enactment of this Act, the Comptroller General of the  
5 United States shall submit to the Committee on Armed  
6 Services of the House of Representatives and the Committee  
7 on Armed Services of the Senate a report on the demo-  
8 graphic composition of service academies that includes—

9 (1) an analysis of—

10 (A) the demographic composition of each  
11 service academy's—

12 (i) recruits;

13 (ii) nominees;

14 (iii) applicants;

15 (iv) qualified applicants;

16 (v) admits;

17 (vi) enrollees;

18 (vii) graduates; and

19 (viii) graduate occupation placement;

20 (B) how such composition compares to the  
21 demographic composition of—

22 (i) the United States;

23 (ii) enlisted members of the Armed  
24 Forces;

25 (iii) officers of the Armed Forces; and

1                   (iv) other institutions of higher edu-  
2                   cation (as defined in section 101(a) of the  
3                   Higher Education Act of 1965 (20 U.S.C.  
4                   1001(a)); and

5                   (C) the demographic composition of each  
6                   quintile of academic ranking for each service  
7                   academy’s graduating class;

8                   (2) a description of the considerations given to  
9                   demographic composition in each service academy’s—

10                   (A) recruitment efforts (including funding  
11                   decisions made to further such efforts);

12                   (B) qualification decisions; and

13                   (C) admissions decisions; and

14                   (3) recommendations for best—

15                   (A) recruitment practices;

16                   (B) nominating practices;

17                   (C) qualification decision practices; and

18                   (D) admissions practices.

19                   (b) *DEFINITION.*—In this section the term “service  
20 academy” means each of the following:

21                   (1) *The United States Military Academy.*

22                   (2) *The United States Naval Academy.*

23                   (3) *The United States Air Force Academy.*

24                   (4) *The United States Coast Guard Academy.*

1           (5) *The United States Merchant Marine Acad-*  
2           *emy.*

3           (c) *SCOPE OF REPORT.*—*The report required by this*  
4           *section shall examine each service academy class admitted*  
5           *following the date of enactment of section 543 of the Na-*  
6           *tional Defense Authorization Act for Fiscal Year 1994 (Pub-*  
7           *lic Law 103–160).*

8           **SEC. 569. INCLUSION OF ALCOHOL, PRESCRIPTION DRUG,**  
9                           **OPIOID, AND OTHER SUBSTANCE ABUSE**  
10                          **COUNSELING AS PART OF REQUIRED**  
11                          **PRESEPARATION COUNSELING.**

12           *Section 1142(b)(11) of title 10, United States Code, is*  
13           *amended by inserting before the period the following: “and*  
14           *information concerning the availability of treatment op-*  
15           *tions and resources to address substance abuse, including*  
16           *alcohol, prescription drug, and opioid abuse”.*

17           **SEC. 569A. INCLUSION OF INFORMATION IN TRANSITION**  
18                           **ASSISTANCE PROGRAM.**

19           *Section 1144(b) of title 10, United States Code, is*  
20           *amended by adding at the end the following new paragraph:*

21                    “(10) *Provide information regarding the deduc-*  
22                    *tion of disability compensation paid by the Secretary*  
23                    *of Veterans Affairs pursuant to section 1175a(h) of*  
24                    *this title by reason of voluntary separation pay re-*  
25                    *ceived by the member.”.*

1 **SEC. 569B. REPORT AND GUIDANCE REGARDING JOB TRAIN-**  
2 **ING, EMPLOYMENT SKILLS TRAINING, AP-**  
3 **PRENTICESHIPS, AND INTERNSHIPS AND**  
4 **SKILLBRIDGE INITIATIVES FOR MEMBERS OF**  
5 **THE ARMED FORCES WHO ARE BEING SEPA-**  
6 **RATED.**

7 (a) *REPORT REQUIRED.*—Not later than 90 days after  
8 the date of the enactment of this Act, the Under Secretary  
9 of Defense for Personnel and Readiness shall submit to the  
10 Committees on Armed Services of the Senate and the House  
11 of Representatives, and make available to the public, a re-  
12 port evaluating the success of the Job Training, Employ-  
13 ment Skills Training, Apprenticeships, and Internships  
14 (known as JTEST–AI) and SkillBridge initiatives, under  
15 which civilian businesses and companies make available to  
16 members of the Armed Forces who are being separated from  
17 the Armed Forces training or internship opportunities that  
18 offer a high probability of employment for the members  
19 after their separation.

20 (b) *ELEMENTS OF REPORT.*—In preparing the report  
21 required by subsection (a), the Under Secretary of Defense  
22 for Personnel and Readiness shall use the effectiveness  
23 metrics described in Enclosure 5 of Department of Defense  
24 Instruction No. 1322.29. The report shall include, at a min-  
25 imum, the following:

1           (1) *An assessment of the successes of the JTEST–*  
2 *AI and SkillBridge initiatives.*

3           (2) *Recommendations by the Under Secretary re-*  
4 *garding ways in which the administration of the*  
5 *JTEST–AI and SkillBridge initiatives could be im-*  
6 *proved.*

7           (3) *Recommendations by civilian companies*  
8 *participating in the initiatives regarding ways in*  
9 *which the administration of the JTEST–AI and*  
10 *SkillBridge initiatives could be improved.*

11          (4) *Testimony from a sample of members of the*  
12 *Armed Forces who are participating in a JTEST–AI*  
13 *or SkillBridge initiative regarding the effectiveness of*  
14 *the initiatives and the members’ support for the ini-*  
15 *tiatives.*

16          (5) *Testimony from a sample of recently sepa-*  
17 *rated members of the Armed Forces who participated*  
18 *in a JTEST–AI or SkillBridge initiative regarding*  
19 *the effectiveness of the initiatives and the members’*  
20 *support for the initiatives.*

21          (c) *ISSUANCE OF GUIDANCE.*—*Not later than 180 days*  
22 *after the submission of the report required by subsection (a),*  
23 *the Under Secretary of Defense for Personnel and Readiness*  
24 *shall issue guidance to commanders of units of the Armed*  
25 *Forces for the purpose of encouraging commanders, con-*

1 *sistent with unit readiness, to allow members of the Armed*  
2 *Forces under their command who are being separated from*  
3 *the Armed Forces to participate in a JTEST-AI or*  
4 *SkillBridge initiative.*

5 **SEC. 569C. CONGRESSIONAL NOTIFICATION IN ADVANCE OF**  
6 **APPOINTMENTS TO SERVICE ACADEMIES.**

7 (a) *UNITED STATES MILITARY ACADEMY.—Section*  
8 *4342(a) of title 10, United States Code, is amended in the*  
9 *matter after paragraph (10) by adding at the end the fol-*  
10 *lowing new sentence: “When a nominee of a Senator, Rep-*  
11 *resentative, or Delegate is selected for appointment as a*  
12 *cadet, the Senator, Representative, or Delegate shall be noti-*  
13 *fied at least 48 hours before the official notification or an-*  
14 *nouncement of the appointment is made.”.*

15 (b) *UNITED STATES NAVAL ACADEMY.—Section*  
16 *6954(a) of title 10, United States Code, is amended in the*  
17 *matter after paragraph (10) by adding at the end the fol-*  
18 *lowing new sentence: “When a nominee of a Senator, Rep-*  
19 *resentative, or Delegate is selected for appointment as a*  
20 *midshipman, the Senator, Representative, or Delegate shall*  
21 *be notified at least 48 hours before the official notification*  
22 *or announcement of the appointment is made.”.*

23 (c) *UNITED STATES AIR FORCE ACADEMY.—Section*  
24 *9342(a) of title 10, United States Code, is amended in the*  
25 *matter after paragraph (10) by adding at the end the fol-*

1 *lowing new sentence: “When a nominee of a Senator, Rep-*  
2 *resentative, or Delegate is selected for appointment as a*  
3 *cadet, the Senator, Representative, or Delegate shall be noti-*  
4 *fied at least 48 hours before the official notification or an-*  
5 *nouncement of the appointment is made.”.*

6       *(d) UNITED STATES MERCHANT MARINE ACADEMY.—*  
7 *Section 51302 of title 46, United States Code, is amended*  
8 *by adding at the end the following:*

9       *“(e) CONGRESSIONAL NOTIFICATION IN ADVANCE OF*  
10 *APPOINTMENTS.—When a nominee of a Senator, Represent-*  
11 *ative, or Delegate is selected for appointment as a cadet,*  
12 *the Senator, Representative, or Delegate shall be notified*  
13 *at least 48 hours before the official notification or an-*  
14 *nouncement of the appointment is made”.*

15       *(e) APPLICATION OF AMENDMENTS.—The amendments*  
16 *made by this section shall apply with respect to the ap-*  
17 *pointment of cadets and midshipmen to the United States*  
18 *Military Academy, the United States Naval Academy, the*  
19 *United States Air Force Academy, and United States Mer-*  
20 *chant Marine Academy for classes entering these service*  
21 *academies after January 1, 2018.*



1 ***Subtitle F—Defense Dependents’***  
2 ***Education and Military Family***  
3 ***Readiness Matters***

4 ***SEC. 571. CONTINUATION OF AUTHORITY TO ASSIST LOCAL***  
5 ***EDUCATIONAL AGENCIES THAT BENEFIT DE-***  
6 ***PENDENTS OF MEMBERS OF THE ARMED***  
7 ***FORCES AND DEPARTMENT OF DEFENSE CI-***  
8 ***VILIAN EMPLOYEES.***

9 (a) *ASSISTANCE TO SCHOOLS WITH SIGNIFICANT*  
10 *NUMBERS OF MILITARY DEPENDENT STUDENTS.—Of the*  
11 *amount authorized to be appropriated for fiscal year 2017*  
12 *by section 301 and available for operation and maintenance*  
13 *for Defense-wide activities as specified in the funding table*  
14 *in division D, \$30,000,000 shall be available only for the*  
15 *purpose of providing assistance to local educational agen-*  
16 *cies under subsection (a) of section 572 of the National De-*  
17 *fense Authorization Act for Fiscal Year 2006 (Public Law*  
18 *109–163; 20 U.S.C. 7703b).*

19 (b) *LOCAL EDUCATIONAL AGENCY DEFINED.—In this*  
20 *section, the term “local educational agency” has the mean-*  
21 *ing given that term in section 8013(9) of the Elementary*  
22 *and Secondary Education Act of 1965 (20 U.S.C. 7713(9)).*

1 **SEC. 572. SUPPORT FOR PROGRAMS PROVIDING CAMP EX-**  
2 **PERIENCE FOR CHILDREN OF MILITARY FAMI-**  
3 **LIES.**

4 (a) *IN GENERAL.*—*The Secretary of Defense may pro-*  
5 *vide financial or non-monetary support to qualified non-*  
6 *profit organizations in order to assist such organizations*  
7 *in carrying out programs to support the attendance at a*  
8 *camp or camp-like setting of children of military families*  
9 *who have experienced the death of a family member or other*  
10 *loved one or who have another family member living with*  
11 *a substance use disorder or post-traumatic stress disorder.*

12 (b) *APPLICATION FOR SUPPORT.*—

13 (1) *IN GENERAL.*—*Each organization seeking*  
14 *support pursuant to subsection (a) shall submit to the*  
15 *Secretary an application therefor containing such in-*  
16 *formation as the Secretary shall specify for purposes*  
17 *of this section.*

18 (2) *CONTENTS.*—*Each application submitted*  
19 *under paragraph (1) shall include the following:*

20 (A) *A description of the program for which*  
21 *support is being sought, including the location of*  
22 *the setting or settings under the program, the du-*  
23 *ration of such setting or setting, any local part-*  
24 *ners participating in or contributing to the pro-*  
25 *gram, and the ratio of counselors, trained volun-*

1           *teers, or both to children at such setting or set-*  
2           *tings.*

3                   *(B) An estimate of the number of children*  
4           *of military families to be supported using the*  
5           *support sought.*

6                   *(C) A description of the type of activities*  
7           *that will be conducted using the support sought,*  
8           *including the manner in which activities are*  
9           *particularly supportive to children of military*  
10          *families described in subsection (a).*

11                   *(D) A description of the outreach conducted*  
12          *or to be conducted by the organization to mili-*  
13          *tary families regarding the program.*

14          *(c) PREFERENCE IN APPROVAL OF APPLICATIONS.—*  
15          *The Secretary shall accord a preference in the approval of*  
16          *applications submitted pursuant to subsection (b) to appli-*  
17          *cations submitted by organizations that—*

18                   *(1) provide a traditional camp or camp-like en-*  
19          *vironment setting that is hosted by an accredited*  
20          *service provider or facility;*

21                   *(2) offer activities in that setting that—*

22                           *(A) includes a continued care model;*

23                           *(B) is tailored to the needs of children and*  
24                   *uses recognized best practices;*

1           (C) exhibits an adequate understanding and  
2           recognition of appropriate military culture and  
3           traditions; and

4           (D) places a focus on peer-to-peer support  
5           and activities;

6           (3) offers post-camp and continuing bereavement  
7           or addiction-prevention support, as applicable;

8           (4) offer support services for children and fami-  
9           lies; and

10          (5) provides for evaluations of the camp experi-  
11          ence by children and their families after camp.

12          (d) *USE OF SUPPORT.*—Support provided by the Sec-  
13          retary to an organization pursuant to subsection (a) shall  
14          be used by the organization to support attendance at a  
15          camp or camp-like setting of children of military families  
16          described in subsection (a).

17          **SEC. 573. IMPACT AID.**

18          Notwithstanding section 5(d) of the *Every Student*  
19          *Succeeds Act* (Public Law 114–95; 129 Stat. 1806), the  
20          amendment made by section 7004(1) of such Act (Public  
21          Law 114–95; 129 Stat. 2077)—

22                 (1) for fiscal year 2016, shall—

23                         (A) be applied as if amending section  
24                         8003(a)(5)(A) of the *Elementary and Secondary*  
25                         *Education Act of 1965*, as in effect on the day

1           *before the date of enactment of the Every Student*  
 2           *Succeeds Act (Public Law 114–95; 129 Stat.*  
 3           *1802); and*

4                     *(B) be in effect with respect to appropria-*  
 5           *tions for use under title VIII of the Elementary*  
 6           *and Secondary Education Act of 1965, as in ef-*  
 7           *fect on the day before the date of enactment of*  
 8           *the Every Student Succeeds Act; and*

9           *(2) for fiscal year 2017 and each succeeding fis-*  
 10          *cal year, shall be in effect with respect to appropria-*  
 11          *tions for use under title VII of the Elementary and*  
 12          *Secondary Education Act of 1965, as amended by the*  
 13          *Every Student Succeeds Act (Public Law 114–95; 129*  
 14          *Stat. 1802).*

15 **SEC. 574. ELIMINATION OF TWO-YEAR ELIGIBILITY LIMITA-**  
 16                     **TION FOR NONCOMPETITIVE APPOINTMENT**  
 17                     **OF SPOUSES OF MEMBERS OF THE ARMED**  
 18                     **FORCES.**

19           *Section 3330d(c) of title 5, United States Code, is*  
 20          *amended by adding at the end the following new paragraph:*

21                     *“(3) NO TIME LIMITATION ON APPOINTMENT.—A*  
 22          *relocating spouse of a member of the Armed Forces re-*  
 23          *remains eligible for noncompetitive appointment under*  
 24          *this section for the duration of the spouse’s relocation*  
 25          *to the permanent duty station of the member.”.*

1           ***Subtitle G—Decorations and***  
2                                   ***Awards***

3   ***SEC. 581. REVIEW REGARDING AWARD OF MEDAL OF***  
4                                   ***HONOR TO CERTAIN ASIAN AMERICAN AND***  
5                                   ***NATIVE AMERICAN PACIFIC ISLANDER WAR***  
6                                   ***VETERANS.***

7           *(a) REVIEW REQUIRED.—The Secretary of each mili-*  
8   *tary department shall review the service records of each*  
9   *Asian American and Native American Pacific Islander war*  
10 *veteran described in subsection (b) to determine whether*  
11 *that veteran should be awarded the Medal of Honor.*

12           *(b) COVERED VETERANS.— The Asian American and*  
13 *Native American Pacific Islander war veterans whose serv-*  
14 *ice records are to be reviewed under subsection (a) are the*  
15 *following:*

16                   *(1) Any Asian American or Native American*  
17 *Pacific Islander war veteran who was awarded the*  
18 *Distinguished-Service Cross, the Navy Cross, or the*  
19 *Air Force Cross during the Korean War or the Viet-*  
20 *nam War.*

21                   *(2) Any other Asian American or Native Amer-*  
22 *ican Pacific Islander war veteran whose name is sub-*  
23 *mitted to the Secretary concerned for such purpose be-*  
24 *fore the end of the one-year period beginning on the*  
25 *date of the enactment of this Act.*

1       (c) *CONSULTATIONS.*—*In carrying out the review*  
2 *under subsection (a), the Secretary of each military depart-*  
3 *ment shall consult with such veterans service organizations*  
4 *as the Secretary considers appropriate.*

5       (d) *RECOMMENDATIONS BASED ON REVIEW.*—*If the*  
6 *Secretary concerned determines, based upon the review*  
7 *under subsection (a) of the service records of any Asian*  
8 *American or Native American Pacific Islander war veteran,*  
9 *that the award of the Medal of Honor to that veteran is*  
10 *warranted, the Secretary shall submit to the President a*  
11 *recommendation that the President award the Medal of*  
12 *Honor to that veteran.*

13       (e) *AUTHORITY TO AWARD MEDAL OF HONOR.*—*A*  
14 *Medal of Honor may be awarded to an Asian American*  
15 *or Native American Pacific Islander war veteran in accord-*  
16 *ance with a recommendation of the Secretary concerned*  
17 *under subsection (d).*

18       (f) *CONGRESSIONAL NOTIFICATION.*—*No Medal of*  
19 *Honor may be awarded pursuant to subsection (e) until the*  
20 *Secretary of Defense submits to the Committee on Armed*  
21 *Services of the Senate and House of Representatives notice*  
22 *of the recommendations under subsection (d), including the*  
23 *name of each Asian American or Native American Pacific*  
24 *Islander war veteran recommended to be awarded a Medal*  
25 *of Honor and the rationale for such recommendation.*

1           (g) *WAIVER OF TIME LIMITATIONS.*—An award of the  
2 *Medal of Honor* may be made under subsection (e) without  
3 regard to—

4           (1) *section 3744, 6248, or 8744 of title 10,*  
5 *United States Code, as applicable; and*

6           (2) *any regulation or other administrative re-*  
7 *striction on—*

8           (A) *the time for awarding the Medal of*  
9 *Honor; or*

10           (B) *the awarding of the Medal of Honor for*  
11 *service for which a Distinguished-Service Cross,*  
12 *Navy Cross, or Air Force Cross has been award-*  
13 *ed.*

14           (h) *DEFINITION.*—In this section the term “Native  
15 *American Pacific Islander*” means a Native Hawaiian or  
16 *Native American Pacific Islander, as those terms are de-*  
17 *finied in section 815 of the Native American Programs Act*  
18 *of 1974 (42 U.S.C. 2992c).*

19 **SEC. 582. AUTHORIZATION FOR AWARD OF MEDALS FOR**  
20 **ACTS OF VALOR.**

21           (a) *AUTHORIZATION.*—Notwithstanding the time limi-  
22 *tations specified in sections 3744, 6248, 8744 of title 10,*  
23 *United States Code, or any other time limitation with re-*  
24 *spect to the awarding of certain medals to persons who*  
25 *served in the United States Armed Forces, the President*



1 *may award a medal referred to in subsection (c) to a mem-*  
2 *ber or former member of the United States Armed Forces*  
3 *identified as warranting award of that medal pursuant to*  
4 *the review of valor award nominations for Operation En-*  
5 *during Freedom, Operation Iraqi Freedom, Operation New*  
6 *Dawn, Operation Freedom's Sentinel, and Operation In-*  
7 *herent Resolve that was directed by the Secretary of Defense*  
8 *on January 7, 2016.*

9       **(b) AWARD OF MEDAL OF HONOR.**—*If, pursuant to the*  
10 *review referred to in subsection (a), the President decides*  
11 *to award to a member or former member of the Armed*  
12 *Forces the Medal of Honor, the medal may only be awarded*  
13 *after the Secretary of Defense submits to the Committee on*  
14 *Armed Services of the Senate and the Committee on Armed*  
15 *Services of the House of Representatives a letter identifying*  
16 *the intended recipient of the Medal of Honor and the ration-*  
17 *ale for awarding the medal of honor to such intended recipi-*  
18 *ent.*

19       **(c) MEDALS.**—*The medals referred to in this subsection*  
20 *are any of the following:*

21               **(1)** *The Medal of Honor under section 3741,*  
22 *6241, or 8741 of title 10, United States Code;*

23               **(2)** *The Distinguished-Service Cross under sec-*  
24 *tion 3742 of title 10, United States Code.*

1           (3) *The Navy Cross under section 6242 of title*  
2           *10, United States Code.*

3           (4) *The Air Force Cross under section 8742 of*  
4           *title 10, United States Code.*

5           (5) *The Silver Star under section 3746, 6244, or*  
6           *8746 of title 10, United States Code.*

7           (d) *TERMINATION.—No medal may be awarded under*  
8           *this section after December 31, 2019.*

9   **SEC. 583. AUTHORIZATION FOR AWARD OF THE MEDAL OF**  
10                           **HONOR TO GARY M. ROSE FOR ACTS OF**  
11                           **VALOR DURING THE VIETNAM WAR.**

12           (a) *AUTHORIZATION.—Notwithstanding the time limi-*  
13           *tations specified in section 3744 of title 10, United States*  
14           *Code, or any other time limitation with respect to the*  
15           *awarding of certain medals to persons who served in the*  
16           *Armed Forces, the President is authorized to award the*  
17           *Medal of Honor under section 3741 of such title to Gary*  
18           *M. Rose for the acts of valor described in subsection (b).*

19           (b) *ACTS OF VALOR DESCRIBED.—The acts of valor*  
20           *referred to in subsection (a) are the actions of Gary M. Rose*  
21           *in Laos from September 11 through 14, 1970, during the*  
22           *Vietnam War while a member of the United States Army,*  
23           *Military Assistance Command Vietnam-Studies and Obser-*  
24           *vation Group (MACVSOG).*

1 **SEC. 584. AUTHORIZATION FOR AWARD OF THE MEDAL OF**  
2 **HONOR TO CHARLES S. KETTLES FOR ACTS**  
3 **OF VALOR DURING THE VIETNAM WAR.**

4 (a) *WAIVER OF TIME LIMITATIONS.*—Notwithstanding  
5 the time limitations specified in section 3744 of title 10,  
6 United States Code, or any other time limitation with re-  
7 spect to the awarding of certain medals to persons who  
8 served in the Armed Forces, the President may award the  
9 Medal of Honor under section 3741 of such title to Charles  
10 S. Kettles for the acts of valor during the Vietnam War  
11 described in subsection (b).

12 (b) *ACTS OF VALOR DESCRIBED.*—The acts of valor  
13 referred to in subsection (a) are the actions of Charles S.  
14 Kettles during combat operations on May 15, 1967, while  
15 serving as Flight Commander, 176th Aviation Company,  
16 14th Aviation Battalion, Task Force Oregon, Republic of  
17 Vietnam, for which he was previously awarded the Distin-  
18 guished-Service Cross.

19 **SEC. 585. AUTHORIZATION FOR AWARD OF DISTINGUISHED-**  
20 **SERVICE CROSS TO FIRST LIEUTENANT MEL-**  
21 **VIN M. SPRUIELL FOR ACTS OF VALOR DUR-**  
22 **ING WORLD WAR II.**

23 (a) *WAIVER OF TIME LIMITATIONS.*—Notwithstanding  
24 the time limitations specified in section 3744 of title 10,  
25 United States Code, or any other time limitation with re-  
26 spect to the awarding of certain medals to persons who

1 *served in the Armed Forces, the Secretary of the Army may*  
 2 *award the Distinguished-Service Cross under section 3742*  
 3 *of such title to First Lieutenant Melvin M. Spruiell of the*  
 4 *Army for the acts of valor during World War II described*  
 5 *in subsection (b).*

6       **(b) ACTS OF VALOR DESCRIBED.**—*The acts of valor*  
 7 *referred to in subsection (a) are the actions of First Lieuten-*  
 8 *ant Melvin M. Spruiell on June 10 and 11, 1944, as a*  
 9 *member of the Army serving in France with the 377th*  
 10 *Parachute Field Artillery, 101st Airborne Division.*

11       ***Subtitle H—Miscellaneous Reports***  
 12                               ***and Other Matters***

13       ***SEC. 591. BURIAL OF CREMATED REMAINS IN ARLINGTON***  
 14                               ***NATIONAL CEMETERY OF CERTAIN PERSONS***  
 15                               ***WHOSE SERVICE IS DEEMED TO BE ACTIVE***  
 16                               ***SERVICE.***

17       **(a) IN GENERAL.**—*Section 2410 of title 38, United*  
 18 *States Code, is amended by adding at the end the following*  
 19 *new subsection:*

20       **“(c)(1)** *The Secretary of the Army shall ensure that*  
 21 *under such regulations as the Secretary may prescribe, the*  
 22 *cremated remains of any person described in paragraph (2)*  
 23 *are eligible for inurnment in Arlington National Cemetery*  
 24 *with military honors in accordance with section 1491 of*  
 25 *title 10.*

1       “(2) *A person described in this paragraph is a person*  
2 *whose service has been determined to be active duty service*  
3 *pursuant to section 401 of the GI Bill Improvement Act*  
4 *of 1977 (Public Law 95–202; 38 U.S.C. 106 note) as of the*  
5 *date of the enactment of this paragraph.*”

6       (b) *APPLICABILITY.*—

7           (1) *IN GENERAL.*—*The amendment made by sub-*  
8 *section (a) shall apply with respect to—*

9                   (A) *the remains of a person that are not*  
10 *formally interred or inurned as of the date of the*  
11 *enactment of this Act; and*

12                   (B) *a person who dies on or after the date*  
13 *of the enactment of this Act.*

14       (2) *FORMALLY INTERRED OR INURNED DE-*  
15 *FINED.*—*In this subsection, the term “formally in-*  
16 *terred or inurned” means interred or inurned in a*  
17 *cemetery, crypt, mausoleum, columbarium, niche, or*  
18 *other similar formal location.*

19       (c) *REPORT ON CAPACITY OF ARLINGTON NATIONAL*  
20 *CEMETERY.*—*Not later than 180 days after the date of the*  
21 *enactment of this Act, the Secretary of the Army shall sub-*  
22 *mit to the Committees on Veterans’ Affairs and the Commit-*  
23 *tees on Armed Services of the House of Representatives and*  
24 *the Senate a report on the interment and inurnment capac-*  
25 *ity of Arlington National Cemetery, including—*

1           (1) *the estimated date that the Secretary deter-*  
2 *mines the cemetery will reach maximum interment*  
3 *and inurnment capacity; and*

4           (2) *in light of the unique and iconic meaning of*  
5 *the cemetery to the United States, recommendations*  
6 *for legislative actions and nonlegislative options that*  
7 *the Secretary determines necessary to ensure that the*  
8 *maximum interment and inurnment capacity of the*  
9 *cemetery is not reached until well into the future, in-*  
10 *cluding such actions and options with respect to—*

11                   (A) *redefining eligibility criteria for inter-*  
12 *ment and inurnment in the cemetery; and*

13                   (B) *considerations for additional expansion*  
14 *opportunities beyond the current boundaries of*  
15 *the cemetery.*

16 **SEC. 592. REPRESENTATION FROM MEMBERS OF THE**  
17 **ARMED FORCES ON BOARDS, COUNCILS, AND**  
18 **COMMITTEES MAKING RECOMMENDATIONS**  
19 **RELATING TO MILITARY PERSONNEL ISSUES.**

20           (a) *IN GENERAL.*—*Chapter 7 of title 10, United States*  
21 *Code, is amended by adding at the end the following new*  
22 *section:*

1 **“§ 190. Representation on boards, councils, and com-**  
 2 **mittees making recommendations relating**  
 3 **to military personnel issues**

4 “(a) REPRESENTATION REQUIRED.—Notwithstanding  
 5 any other provision of law, any board, council, or com-  
 6 mittee established under this chapter that is responsible for  
 7 making any recommendation relating to any military per-  
 8 sonnel issue affecting enlisted members of the armed forces  
 9 shall include representation on the board, council, or com-  
 10 mittee from enlisted members of the armed forces or retired  
 11 enlisted members of the armed forces.

12 “(b) MILITARY PERSONNEL ISSUES.—For purposes of  
 13 this section, military personnel issues include issues relat-  
 14 ing to health care, retirement benefits, pay, direct and indi-  
 15 rect compensation, and entitlements for members of the  
 16 armed forces.”.

17 (b) CLERICAL AMENDMENT.—The table of sections at  
 18 the beginning of such chapter is amended by adding at the  
 19 end the following new item:

“190. Representation on boards, councils, and committees making recommenda-  
 tions relating to military personnel issues.”.

20 **SEC. 593. BODY MASS INDEX TEST.**

21 (a) REVIEW.—The Secretary of Defense shall review—  
 22 (1) the current body mass index test procedure  
 23 used by the Armed Forces; and

1           (2) *other methods to measure body fat with a*  
 2           *more holistic health and wellness approach.*

3           (b) *ELEMENTS.—The review under subsection (a)*  
 4           *shall—*

5           (1) *address nutrition counseling;*

6           (2) *determine the best methods to be used by the*  
 7           *Armed Forces to assess body fat percentages; and*

8           (3) *improve the accuracy of body fat measure-*  
 9           *ments.*

10 **SEC. 594. PRESEPARATION COUNSELING REGARDING OP-**  
 11 **TIONS FOR DONATING BRAIN TISSUE AT TIME**  
 12 **OF DEATH FOR RESEARCH.**

13           *Section 1142(b)(11) of title 10, United States Code, is*  
 14 *amended by inserting before the period at the end the fol-*  
 15 *lowing: “, and information concerning options available to*  
 16 *the member for registering at or following separation to do-*  
 17 *nate brain tissue at time of the member’s death for research*  
 18 *regarding traumatic brain injury and chronic traumatic*  
 19 *encephalopathy”.*

20 **SEC. 595. RECOGNITION OF THE EXPANDED SERVICE OP-**  
 21 **PORTUNITIES AVAILABLE TO FEMALE MEM-**  
 22 **BERS OF THE ARMED FORCES AND THE LONG**  
 23 **SERVICE OF WOMEN IN THE ARMED FORCES.**

24           *Congress—*



1           (1) honors women who have served, and who are  
2           currently serving, as members of the Armed Forces;

3           (2) commends female members of the Armed  
4           Forces who have sacrificed their lives in defense of the  
5           United States;

6           (3) recognizes that female members of the Armed  
7           Forces are an integral and invaluable part of the  
8           Armed Forces;

9           (4) urges the Secretary of Defense to ensure that  
10          female members of the Armed Forces receive adequate,  
11          well-fitted equipment in order to ensure optimal safe-  
12          ty and protection;

13          (5) urges the Secretary of Defense to ensure that  
14          female members of the Armed Forces have access to  
15          adequate health services that fully address their spe-  
16          cific medical needs;

17          (6) encourages the Secretary of Defense to de-  
18          velop new initiatives focused on recruiting and re-  
19          taining more women in the officer corps; and

20          (7) recognizes that the United States must con-  
21          tinue to encourage and support female members of the  
22          Armed Forces as they fight for and defend the United  
23          States.

1 **SEC. 596. SENSE OF CONGRESS REGARDING PLIGHT OF**  
2 **MALE VICTIMS OF MILITARY SEXUAL TRAU-**  
3 **MA.**

4 (a) *FINDING.*—Congress finds that the plight of male  
5 victims of military sexual trauma remains in the shadows  
6 due a lack of social awareness on the issue of male victim-  
7 ization.

8 (b) *SENSE OF CONGRESS.*—It is the sense of Congress  
9 that the Secretary of Defense should—

10 (1) *enhance victims’ access to intensive medical*  
11 *and mental health treatment for military sexual trau-*  
12 *ma treatment;*

13 (2) *look for opportunities to utilize male sur-*  
14 *vivors of sexual assault as presenters during annual*  
15 *Sexual Assault Preventions and Response training;*  
16 *and*

17 (3) *ensure Department of Defense medical and*  
18 *mental health providers are adequately trained to*  
19 *meet the needs of male survivors of military sexual*  
20 *trauma.*

1 **SEC. 597. SENSE OF CONGRESS REGARDING SECTION 504**  
 2 **OF TITLE 10, UNITED STATES CODE, ON EX-**  
 3 **ISTING AUTHORITY OF THE DEPARTMENT OF**  
 4 **DEFENSE TO ENLIST INDIVIDUALS, NOT OTH-**  
 5 **ERWISE ELIGIBLE FOR ENLISTMENT, WHOSE**  
 6 **ENLISTMENT IS VITAL TO THE NATIONAL IN-**  
 7 **TEREST.**

8 *It is the sense of Congress that a statute currently ex-*  
 9 *ists, specifically paragraph (2) of section 504(b) of title 10,*  
 10 *United States Code, which states that “the Secretary con-*  
 11 *cerned may authorize the enlistment of a person not de-*  
 12 *scribed in paragraph (1) [of that section] if the Secretary*  
 13 *determines that such enlistment is vital to the national in-*  
 14 *terest”.*

15 **SEC. 598. PROTECTION OF SECOND AMENDMENT RIGHTS**  
 16 **OF MILITARY FAMILIES.**

17 (a) *SHORT TITLE.*—*This section may be cited as the*  
 18 *“Protect Our Military Families’ 2nd Amendment Rights*  
 19 *Act”.*

20 (b) *RESIDENCY OF SPOUSES OF MEMBERS OF THE*  
 21 *ARMED FORCES TO BE DETERMINED ON THE SAME BASIS*  
 22 *AS THE RESIDENCY OF SUCH MEMBERS FOR PURPOSES OF*  
 23 *FEDERAL FIREARMS LAWS.*—*Section 921(b) of title 18,*  
 24 *United States Code, is amended to read as follows:*

25 “(b) *For purposes of this chapter:*

1           “(1) *A member of the Armed Forces on active*  
2 *duty and the spouse of such a member are residents*  
3 *of the State in which the permanent duty station of*  
4 *the member is located.*

5           “(2) *The spouse of such a member may satisfy*  
6 *the identification document requirements of this chap-*  
7 *ter by presenting—*

8                   “(A) *the military identification card issued*  
9 *to the spouse; and*

10                   “(B) *the official Permanent Change of Sta-*  
11 *tion Orders annotating the spouse as being au-*  
12 *thorized for collocation, or an official letter from*  
13 *the commanding officer of the member verifying*  
14 *that the member and the spouse are collocated at*  
15 *the permanent duty station of the member.”.*

16           (c) *EFFECTIVE DATE.—The amendment made by sub-*  
17 *section (b) shall apply to conduct engaged in after the 6-*  
18 *month period that begins with the date of the enactment*  
19 *of this Act.*

20 **SEC. 599. PILOT PROGRAM ON ADVANCED TECHNOLOGY**  
21 **FOR ALCOHOL ABUSE PREVENTION.**

22           (a) *IN GENERAL.—Not later than 90 days after the*  
23 *date of the enactment of this Act, the Secretary of Defense,*  
24 *in consultation with the Secretaries of the military depart-*  
25 *ments, shall establish a pilot program to demonstrate the*

1 *feasibility of using portable, disposable alcohol*  
2 *breathalyzers and a cloud based server platform to collect*  
3 *data and monitor the progress of alcohol abuse prevention*  
4 *programs through the use of digital applications.*

5 (b) *ELEMENTS.—In carrying out the pilot program*  
6 *under subsection (a), the Secretary shall—*

7 (1) *select at least three locations at which to*  
8 *carry out the program, including at least one mili-*  
9 *tary service initial training location;*

10 (2) *at each location selected under paragraph*  
11 *(1), include at least one active duty unit with no less*  
12 *than 300 personnel and one reserve unit with no less*  
13 *than 300 personnel; and*

14 (3) *offer participation in the pilot program on*  
15 *a voluntary basis.*

16 (c) *DURATION.—The pilot program under subsection*  
17 *(a) shall be operational for a minimum of 6 months and*  
18 *shall terminate not later than September 30, 2018.*

19 (d) *REPORTS REQUIRED.—The Secretary of Defense*  
20 *shall submit to the Committees on Armed Services of the*  
21 *Senate and the House of Representatives—*

22 (1) *not later than 120 days after the date of the*  
23 *implementation of the pilot program under subsection*  
24 *(a), a report on the implementation of the program;*  
25 *and*

1           (2) *not later than one year after the date of the*  
2           *implementation of the program, a report on the pro-*  
3           *gram, including findings and recommendations of the*  
4           *Secretary with respect to the benefits of using ad-*  
5           *vanced technology as part of alcohol abuse prevention*  
6           *efforts within the military services.*

7           (e) *FUNDING.*—*The Secretary of Defense may carry*  
8           *out the pilot program under subsection (a) using amounts*  
9           *authorized to be appropriated for Alcohol Abuse Prevention*  
10           *Programs as specified in the funding tables in division D.*

11   **SEC. 599A. REPORT ON AVAILABILITY OF COLLEGE CREDIT**  
12                           **FOR SKILLS ACQUIRED DURING MILITARY**  
13                           **SERVICE.**

14           (a) *IN GENERAL.*—*Not later than 60 days after the*  
15           *date of the enactment of this Act, the Secretary of Defense,*  
16           *in consultation with the Secretaries of Veterans Affairs,*  
17           *Education, and Labor, shall submit to Congress a report*  
18           *on the transfer of skills into equivalent college credits or*  
19           *technical certifications for members of the Armed Forces*  
20           *leaving the military. Such report shall describe each the fol-*  
21           *lowing:*

22                   (1) *Each skill that may be acquired during mili-*  
23                   *tary service that is eligible for transfer into an equiv-*  
24                   *alent college credit or technical certification.*

1           (2) *The academic level of the equivalent college*  
2 *credit or technical certification for which each such*  
3 *skill is eligible.*

4           (3) *Each academic institution that awards an*  
5 *equivalent college credit or technical certification for*  
6 *such skills, including—*

7                 (A) *whether each such academic institution*  
8 *is public or private and whether such institution*  
9 *is for profit; and*

10                (B) *the number of veterans that applied to*  
11 *such academic institutions who were able to re-*  
12 *ceive equivalent college credits or technical cer-*  
13 *tifications in the last fiscal year, and the aca-*  
14 *demically level of the credits or certifications.*

15           (4) *The number of members of the Armed Forces*  
16 *who left the military in the last fiscal year and the*  
17 *number of those individuals who met with an aca-*  
18 *demically or technical training advisor as part of their*  
19 *participation in the Transition Assistance Program.*

20 **SEC. 599B. ATOMIC VETERANS SERVICE MEDAL.**

21           (a) *SERVICE MEDAL REQUIRED.—The Secretary of*  
22 *Defense shall design and produce a military service medal,*  
23 *to be known as the “Atomic Veterans Service Medal”, to*  
24 *honor retired and former members of the Armed Forces who*

1 *are radiation-exposed veterans (as such term is defined in*  
2 *section 1112(c)(3) of title 38, United States Code).*

3 *(b) DISTRIBUTION OF MEDAL.—*

4 *(1) ISSUANCE TO RETIRED AND FORMER MEM-*  
5 *BERS.—At the request of a radiation-exposed veteran,*  
6 *the Secretary of Defense shall issue the Atomic Vet-*  
7 *erans Service Medal to the veteran.*

8 *(2) ISSUANCE TO NEXT-OF-KIN.—In the case of a*  
9 *radiation-exposed veteran who is deceased, the Sec-*  
10 *retary may provide for issuance of the Atomic Vet-*  
11 *erans Service Medal to the next-of-kin of the person.*

12 *(3) APPLICATION.—The Secretary shall prepare*  
13 *and disseminate as appropriate an application by*  
14 *which radiation-exposed veterans and their next-of-*  
15 *kin may apply to receive the Atomic Veterans Service*  
16 *Medal.*

17 **SEC. 599C. REPORT ON EXTENDING PROTECTIONS FOR**  
18 **STUDENT LOANS FOR ACTIVE DUTY BOR-**  
19 **ROWERS.**

20 *(a) IN GENERAL.—Not later than 180 days after the*  
21 *date of the enactment of this Act, the Secretary of Defense,*  
22 *in consultation with the Secretary of Education, shall sub-*  
23 *mit to the appropriate congressional committees a report*  
24 *detailing the information, assistance, and efforts to support*  
25 *and inform active duty members of the Armed Forces with*



1 *respect to the rights and resources available under the*  
2 *Servicemembers Civil Relief Act (50 U.S.C. 3901 et seq.)*  
3 *regarding student loans. The report shall include, at a min-*  
4 *imum, the following:*

5           (1) *A description of the coordination and infor-*  
6 *mation sharing between the Secretary of Defense and*  
7 *the Secretary of Education regarding the eligibility of*  
8 *members, and requests by members, to apply the in-*  
9 *terest rate limitation under the Servicemembers Civil*  
10 *Relief Act with respect to existing Federal and pri-*  
11 *ivate student loans.*

12           (2) *The number of such members with student*  
13 *loans who elect to have the maximum interest rates*  
14 *set in accordance with such Act.*

15           (3) *The number of such members whose student*  
16 *loans have an interest rate that exceeds such max-*  
17 *imum rate.*

18           (4) *Methods by which the Secretary of Defense*  
19 *and the Secretary of Education can automate the*  
20 *process by which members with student loans elect to*  
21 *have the maximum interest rates set in accordance*  
22 *with such Act.*

23           (5) *A discussion of the effectiveness of such Act*  
24 *in providing protection to members of the Armed*  
25 *Forces with respect to student loans.*

1           (b) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
2 *FINED.*—*In this section, the term “appropriate congres-*  
3 *sional committees” means the following:*

4                   (1) *The congressional defense committees.*

5                   (2) *The Committee on Education and the Work-*  
6 *force of the House of Representatives and the Com-*  
7 *mittee on Health, Education, Labor, and Pensions of*  
8 *the Senate.*

9 **SEC. 599D. EXCLUSION OF CERTAIN REIMBURSEMENTS OF**  
10 **MEDICAL EXPENSES AND OTHER PAYMENTS**  
11 **FROM DETERMINATION OF ANNUAL INCOME**  
12 **WITH RESPECT TO PENSIONS FOR VETERANS**  
13 **AND SURVIVING SPOUSES AND CHILDREN OF**  
14 **VETERANS.**

15           (a) *IN GENERAL.*—*Section 1503(a) of title 38, United*  
16 *States Code, is amended—*

17                   (1) *by redesignating paragraphs (6) through (12)*  
18 *as paragraphs (7) through (13), respectively; and*

19                   (2) *by inserting after paragraph (5) the fol-*  
20 *lowing new paragraph (6):*

21                   “*(6) payments regarding reimbursements of any*  
22 *kind (including insurance settlement payments) for*  
23 *medical expenses resulting from any accident, theft,*  
24 *loss, or casualty loss (as defined by the Secretary), but*  
25 *the amount excluded under this clause shall not exceed*

1        *the costs of medical care provided to the victim of the*  
2        *accident, theft, loss, or casualty loss.”.*

3        *(b) EFFECTIVE DATE.—The amendments made by sub-*  
4        *section (a) shall take effect on the date that is 180 days*  
5        *after the date of the enactment of this Act.*

6        **SEC. 599E. SENSE OF CONGRESS ON DESIRABILITY OF**  
7                                    **SERVICE-WIDE ADOPTION OF GOLD STAR IN-**  
8                                    **STALLATION ACCESS CARD.**

9        *It is the sense of Congress that the Secretary of each*  
10        *military department and the Secretary of the Department*  
11        *in which the Coast Guard is operating should—*

12                    *(1) provide for the issuance of a Gold Star In-*  
13        *stallation Access Card to Gold Star family members*  
14        *who are the survivors of deceased members of the*  
15        *Armed Forces in order to expedite the ability of a*  
16        *Gold Star family member to gain unescorted access to*  
17        *military installations for the purpose of obtaining the*  
18        *on-base services and benefits for which the Gold Star*  
19        *family member is entitled or eligible;*

20                    *(2) work jointly to ensure that a Gold Star In-*  
21        *stallation Access Card issued to a Gold Star family*  
22        *member by one Armed Force is accepted for access to*  
23        *military installations of another Armed Force; and*

24                    *(3) in developing, issuing, and accepting the*  
25        *Gold Star Installation Access Card—*

1           (A) prevent fraud in the procurement or use  
2           of the Gold Star Installation Access Card;

3           (B) limit installation access to those areas  
4           that provide the services and benefits for which  
5           the Gold Star family member is entitled or eligi-  
6           ble; and

7           (C) ensure that the availability and use of  
8           the Gold Star Installation Access Card does not  
9           adversely affect military installation security.

10 **SEC. 599F. SERVICEMEMBERS' GROUP LIFE INSURANCE.**

11           Section 1967(f)(4) of title 38, United States Code, is  
12           amended by striking the second sentence.

13 **SEC. 599G. EXTENSION OF SUICIDE PREVENTION AND RE-**  
14           **SILIENCE PROGRAM.**

15           Section 10219(g) of title 10, United States Code, is  
16           amended by striking “October 1, 2017” and inserting “Oc-  
17           tober 1, 2018”.

18 **TITLE VI—COMPENSATION AND**  
19 **OTHER PERSONNEL BENEFITS**  
20 **Subtitle A—Pay and Allowances**

21 **SEC. 601. ANNUAL ADJUSTMENT OF MONTHLY BASIC PAY.**

22           The adjustment in the rates of monthly basic pay re-  
23           quired by subsection (a) of section 1009 of title 37, United  
24           States Code, to be made on January 1, 2017, shall take  
25           effect, notwithstanding any determination made by the

1 *President under subsection (e) of such section with respect*  
2 *to an alternative pay adjustment to be made on such date.*

3 **SEC. 602. EXTENSION OF AUTHORITY TO PROVIDE TEM-**  
4 **PORARY INCREASE IN RATES OF BASIC AL-**  
5 **LOWANCE FOR HOUSING UNDER CERTAIN**  
6 **CIRCUMSTANCES.**

7 *Section 403(b)(7)(E) of title 37, United States Code,*  
8 *is amended by striking “December 31, 2016” and inserting*  
9 *“December 31, 2017”.*

10 **SEC. 603. PROHIBITION ON PER DIEM ALLOWANCE REDUC-**  
11 **TIONS BASED ON THE DURATION OF TEM-**  
12 **PORARY DUTY ASSIGNMENT OR CIVILIAN**  
13 **TRAVEL.**

14 *(a) MEMBERS.—Section 474(d)(3) of title 37, United*  
15 *States Code, is amended by adding at the end the following*  
16 *new sentence: “The Secretary of a military department*  
17 *shall not alter the amount of the per diem allowance, or*  
18 *the maximum amount of reimbursement, for a locality*  
19 *based on the duration of the temporary duty assignment*  
20 *in the locality of a member of the armed forces under the*  
21 *jurisdiction of the Secretary.”.*

22 *(b) CIVILIAN EMPLOYEES.—Section 5702(a)(2) of title*  
23 *5, United States Code, is amended by adding at the end*  
24 *the following new sentence: “The Secretary of Defense shall*  
25 *not alter the amount of the per diem allowance, or the max-*

1 *imum amount of reimbursement, for a locality based on the*  
2 *duration of the travel in the locality of an employee of the*  
3 *Department.”.*

4 *(c) REPEAL OF POLICY AND REGULATIONS.—The pol-*  
5 *icy, and any regulations issued pursuant to such policy,*  
6 *implemented by the Secretary of Defense on November 1,*  
7 *2014, with respect to reductions in per diem allowances*  
8 *based on duration of temporary duty assignment or civilian*  
9 *travel shall have no force or effect.*

10 ***Subtitle B—Bonuses and Special***  
11 ***and Incentive Pays***

12 ***SEC. 611. ONE-YEAR EXTENSION OF CERTAIN BONUS AND***  
13 ***SPECIAL PAY AUTHORITIES FOR RESERVE***  
14 ***FORCES.***

15 *The following sections of title 37, United States Code,*  
16 *are amended by striking “December 31, 2016” and insert-*  
17 *ing “December 31, 2017”:*

18 *(1) Section 308b(g), relating to Selected Reserve*  
19 *reenlistment bonus.*

20 *(2) Section 308c(i), relating to Selected Reserve*  
21 *affiliation or enlistment bonus.*

22 *(3) Section 308d(c), relating to special pay for*  
23 *enlisted members assigned to certain high-priority*  
24 *units.*

1           (4) *Section 308g(f)(2), relating to Ready Reserve*  
2           *enlistment bonus for persons without prior service.*

3           (5) *Section 308h(e), relating to Ready Reserve*  
4           *enlistment and reenlistment bonus for persons with*  
5           *prior service.*

6           (6) *Section 308i(f), relating to Selected Reserve*  
7           *enlistment and reenlistment bonus for persons with*  
8           *prior service.*

9           (7) *Section 478a(e), relating to reimbursement of*  
10          *travel expenses for inactive-duty training outside of*  
11          *normal commuting distance.*

12          (8) *Section 910(g), relating to income replace-*  
13          *ment payments for reserve component members expe-*  
14          *riencing extended and frequent mobilization for active*  
15          *duty service.*

16 **SEC. 612. ONE-YEAR EXTENSION OF CERTAIN BONUS AND**  
17                                   **SPECIAL PAY AUTHORITIES FOR HEALTH**  
18                                   **CARE PROFESSIONALS.**

19          (a) *TITLE 10 AUTHORITIES.*—*The following sections*  
20          *of title 10, United States Code, are amended by striking*  
21          *“December 31, 2016” and inserting “December 31, 2017”:*

22               (1) *Section 2130a(a)(1), relating to nurse officer*  
23               *candidate accession program.*

1           (2) *Section 16302(d), relating to repayment of*  
2           *education loans for certain health professionals who*  
3           *serve in the Selected Reserve.*

4           (b) *TITLE 37 AUTHORITIES.—The following sections of*  
5           *title 37, United States Code, are amended by striking “De-*  
6           *cember 31, 2016” and inserting “December 31, 2017”:*

7           (1) *Section 302c-1(f), relating to accession and*  
8           *retention bonuses for psychologists.*

9           (2) *Section 302d(a)(1), relating to accession*  
10          *bonus for registered nurses.*

11          (3) *Section 302e(a)(1), relating to incentive spe-*  
12          *cial pay for nurse anesthetists.*

13          (4) *Section 302g(e), relating to special pay for*  
14          *Selected Reserve health professionals in critically*  
15          *short wartime specialties.*

16          (5) *Section 302h(a)(1), relating to accession*  
17          *bonus for dental officers.*

18          (6) *Section 302j(a), relating to accession bonus*  
19          *for pharmacy officers.*

20          (7) *Section 302k(f), relating to accession bonus*  
21          *for medical officers in critically short wartime spe-*  
22          *cialties.*

23          (8) *Section 302l(g), relating to accession bonus*  
24          *for dental specialist officers in critically short war-*  
25          *time specialties.*



1 **SEC. 613. ONE-YEAR EXTENSION OF SPECIAL PAY AND**  
2 **BONUS AUTHORITIES FOR NUCLEAR OFFI-**  
3 **CERS.**

4 *The following sections of title 37, United States Code,*  
5 *are amended by striking “December 31, 2016” and insert-*  
6 *ing “December 31, 2017”:*

7 (1) *Section 312(f), relating to special pay for*  
8 *nuclear-qualified officers extending period of active*  
9 *service.*

10 (2) *Section 312b(c), relating to nuclear career*  
11 *accession bonus.*

12 (3) *Section 312c(d), relating to nuclear career*  
13 *annual incentive bonus.*

14 **SEC. 614. ONE-YEAR EXTENSION OF AUTHORITIES RELAT-**  
15 **ING TO TITLE 37 CONSOLIDATED SPECIAL**  
16 **PAY, INCENTIVE PAY, AND BONUS AUTHORI-**  
17 **TIES.**

18 *The following sections of title 37, United States Code,*  
19 *are amended by striking “December 31, 2016” and insert-*  
20 *ing “December 31, 2017”:*

21 (1) *Section 331(h), relating to general bonus au-*  
22 *thority for enlisted members.*

23 (2) *Section 332(g), relating to general bonus au-*  
24 *thority for officers.*

25 (3) *Section 333(i), relating to special bonus and*  
26 *incentive pay authorities for nuclear officers.*

1           (4) *Section 334(i), relating to special aviation*  
2           *incentive pay and bonus authorities for officers.*

3           (5) *Section 335(k), relating to special bonus and*  
4           *incentive pay authorities for officers in health profes-*  
5           *sions.*

6           (6) *Section 336(g), relating to contracting bonus*  
7           *for cadets and midshipmen enrolled in the Senior Re-*  
8           *serve Officers' Training Corps.*

9           (7) *Section 351(h), relating to hazardous duty*  
10          *pay.*

11          (8) *Section 352(g), relating to assignment pay or*  
12          *special duty pay.*

13          (9) *Section 353(i), relating to skill incentive pay*  
14          *or proficiency bonus.*

15          (10) *Section 355(h), relating to retention incen-*  
16          *tives for members qualified in critical military skills*  
17          *or assigned to high priority units.*

18 **SEC. 615. ONE-YEAR EXTENSION OF AUTHORITIES RELAT-**  
19                                   **ING TO PAYMENT OF OTHER TITLE 37 BO-**  
20                                   **NUSES AND SPECIAL PAYS.**

21          *The following sections of title 37, United States Code,*  
22          *are amended by striking "December 31, 2016" and insert-*  
23          *ing "December 31, 2017":*

24           (1) *Section 301b(a), relating to aviation officer*  
25           *retention bonus.*

1           (2) *Section 307a(g), relating to assignment in-*  
2           *centive pay.*

3           (3) *Section 308(g), relating to reenlistment*  
4           *bonus for active members.*

5           (4) *Section 309(e), relating to enlistment bonus.*

6           (5) *Section 316a(g), relating to incentive pay for*  
7           *members of precommissioning programs pursuing for-*  
8           *foreign language proficiency.*

9           (6) *Section 324(g), relating to accession bonus*  
10          *for new officers in critical skills.*

11          (7) *Section 326(g), relating to incentive bonus*  
12          *for conversion to military occupational specialty to*  
13          *ease personnel shortage.*

14          (8) *Section 327(h), relating to incentive bonus*  
15          *for transfer between Armed Forces.*

16          (9) *Section 330(f), relating to accession bonus for*  
17          *officer candidates.*

18 **SEC. 616. INCREASE IN MAXIMUM AMOUNT OF AVIATION**

19                                   **SPECIAL PAYS FOR FLYING DUTY.**

20          *Section 334(c)(1) of title 37, United States Code, is*  
21          *amended by striking subparagraphs (A) and (B) and in-*  
22          *serting the following new subparagraphs:*

23                                   “(A) *aviation incentive pay under sub-*  
24                                   *section (a) shall be paid at a monthly rate not*  
25                                   *to exceed \$1,000 per month; and*

1           “(B) an aviation bonus under subsection (b)  
2           may not exceed \$60,000 for each 12-month pe-  
3           riod of obligated service agreed to under sub-  
4           section (d).”.

5 **SEC. 617. CONFORMING AMENDMENT TO CONSOLIDATION**  
6           **OF SPECIAL PAY, INCENTIVE PAY, AND BONUS**  
7           **AUTHORITIES.**

8           Section 332(c)(1)(B) of title 37, United States Code,  
9           is amended by striking “\$12,000” and inserting “\$20,000”.

10 **SEC. 618. TECHNICAL AND CLERICAL AMENDMENTS RELAT-**  
11           **ING TO 2008 CONSOLIDATION OF CERTAIN**  
12           **SPECIAL PAY AUTHORITIES.**

13           (a) *FAMILY CARE PLANS.*—Section 586 of the National  
14 *Defense Authorization Act for Fiscal Year 2008 (Public*  
15 *Law 110–181; 10 U.S.C. 991 note)* is amended by inserting  
16 “or 351” after “section 310”.

17           (b) *DEPENDENTS’ MEDICAL CARE.*—Section  
18 *1079(g)(1) of title 10, United States Code,* is amended by  
19 inserting “or 351” after “section 310”.

20           (c) *RETENTION ON ACTIVE DUTY DURING DISABILITY*  
21 *EVALUATION PROCESS.*—Section 1218(d)(1) of title 10,  
22 *United States Code,* is amended by inserting “or 351” after  
23 “section 310”.

24           (d) *STORAGE SPACE.*—Section 362(1) of the John  
25 *Warner National Defense Authorization Act for Fiscal Year*

1 2007 (Public Law 109–364; 10 U.S.C. 2825 note) is amend-  
2 ed by inserting “, or paragraph (1) or (3) of section  
3 351(a),” after “section 310”.

4 (e) *STUDENT ASSISTANCE PROGRAMS.*—Sections  
5 455(o)(3)(B) and 465(a)(2)(D) of the Higher Education Act  
6 of 1965 (20 U.S.C. 1087e(o)(3)(B), 1087ee(a)(2)(D)) are  
7 amended by inserting “or paragraph (1) or (3) of section  
8 351(a).” after “section 310”.

9 (f) *ARMED FORCES RETIREMENT HOME.*—Section  
10 1512(a)(3)(A) of the Armed Forces Retirement Home Act  
11 of 1991 (24 U.S.C. 412(a)(3)(A)) is amended by inserting  
12 “or 351” after “section 310”.

13 (g) *VETERANS OF FOREIGN WARS MEMBERSHIP.*—  
14 Section 230103(3) of title 36, United States Code, is amend-  
15 ed by inserting “or 351” after “section 310”.

16 (h) *MILITARY PAY AND ALLOWANCES.*—Title 37,  
17 United States Code, is amended—

18 (1) in section 212(a), by inserting “, or para-  
19 graph (1) or (3) of section 351(a),” after “section  
20 310”;

21 (2) in section 402a(b)(3)(B), by inserting “or  
22 351” after “section 310”;

23 (3) in section 481a(a), by inserting “or 351”  
24 after “section 310”;

1           (4) in section 907(d)(1)(H), by inserting “or  
2           351” after “section 310”; and

3           (5) in section 910(b)(2)(B), by inserting “, or  
4           paragraph (1) or (3) of section 351(a),” after “section  
5           310”.

6           (i) *EXCLUSIONS FROM INCOME FOR PURPOSE OF SUP-*  
7 *PLEMENTAL SECURITY INCOME.*—Section 1612(b)(20) of  
8 *the Social Security Act (42 U.S.C. 1382a(b)(20)) is amend-*  
9 *ed by inserting “, or paragraph (1) or (3) of section*  
10 *351(a),” after “section 310”.*

11          (j) *EXCLUSIONS FROM INCOME FOR PURPOSE OF*  
12 *HEAD START PROGRAM.*—Section 645(a)(3)(B)(i) of the  
13 *Head Start Act (42 U.S.C. 9840(a)(3)(B)(i)) is amended*  
14 *by inserting “or 351” after “section 310”.*

15          (k) *EXCLUSIONS FROM GROSS INCOME FOR FEDERAL*  
16 *INCOME TAX PURPOSES.*—Section 112(c)(5)(B) of the *In-*  
17 *ternal Revenue Code of 1986 is amended by inserting “,*  
18 *or paragraph (1) or (3) of section 351(a),” after “section*  
19 *310”.*

20 **SEC. 619. COMBAT-RELATED SPECIAL COMPENSATION CO-**  
21 **ORDINATING AMENDMENT.**

22          Subparagraph (B) of section 1413a(b)(3) of title 10,  
23 *United States Code, is amended by striking “the amount*  
24 *equal to” and all that follows through “creditable service*  
25 *multiplied” and inserting the following: “the amount equal*

1 to the retired pay multiplier determined for the member  
2 under section 1409 of this title multiplied”.

3 **Subtitle C—Disability, Retired Pay,**  
4 **and Survivor Benefits**

5 **SEC. 621. SEPARATION DETERMINATIONS FOR MEMBERS**  
6 **PARTICIPATING IN THRIFT SAVINGS PLAN.**

7 *The amendment to be made by section 632(c)(2) of the*  
8 *National Defense Authorization Act for Fiscal Year 2016*  
9 *(Public Law 114–92; 129 Stat. 847) shall not take effect.*

10 **SEC. 622. CONTINUATION PAY FOR FULL THRIFT SAVINGS**  
11 **PLAN MEMBERS WHO HAVE COMPLETED 8 TO**  
12 **12 YEARS OF SERVICE.**

13 *(a) CONTINUATION PAY.—Section 356 of title 37,*  
14 *United States Code, which shall take effect on January 1,*  
15 *2018, pursuant to section 635 of the National Defense Au-*  
16 *thorization Act for Fiscal Year 2016 (Public Law 114–92;*  
17 *129 Stat. 851), is amended—*

18 *(1) in the heading, by striking “12 years” and*  
19 *inserting “8 to 12 years”;*

20 *(2) in subsection (a)—*

21 *(A) by striking paragraph (1) and inserting*  
22 *the following:*

23 *“(1) has completed not less than 8 and not more*  
24 *than 12 years of service in a uniformed service; and”;*  
25 *and*

1           (B) in paragraph (2), by striking “an addi-  
2           tional 4 years” and inserting “not less than 3  
3           additional years”;

4           (3) by amending subsection (b) to read as fol-  
5           lows:

6           “(b) *PAYMENT AMOUNT.*—The Secretary concerned  
7           shall determine the payment amount under this section as  
8           a multiple of a full TSP member’s monthly basic pay but  
9           shall not be less than 2.5 times the member’s monthly basic  
10          pay. The maximum amount the Secretary concerned may  
11          pay the member under this section is—

12           “(1) in the case of a member of a regular compo-  
13          nent or in a reserve component if the member is per-  
14          forming active Guard and Reserve duty (as defined in  
15          section 101(d)(6) of title 10), 13 times the amount of  
16          the monthly basic pay payable to the member for the  
17          month during which the agreement under subsection  
18          (a)(2) is entered into; and

19           “(2) in the case of any member not covered by  
20          paragraph (1), 6 times the amount of monthly basic  
21          pay to which the member would be entitled for the  
22          month during which the agreement under subsection  
23          (a)(2) is entered into if the member were serving on  
24          active duty at the time the agreement is entered  
25          into.”; and



1           (4) *by amending subsection (d) to read as fol-*  
2           *lows:*

3           “(d) *TIMING OF PAYMENT.*—*The Secretary concerned*  
4           *shall pay continuation pay under subsection (a) to a full*  
5           *TSP member when the member has completed not less than*  
6           *8 and not more than 12 years of service in a uniformed*  
7           *service.”.*

8           (b) *CLERICAL AMENDMENT.*—*The item relating to sec-*  
9           *tion 356 in the table of sections at the beginning of chapter*  
10          *5 of title 37, United States Code, which shall take effect*  
11          *on January 1, 2018, pursuant to section 635 of the Na-*  
12          *tional Defense Authorization Act for Fiscal Year 2016 (Pub-*  
13          *lic Law 114–92; 129 Stat. 851), is amended by striking*  
14          *“12 years” and inserting “8 to 12 years”.*

15          **SEC. 623. SPECIAL SURVIVOR INDEMNITY ALLOWANCE.**

16          (a) *PAYMENT AMOUNT PER FISCAL YEAR.*—*Para-*  
17          *graph (2)(I) of section 1450(m) of title 10, United States*  
18          *Code, is amended by striking “fiscal year 2017” and insert-*  
19          *ing “each of fiscal years 2017 and 2018”.*

20          (b) *DURATION.*—*Paragraph (6) of such section is*  
21          *amended—*

22                  (1) *by striking “September 30, 2017” and insert-*  
23                  *ing “September 30, 2018”; and*

24                  (2) *by striking “October 1, 2017” both places it*  
25                  *appears and inserting “October 1, 2018”.*

1       (c) *REPORT.*—Not later than 90 days after the date  
2 of the enactment of this Act, the Secretary of Defense shall  
3 submit to the congressional defense committees a report on  
4 the dependency and indemnity compensation offset under  
5 sections 1450(c) of title 10, United States Code. The report  
6 shall include the following:

7           (1) *The total number of individuals affected by*  
8 *such offset.*

9           (2) *Of the number of individuals covered under*  
10 *paragraph (1), the number who are covered by section*  
11 *1448(d) of title 10, United States Code, listed by the*  
12 *rank of the deceased member and the current age of*  
13 *the individual.*

14           (3) *Of the number of individuals under para-*  
15 *graph (1), the number who are not covered by section*  
16 *1448(d) of title 10, United States Code, listed by the*  
17 *rank of the deceased member and the current age of*  
18 *the individual.*

19           (4) *The average amount of money that is affected*  
20 *by such offset, including the average amounts with re-*  
21 *spect to—*

22                   (A) *individuals described in paragraph (2);*

23                   and

24                   (B) *individuals described in paragraph (3).*

1           (5) *The number of recipients for the special sur-*  
 2           *ivor indemnity allowance under section 1450(m) of*  
 3           *title 10, United States Code.*

4 **SEC. 624. EQUAL BENEFITS UNDER SURVIVOR BENEFIT**  
 5           **PLAN FOR SURVIVORS OF RESERVE COMPO-**  
 6           **NENT MEMBERS WHO DIE IN THE LINE OF**  
 7           **DUTY DURING INACTIVE-DUTY TRAINING.**

8           (a) *TREATMENT OF INACTIVE-DUTY TRAINING IN*  
 9           *SAME MANNER AS ACTIVE DUTY.*—Section 1451(c)(1)(A)  
 10          *of title 10, United States Code, is amended—*

11           (1) *in clause (i)—*

12                   (A) *by inserting “or 1448(f)” after “section*  
 13                   *1448(d)”;* and

14                   (B) *by inserting “or (iii)” after “clause*  
 15                   *(i)”;* and

16           (2) *in clause (iii)—*

17                   (A) *by striking “section 1448(f) of this*  
 18                   *title” and inserting “section 1448(f)(1)(A) of this*  
 19                   *title by reason of the death of a member or*  
 20                   *former member not in line of duty”;* and

21                   (B) *by striking “active service” and insert-*  
 22                   *ing “service”.*

23           (b) *CONSISTENT TREATMENT OF DEPENDENT CHIL-*  
 24           *DREN.*—Paragraph (2) of section 1448(f) of title 10, United  
 25           *States Code, is amended to read as follows:*

1           “(2) *DEPENDENT CHILDREN ANNUITY.*—

2                   “(A) *ANNUITY WHEN NO ELIGIBLE SUR-*  
3 *VIVING SPOUSE.*—*In the case of a person de-*  
4 *scribed in paragraph (1), the Secretary con-*  
5 *cerned shall pay an annuity under this sub-*  
6 *chapter to the dependent children of that person*  
7 *under section 1450(a)(2) of this title as applica-*  
8 *ble.*

9                   “(B) *OPTIONAL ANNUITY WHEN THERE IS*  
10 *AN ELIGIBLE SURVIVING SPOUSE.*—*The Secretary*  
11 *may pay an annuity under this subchapter to*  
12 *the dependent children of a person described in*  
13 *paragraph (1) under section 1450(a)(3) of this*  
14 *title, if applicable, instead of paying an annuity*  
15 *to the surviving spouse under paragraph (1), if*  
16 *the Secretary concerned, in consultation with the*  
17 *surviving spouse, determines it appropriate to*  
18 *provide an annuity for the dependent children*  
19 *under this paragraph instead of an annuity for*  
20 *the surviving spouse under paragraph (1).”.*

21           (c) *DEEMED ELECTIONS.*—*Section 1448(f) of title 10,*  
22 *United States Code, is further amended by adding at the*  
23 *end the following new paragraph:*

24                   “(5) *DEEMED ELECTION TO PROVIDE AN ANNU-*  
25 *ITY FOR DEPENDENT.*—*Paragraph (6) of subsection*

1       (d) shall apply in the case of a member described in  
2       paragraph (1) who dies after November 23, 2003,  
3       when no other annuity is payable on behalf of the  
4       member under this subchapter.”.

5       (d) AVAILABILITY OF SPECIAL SURVIVOR INDEMNITY  
6       ALLOWANCE.—Section 1450(m)(1)(B) of title 10, United  
7       States Code, is amended by inserting “or (f)” after “sub-  
8       section (d)”.

9       (e) APPLICATION OF AMENDMENTS.—

10           (1) PAYMENT.—No annuity benefit under sub-  
11       chapter II of chapter 73 of title 10, United States  
12       Code, shall accrue to any person by reason of the  
13       amendments made by this section for any period be-  
14       fore the date of the enactment of this Act.

15           (2) ELECTIONS.—For any death that occurred  
16       before the date of the enactment of this Act with re-  
17       spect to which an annuity under such subchapter is  
18       being paid (or could be paid) to a surviving spouse,  
19       the Secretary concerned may, within six months of  
20       that date and in consultation with the surviving  
21       spouse, determine it appropriate to provide an annu-  
22       ity for the dependent children of the decedent under  
23       paragraph 1448(f)(2)(B) of title 10, as added by sub-  
24       section (b)(1), instead of an annuity for the surviving  
25       spouse. Any such determination and resulting change

1        *in beneficiary shall be effective as of the first day of*  
2        *the first month following the date of the determina-*  
3        *tion.*

4    **SEC. 625. USE OF MEMBER'S CURRENT PAY GRADE AND**  
5                    **YEARS OF SERVICE, RATHER THAN FINAL RE-**  
6                    **TIREMENT PAY GRADE AND YEARS OF SERV-**  
7                    **ICE, IN A DIVISION OF PROPERTY INVOLVING**  
8                    **DISPOSABLE RETIRED PAY.**

9        *(a) USE OF CURRENT PAY GRADE REQUIRED.—Sec-*  
10        *tion 1408(a)(4) of title 10, United States Code, is amended*  
11        *in the matter preceding subparagraph (A) by inserting after*  
12        *“member is entitled” the following: “(to be determined using*  
13        *the member’s pay grade and years of service at the time*  
14        *of the court order, rather than the member’s pay grade and*  
15        *years of service at the time of retirement, unless the same)”.*

16        *(b) APPLICATION OF AMENDMENT.—The amendment*  
17        *made by subsection (a) shall apply with respect to any divi-*  
18        *sion of property as part of a final decree of divorce, dissolu-*  
19        *tion, annulment, or legal separation involving a member*  
20        *of the Armed Forces to which section 1408 of title 10,*  
21        *United States Code, applies that becomes final after the date*  
22        *of the enactment of this Act.*

1 ***Subtitle D—Commissary and Non-***  
2 ***appropriated Fund Instrument-***  
3 ***ality Benefits and Operations***

4 ***SEC. 631. PROTECTION AND ENHANCEMENT OF ACCESS TO***  
5 ***AND SAVINGS AT COMMISSARIES AND EX-***  
6 ***CHANGES.***

7 (a) *OPTIMIZATION STRATEGY.*—Section 2481(c) of  
8 title 10, United States Code, is amended by adding at the  
9 end the following paragraph:

10 “(3)(A) *The Secretary of Defense shall develop and im-*  
11 *plement a comprehensive strategy to optimize management*  
12 *practices across the defense commissary system and the ex-*  
13 *change system that reduce reliance of those systems on ap-*  
14 *propriated funding without reducing benefits to the patrons*  
15 *of those systems or the revenue generated by non-*  
16 *appropriated fund entities or instrumentalities of the De-*  
17 *partment of Defense for the morale, welfare, and recreation*  
18 *of members of the armed forces.*

19 “(B) *The Secretary shall ensure that savings generated*  
20 *due to such optimization practices are shared by the defense*  
21 *commissary system and the exchange system through con-*  
22 *tracts or agreements that appropriately reflect the partici-*  
23 *pation of the systems in the development and implementa-*  
24 *tion of such practices.*

1       “(C) If the Secretary determines that the reduced reli-  
2       ance on appropriated funding pursuant to subparagraph  
3       (A) is insufficient to maintain the benefits to the patrons  
4       of the defense commissary system, and if the Secretary con-  
5       verts the defense commissary system to a nonappropriated  
6       fund entity or instrumentality pursuant to paragraph (1)  
7       of section 2484(j) of this title, the Secretary shall transfer  
8       appropriated funds pursuant to paragraph (2) of such sec-  
9       tion to ensure the maintenance of such benefits.

10       “(4) On not less than a quarterly basis, the Secretary  
11       shall provide to the congressional defense committees a  
12       briefing on the defense commissary system, including—

13               “(A) an assessment of the savings the system  
14       provides patrons;

15               “(B) the status of implementing section 2484(i)  
16       of this title;

17               “(C) the status of implementing section 2484(j),  
18       including whether the system requires any appro-  
19       priated funds pursuant to paragraph (2) of such sec-  
20       tion;

21               “(D) the status of carrying out a program for  
22       such system to sell private label merchandise; and

23               “(E) any other matters the Secretary considers  
24       appropriate.”.



1       (b) *AUTHORIZATION TO SUPPLEMENT APPROPRIA-*  
2 *TIONS THROUGH BUSINESS OPTIMIZATION.*—Section  
3 *2483(c) of such title is amended by adding at the end the*  
4 *following new sentence: “Such appropriated amounts may*  
5 *also be supplemented with additional funds derived from*  
6 *improved management practices implemented pursuant to*  
7 *sections 2481(c)(3) and 2487(c) of this title and the variable*  
8 *pricing program implemented pursuant to section 2484(i)*  
9 *of this title.”.*

10       (c) *VARIABLE PRICING PILOT PROGRAM.*—Section  
11 *2484 of such title is amended by adding at the end the fol-*  
12 *lowing new subsections:*

13       “(i) *VARIABLE PRICING PROGRAM.*—(1) *Notwith-*  
14 *standing subsection (e), and subject to subsection (k), the*  
15 *Secretary may establish a variable pricing program pursu-*  
16 *ant to which prices may be established in response to mar-*  
17 *ket conditions and customer demand, in accordance with*  
18 *the requirements of this subsection. Notwithstanding the*  
19 *amount of the uniform surcharge assessed in subsection (d),*  
20 *the Secretary may provide for an alternative surcharge of*  
21 *not more than five percent of sales proceeds under such vari-*  
22 *able pricing program to be made available for the purposes*  
23 *specified in subsection (h).*

1       “(2) *Subject to subsection (k), before establishing a*  
2 *variable pricing program under this subsection, the Sec-*  
3 *retary shall establish the following:*

4               “(A) *Specific, measurable benchmarks for success*  
5 *in the provision of high quality grocery merchandise,*  
6 *discount savings to patrons, and levels of customer*  
7 *satisfaction while achieving savings for the Depart-*  
8 *ment of Defense.*

9               “(B) *A baseline of overall savings to patrons*  
10 *achieved by commissary stores prior to the initiation*  
11 *of the variable pricing program, based on a compari-*  
12 *son of prices charged by those stores on a regional*  
13 *basis with prices charged by relevant local competi-*  
14 *tors for a representative market basket of goods.*

15       “(3) *The Secretary shall ensure that the defense com-*  
16 *missary system implements the variable pricing program*  
17 *by conducting price comparisons using the methodology es-*  
18 *tablished for paragraph (2)(B) and adjusting pricing as*  
19 *necessary to ensure that pricing in the variable pricing pro-*  
20 *gram achieves overall savings to patrons that are consistent*  
21 *with the baseline savings established for the relevant region*  
22 *pursuant to such paragraph.*

23       “(j) *CONVERSION TO NONAPPROPRIATED FUND ENTI-*  
24 *TY OR INSTRUMENTALITY.—(1) Subject to subsection (k), if*  
25 *the Secretary determines that the variable pricing program*

1 *has met the benchmarks for success established pursuant to*  
2 *paragraph (2)(A) of subsection (i) and the savings require-*  
3 *ments established pursuant to paragraph (3) of such sub-*  
4 *section over a period of at least six months, the Secretary*  
5 *may convert the defense commissary system to a non-*  
6 *appropriated fund entity or instrumentality, with oper-*  
7 *ating expenses financed in whole or in part by receipts from*  
8 *the sale of products and the sale of services. Upon such con-*  
9 *version, appropriated funds shall be transferred to the de-*  
10 *fense commissary system only in accordance with para-*  
11 *graph (2) or section 2491 of this title. The requirements*  
12 *of section 2483 shall not apply to the defense commissary*  
13 *system operating as a nonappropriated fund entity or in-*  
14 *strumentality.*

15       “(2) *If the Secretary determines that the defense com-*  
16 *missary system operating as a nonappropriated fund entity*  
17 *or instrumentality is likely to incur a loss in any fiscal*  
18 *year as a result of compliance with the savings requirement*  
19 *established in subsection (i), the Secretary shall authorize*  
20 *a transfer of appropriated funds available for such purpose*  
21 *to the commissary system in an amount sufficient to offset*  
22 *the anticipated loss. Any funds so transferred shall be con-*  
23 *sidered to be nonappropriated funds for such purpose.*

24       “(3)(A) *The Secretary of Defense may identify posi-*  
25 *tions of employees in the defense commissary system who*

1 *are paid with appropriated funds whose status may be con-*  
2 *verted to the status of an employee of a nonappropriated*  
3 *fund entity or instrumentality.*

4       “(B) *The status and conversion of employees in a posi-*  
5 *tion identified by the Secretary under subparagraph (A)*  
6 *shall be addressed as provided in section 2491(c) for em-*  
7 *ployees in morale, welfare, and recreation programs, in-*  
8 *cluding with respect to requiring the consent of such em-*  
9 *ployee to be so converted.*

10       “(C) *No individual who is an employee of the defense*  
11 *commissary system as of the date of the enactment of this*  
12 *subsection shall suffer any loss of or decrease in pay as a*  
13 *result of a conversion made under this paragraph.*

14       “(k) *OVERSIGHT REQUIRED TO ENSURE CONTINUED*  
15 *BENEFIT TO PATRONS.—(1) With respect to each action de-*  
16 *scribed in paragraph (2), the Secretary may not carry out*  
17 *such action until—*

18               “(A) *the Secretary provides to the congressional*  
19 *defense committees a briefing on such action, includ-*  
20 *ing a justification for such action; and*

21               “(B) *a period of 30 days has elapsed following*  
22 *such briefing.*

23       “(2) *The actions described in this paragraph are the*  
24 *following:*

1           “(A) *Establishing the representative market bas-*  
2           *ket of goods pursuant to subsection (i)(2)(B).*”

3           “(B) *Establishing the variable pricing program*  
4           *under subsection (i)(1).*”

5           “(C) *Converting the defense commissary system*  
6           *to a nonappropriated fund entity or instrumentality*  
7           *under subsection (j)(1).”.*”

8           (d) *ESTABLISHMENT OF COMMON BUSINESS PRAC-*  
9           *TICES.—Section 2487 of such title is amended—*

10           (1) *by redesignating subsection (c) as subsection*  
11           *(d); and*

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

14           “(c) *COMMON BUSINESS PRACTICES.—(1) Notwith-*  
15           *standing subsections (a) and (b), the Secretary of Defense*  
16           *may establish common business processes, practices, and*  
17           *systems—*

18           “(A) *to exploit synergies between the defense*  
19           *commissary system and the exchange system; and*

20           “(B) *to optimize the operations of the defense re-*  
21           *tail systems as a whole and the benefits provided by*  
22           *the commissaries and exchanges.*”

23           “(2) *The Secretary may authorize the defense com-*  
24           *missary system and the exchange system to enter into con-*  
25           *tracts or other agreements—*

1           “(A) for products and services that are shared by  
2           the defense commissary system and the exchange sys-  
3           tem; and

4           “(B) for the acquisition of supplies, resale goods,  
5           and services on behalf of both the defense commissary  
6           system and the exchange system.

7           “(3) For the purpose of a contract or agreement au-  
8           thorized under paragraph (2), the Secretary may—

9           “(A) use funds appropriated pursuant to section  
10          2483 of this title to reimburse a nonappropriated  
11          fund entity or instrumentality for the portion of the  
12          cost of a contract or agreement entered by the non-  
13          appropriated fund entity or instrumentality that is  
14          attributable to the defense commissary system; and

15          “(B) authorize the defense commissary system to  
16          accept reimbursement from a nonappropriated fund  
17          entity or instrumentality for the portion of the cost  
18          of a contract or agreement entered by the defense com-  
19          missary system that is attributable to the non-  
20          appropriated fund entity or instrumentality.”.

21          (e) *AUTHORITY FOR EXPERT COMMERCIAL ADVICE.*—  
22          Section 2485 of such title is amended by adding at the end  
23          the following new subsection:

24          “(h) *EXPERT COMMERCIAL ADVICE.*—The Secretary of  
25          Defense may enter into a contract with an entity to obtain

1 *expert commercial advice, commercial assistance, or other*  
2 *similar services not otherwise carried out by the Defense*  
3 *Commissary Agency, to implement section 2481(c), sub-*  
4 *sections (i) and (j) of section 2484, and section 2487(c) of*  
5 *this title.”.*

6       (f) *CLARIFICATION OF REFERENCES TO “THE EX-*  
7 *CHANGE SYSTEM”.*—Section 2481(a) of title 10, United  
8 States Code, is amended by adding at the end the following  
9 new sentence: “Any reference in this chapter to ‘the ex-  
10 change system’ shall be treated as referring to each separate  
11 administrative entity within the Department of Defense  
12 through which the Secretary of Defense has implemented the  
13 requirement under this subsection for a world-wide system  
14 of exchange stores.”.

15       (g) *OPERATION OF DEFENSE COMMISSARY SYSTEM AS*  
16 *A NONAPPROPRIATED FUND ENTITY.*—In the event that the  
17 defense commissary system is converted to a non-  
18 appropriated fund entity or instrumentality as authorized  
19 by section 2484(j)(1) of title 10, United States Code, as  
20 added by subsection (c) of this section, the Secretary may—

21               (1) *provide for the transfer of commissary assets,*  
22               *including inventory and available funds, to the non-*  
23               *appropriated fund entity or instrumentality; and*

1           (2) ensure that revenues accruing to the defense  
2           commissary system are appropriately credited to the  
3           nonappropriated fund entity or instrumentality.

4           (h) *CONFORMING CHANGE*.—Section 2643(b) of such  
5           title is amended by adding at the end the following new  
6           sentence: “Such appropriated funds may be supplemented  
7           with additional funds derived from improved management  
8           practices implemented pursuant to sections 2481(c)(3) and  
9           2487(c) of this title.”.

10       **SEC. 632. ACCEPTANCE OF MILITARY STAR CARD AT COM-**  
11   **MISSARIES.**

12           (a) *IN GENERAL*.—The Secretary of Defense shall en-  
13           sure that—

14                   (1) commissary stores accept as payment the  
15           Military Star Card; and

16                   (2) any financial liability of the United States  
17           relating to such acceptance as payment be assumed by  
18           the Army and Air Force Exchange Service.

19           (b) *MILITARY STAR CARD DEFINED*.—In this section,  
20           the term “Military Star Card” means a credit card admin-  
21           istered under the Exchange Credit Program by the Army  
22           and Air Force Exchange Service.



1 ***Subtitle E—Travel and Transpor-***  
 2 ***tation Allowances and Other***  
 3 ***Matters***

4 ***SEC. 641. MAXIMUM REIMBURSEMENT AMOUNT FOR TRAV-***  
 5 ***EL EXPENSES OF MEMBERS OF THE RE-***  
 6 ***SERVES ATTENDING INACTIVE DUTY TRAIN-***  
 7 ***ING OUTSIDE OF NORMAL COMMUTING DIS-***  
 8 ***TANCES.***

9 *Section 478a(c) of title 37, United States Code, is*  
 10 *amended—*

11 *(1) by striking “The amount” and inserting the*  
 12 *following: “(1) Except as provided by paragraph (2),*  
 13 *the amount”; and*

14 *(2) by adding at the end the following new para-*  
 15 *graph:*

16 *“(2) The Secretary concerned may authorize, on a*  
 17 *case-by-case basis, a higher reimbursement amount for a*  
 18 *member under subsection (a) when the member—*

19 *“(A) resides—*

20 *“(i) in the same State as the training loca-*  
 21 *tion; and*

22 *“(ii) outside of an urbanized area with a*  
 23 *population of 50,000 or more, as determined by*  
 24 *the Bureau of the Census; and*

1           “(B) is required to commute to a training loca-  
2           tion—

3                   “(i) using an aircraft or boat on account of  
4                   limited or nonexistent vehicular routes to the  
5                   training location or other geographical chal-  
6                   lenges; or

7                   “(ii) from a permanent residence located  
8                   more than 75 miles from the training location.”.

9   **SEC. 642. STATUTE OF LIMITATIONS ON DEPARTMENT OF**  
10                   **DEFENSE RECOVERY OF AMOUNTS OWED TO**  
11                   **THE UNITED STATES BY MEMBERS OF THE**  
12                   **UNIFORMED SERVICES, INCLUDING RETIRED**  
13                   **AND FORMER MEMBERS.**

14           Section 1007(c)(3) of title 37, United States Code, is  
15           amended by adding at the end the following new subpara-  
16           graphs:

17                   “(C)(i) In accordance with clause (i), if the indebted-  
18                   ness of a member of the uniformed services to the United  
19                   States occurs, through no fault of the member, as a result  
20                   of the overpayment of pay or allowances to the member or  
21                   upon the settlement of the member’s accounts, the Secretary  
22                   concerned may not recover the indebtedness from the mem-  
23                   ber, including a retired or former member, using deductions  
24                   from the pay of the member, deductions from retired or sep-  
25                   aration pay, or any other collection method unless recovery

1 *of the indebtedness commences before the end of the 10-year*  
2 *period beginning on the date on which the indebtedness was*  
3 *incurred.*

4       “(ii) *Clause (i) applies with respect to cases of indebt-*  
5 *edness that incur on or after October 1, 2027.*

6       “(D)(i) *Not later than January 1 of each of years 2017*  
7 *through 2027, the Director of the Defense Finance and Ac-*  
8 *counting Service shall review all cases occurring during the*  
9 *10-year period prior to the date of the review of indebt-*  
10 *ness of a member of the uniformed services, including a re-*  
11 *tired or former member, to the United States in which—*

12               “(I) *the recovery of the indebtedness commenced*  
13 *after the end of the 10-year period beginning on the*  
14 *date on which the indebtedness was incurred; or*

15               “(II) *the Director did not otherwise notify the*  
16 *member of such indebtedness during such 10-year pe-*  
17 *riod.*

18       “(ii) *The Director shall submit to the congressional de-*  
19 *fense committees and the Committees on Veterans’ Affairs*  
20 *of the House of Representatives and the Senate each review*  
21 *conducted under clause (i), including the amounts owed to*  
22 *the United States by the members included in such review.”.*

1           **TITLE VII—HEALTH CARE**  
2                   **PROVISIONS**  
3           **Subtitle A—Reform of TRICARE**  
4                   **and Military Health System**

5   **SEC. 701. TRICARE PREFERRED AND OTHER TRICARE RE-**  
6                   **FORM.**

7           (a) *ESTABLISHMENT.*—

8                   (1) *TRICARE PREFERRED.*—Chapter 55 of title  
9           10, United States Code, is amended by inserting after  
10           section 1074n the following new section:

11   **“§ 1075. TRICARE Preferred**

12           “(a) *ESTABLISHMENT.*—(1) Not later than January 1,  
13   2018, the Secretary of Defense shall establish a self-man-  
14   aged, preferred-provider network option under the  
15   *TRICARE* program. Such option shall be known as  
16   ‘*TRICARE Preferred*’.

17           “(2) The Secretary shall establish *TRICARE Preferred*  
18   in all areas. Under *TRICARE Preferred*, eligible bene-  
19   ficiaries will not have restrictions on the freedom of choice  
20   of the beneficiary with respect to health care providers.

21           “(b) *ENROLLMENT ELIGIBILITY.*—(1) The beneficiary  
22   categories for purposes of eligibility to enroll in *TRICARE*  
23   Preferred and cost sharing requirements applicable to such  
24   category are as follows:

1           “(A) An ‘active-duty family member’ category  
2           that consists of beneficiaries who are covered by sec-  
3           tion 1079 of this title (as dependents of active duty  
4           members).

5           “(B) A ‘retired’ category that consists of bene-  
6           ficiaries covered by subsection (c) of section 1086 of  
7           this title, other than Medicare-eligible beneficiaries de-  
8           scribed in subsection (d)(2) of such section.

9           “(C) A ‘reserve and young adult’ category that  
10          consists of beneficiaries who are covered by—

11                   “(i) section 1076d of this title;

12                   “(ii) section 1076e; or

13                   “(iii) section 1110b.

14          “(2) A covered beneficiary who elects to participate in  
15          TRICARE Preferred shall enroll in such option under sec-  
16          tion 1099 of this title.

17          “(c) COST-SHARING REQUIREMENTS.—The cost shar-  
18          ing requirements under TRICARE Preferred are as follows:

19                   “(1) With respect to beneficiaries in the active-  
20                   duty family member category or the retired category  
21                   by reason of being a member or former member of the  
22                   uniformed services who originally enlists or is ap-  
23                   pointed in the uniformed services on or after January  
24                   1, 2018, or by reason of being a dependent of such a

1        *member, the cost sharing requirements shall be cal-*  
2        *culated pursuant to subsection (d)(1).*

3            *“(2)(A) Except as provided by subsection (e),*  
4        *with respect to beneficiaries described in subpara-*  
5        *graph (B) in the active-duty family member category*  
6        *or the retired category, the cost sharing requirements*  
7        *shall be calculated as if the beneficiary were enrolled*  
8        *in TRICARE Extra or TRICARE Standard as if*  
9        *TRICARE Extra or TRICARE Standard, as the case*  
10       *may be, were still being carried out by the Secretary.*

11           *“(B) Beneficiaries described in this subpara-*  
12       *graph are beneficiaries who are eligible to enroll in*  
13       *the TRICARE program by reason of being a member*  
14       *or former member of the uniformed services who origi-*  
15       *nally enlists or is appointed in the uniformed services*  
16       *before January 1, 2018, or by reason of being a de-*  
17       *pendent of such a member.*

18           *“(3) With respect to beneficiaries in the reserve*  
19       *and young adult category, the cost sharing require-*  
20       *ments shall be calculated pursuant to subsection*  
21       *(d)(1) as if the beneficiary were in the active-duty*  
22       *family member category or the retired category, as*  
23       *applicable, except that the premiums calculated pur-*  
24       *suant to sections 1076d, 1076e, or 1110b of this title,*

1 as the case may be, shall apply instead of any enroll-  
 2 ment fee required under this section.

3 “(d) *COST-SHARING AMOUNTS FOR CERTAIN BENE-*  
 4 *FICIARIES.*—(1) *Beneficiaries described in subsection (c)(1)*  
 5 *enrolled in TRICARE Preferred shall be subject to cost-*  
 6 *sharing requirements in accordance with the amounts and*  
 7 *percentages under the following table during calendar year*  
 8 *2018 and as such amounts are adjusted under paragraph*  
 9 *(2) for subsequent years:*

<b>“TRICARE Pre-ferred</b>	<b>Active-Duty Family Member (Individual/Family)</b>	<b>Retired (Individual/Family)</b>
<b>Annual Enrollment</b>	\$300 / \$600	\$425 / \$850
<b>Annual deductible</b>	\$0	\$0
<b>Annual catastrophic cap</b>	\$1,000	\$3,000
<b>Outpatient visit civilian network</b>	\$15 primary care \$25 specialty care Out of network: 20%	\$25 primary care \$40 specialty care 25% of out of network
<b>ER visit civilian network</b>	\$40 network 20% out of network	\$60 network
<b>Urgent care civilian network</b>	\$20 network 20% out of network	\$40 network 25% out of network
<b>Ambulatory surgery civilian network</b>	\$40 network 20% out of network	\$80 network 25% out of network
<b>Ambulance civilian network</b>	\$15	\$25
<b>Durable medical equipment civilian network</b>	10%	20%
<b>Inpatient visit civilian network</b>	\$60 per network admission	\$125 per admission network

<b>“TRICARE Preferred</b>	<b>Active-Duty Family Member (Individual/Family)</b>	<b>Retired (Individual/Family)</b>
	20% out of network	25% out of net work
<b>Inpatient skilled nursing/rehab civilian</b>	\$20 per day network  \$50 per day out of network	\$50 per day network  \$300 per day or 20% of billed charges out of network

1           “(2) Each dollar amount expressed as a fixed dollar  
2 amount in the table set forth in paragraph (1), and the  
3 amounts determined under subsection (e), shall be annually  
4 indexed to the amount by which retired pay is increased  
5 under section 1401a of this title, rounded to the next lower  
6 multiple of \$1. The remaining amount above such multiple  
7 of \$1 shall be carried over to, and accumulated with, the  
8 amount of the increase for the subsequent year or years and  
9 made when the aggregate amount of increases carried over  
10 under this clause for a year is \$1 or more.

11           “(3) Enrollment fees, deductible amounts, and cata-  
12 strophic caps under this section are on a calendar-year  
13 basis.

14           “(e) EXCEPTIONS TO CERTAIN COST-SHARING  
15 AMOUNTS FOR CERTAIN BENEFICIARIES ELIGIBLE PRIOR  
16 TO 2018.—(1) Subject to paragraph (3), and in accordance  
17 with subsection (d)(2), the Secretary shall establish an an-  
18 nual enrollment fee for beneficiaries described in subsection  
19 (c)(2)(B) in the retired category who enroll in TRICARE



1 *Preferred (other than such beneficiaries covered by para-*  
2 *graph (2)). Such enrollment fee shall be \$100 for an indi-*  
3 *vidual and \$200 for a family.*

4       “(2) *The enrollment fee established pursuant to para-*  
5 *graph (1) for beneficiaries described in subsection (c)(2)(B)*  
6 *in the retired category shall not apply with respect to the*  
7 *following beneficiaries:*

8               “(A) *Retired members and the family members*  
9 *of such members covered by paragraph (1) of section*  
10 *1086(c) of this title by reason of being retired under*  
11 *chapter 61 of this title or being a dependent of such*  
12 *a member.*

13               “(B) *Survivors covered by paragraph (2) of such*  
14 *section 1086(c).*

15       “(3) *The Secretary may not establish an annual en-*  
16 *rollment fee under paragraph (1) until 90 days has elapsed*  
17 *following the date on which the Comptroller General of the*  
18 *United States is required to submit the review under para-*  
19 *graph (4).*

20       “(4) *Not later than February 1, 2020, the Comptroller*  
21 *General of the United States shall submit to the Committees*  
22 *on Armed Services of the House of Representatives and the*  
23 *Senate a review of the following:*

1           “(A) *Whether health care coverage for covered*  
2           *beneficiaries has changed since the enactment of this*  
3           *section.*

4           “(B) *Whether covered beneficiaries are able to ob-*  
5           *tain appointments for health care according to the ac-*  
6           *cess standards established by the Secretary of Defense.*

7           “(C) *The percent of network providers that ac-*  
8           *cept new patients under the TRICARE program.*

9           “(D) *The satisfaction of beneficiaries under*  
10          *TRICARE Preferred.*

11          “(f) *PUBLICATION OF MEASURES.—As part of the ad-*  
12          *ministration of TRICARE Prime and TRICARE Preferred,*  
13          *the Secretary shall publish on a publically available Inter-*  
14          *net website of the Department of Defense data on all meas-*  
15          *ures required by section 711 of the National Defense Author-*  
16          *ization Act for Fiscal Year 2017. The published measures*  
17          *shall be updated not less frequently than quarterly.*

18          “(g) *CONSTRUCTION.—Nothing in this section may be*  
19          *construed as affecting the availability of TRICARE Prime*  
20          *and TRICARE for Life.*

21          “(h) *DEFINITIONS.—In this section, terms ‘active-duty*  
22          *family member category’, ‘retired category’, and ‘reserve*  
23          *and young adult category’ mean the respective categories*  
24          *of TRICARE Preferred enrollment described in subsection*  
25          *(b).’.*

1           (2) *CLERICAL AMENDMENT.*—*The table of sec-*  
2           *tions at the beginning of chapter 55 of title 10,*  
3           *United States Code, is amended by inserting after the*  
4           *item relating to section 1074n, the following new*  
5           *item:*

“1075. *TRICARE Preferred.*”.

6           (b) *TRICARE PRIME COST SHARING.*—

7           (1) *IN GENERAL.*—*Chapter 55 of title 10, United*  
8           *States Code, is amended by inserting after section*  
9           *1075, as added by subsection (a), the following new*  
10          *section:*

11        **“§ 1075a. *TRICARE Prime: cost sharing***

12          “(a) *COST-SHARING REQUIREMENTS.*—*The cost shar-*  
13        *ing requirements under TRICARE Prime are as follows:*

14           “(1) *There are no cost-sharing requirements for*  
15        *beneficiaries who are covered by section 1074(a) of*  
16        *this title.*

17           “(2) *With respect to beneficiaries in the active-*  
18        *duty family member category or the retired category*  
19        *(as described in section 1075(b)(1) of this title) by*  
20        *reason of being a member or former member of the*  
21        *uniformed services who originally enlists or is ap-*  
22        *pointed in the uniformed services on or after January*  
23        *1, 2018, or by reason of being a dependent of such a*  
24        *member, the cost-sharing requirements shall be cal-*  
25        *culated pursuant to subsection (b)(1).*

1           “(3)(A) *With respect to beneficiaries described in*  
 2           *subparagraph (B) in the active-duty family member*  
 3           *category or the retired category (as described in sec-*  
 4           *tion 1075(b)(1) of this title), the cost-sharing require-*  
 5           *ments shall be calculated in accordance with the other*  
 6           *provisions of this chapter without regard to subsection*  
 7           *(b).*

8           “(B) *Beneficiaries described in this subpara-*  
 9           *graph are beneficiaries who are eligible to enroll in*  
 10          *the TRICARE program by reason of being a member*  
 11          *or former member of the uniformed services who origi-*  
 12          *nally enlists or is appointed in the uniformed services*  
 13          *before January 1, 2018, or by reason of being a de-*  
 14          *pendent of such a member.*

15          “(b) *COST-SHARING AMOUNTS.—(1) Beneficiaries de-*  
 16          *scribed in subsection (a)(2) enrolled in TRICARE Prime*  
 17          *shall be subject to cost-sharing requirements in accordance*  
 18          *with the amounts and percentages under the following table*  
 19          *during calendar year 2018 and as such amounts are ad-*  
 20          *justed under paragraph (2) for subsequent years:*

<b>“TRICARE Prime</b>	<b>Active-Duty Family Member (Individual/Family)</b>	<b>Retired (Individual/Family)</b>
<i>Annual Enrollment</i>	<i>\$180 / \$360</i>	<i>\$325 / \$650</i>
<i>Annual deductible</i>	<i>No<sup>1</sup></i>	<i>No<sup>1</sup></i>
<i>Annual catastrophic cap</i>	<i>\$1,000</i>	<i>\$3,000 per family</i>

<b>“TRICARE Prime</b>	<b>Active-Duty Family Member (Individual/Family)</b>	<b>Retired (Individual/Family)</b>
<i>Outpatient visit civilian network</i>	\$0 with authorization	\$20 primary care
		\$30 specialty care
<i>ER visit civilian network</i>	\$0	\$50 network
<i>Urgent care civilian network</i>	\$0	\$30 network
<i>Ambulatory surgery civilian network</i>	\$0 with authorization	\$60 network with authorization
<i>Ambulance civilian network</i>	\$0	\$20
<i>Durable medical equipment civilian network</i>	\$0 with authorization	20%
<i>Inpatient visit civilian network</i>	\$0 with authorization	\$100 network per admission with authorization
<i>Inpatient skilled nursing/rehab civilian</i>	\$0 with authorization	\$30 per day network with authorization

1: Deductibles and cost-sharing does apply to TRICARE Prime beneficiaries that seek care in the civilian network care through the point-of-service option (without a referral). Annual deductible is \$300 individual and \$600 family. Cost-sharing for covered inpatient and outpatient services are 50% of the TRICARE allowable charges.

1           “(2) Each dollar amount expressed as a fixed dollar  
2 amount in the table set forth in paragraph (1) shall be an-  
3 nually indexed to the amount by which retired pay is in-  
4 creased under section 1401a of this title, rounded to the next  
5 lower multiple of \$1. The remaining amount above such  
6 multiple of \$1 shall be carried over to, and accumulated  
7 with, the amount of the increase for the subsequent year  
8 or years and made when the aggregate amount of increases  
9 carried over under this clause for a year is \$1 or more.

1       “(3) *Enrollment fees, deductible amounts, and cata-*  
2 *strophic caps under this section are on a calendar-year*  
3 *basis.*”.

4           (2) *CLERICAL AMENDMENT.*—*The table of sec-*  
5 *tions at the beginning of chapter 55 of title 10,*  
6 *United States Code, is amended by inserting after the*  
7 *item relating to section 1075, as added by subsection*  
8 *(a), the following new item:*

      “1075a. *TRICARE Prime: cost sharing.*”.

9           (c) *PORTABILITY.*—*Section 1073 of title 10, United*  
10 *States Code, is amended by adding at the end the following*  
11 *new subsection:*

12       “(c) *PORTABILITY IN PROGRAM.*—*The Secretary of De-*  
13 *fense shall ensure that the enrollment status of covered bene-*  
14 *ficiaries is portable between or among TRICARE program*  
15 *regions of the United States and that effective procedures*  
16 *are in place for automatic electronic transfer of information*  
17 *between or among contractors responsible for administra-*  
18 *tion in such regions and prompt communication with such*  
19 *beneficiaries. Each covered beneficiary enrolled in*  
20 *TRICARE Prime who has relocated the beneficiary’s pri-*  
21 *mary residence to a new area in which enrollment in*  
22 *TRICARE Prime is available shall be able to obtain a new*  
23 *primary health care manager or provider within 10 days*  
24 *of the relocation and associated request for such manager*  
25 *or provider.*”.

1           (d) *TERMINATION OF TRICARE STANDARD AND*  
2 *TRICARE EXTRA.*—Beginning on January 1, 2018, the  
3 Secretary of Defense may not carry out *TRICARE Stand-*  
4 *ard and TRICARE Extra* under the *TRICARE* program.  
5 The Secretary shall ensure that any individual who is cov-  
6 ered under *TRICARE Standard* or *TRICARE Extra* as of  
7 December 31, 2017, enrolls in *TRICARE Prime*, *TRICARE*  
8 *Preferred*, or *TRICARE for Life*, as the case may be, as  
9 of January 1, 2018, for the individual to continue coverage  
10 under the *TRICARE* program.

11           (e) *IMPLEMENTATION PLAN.*—

12                 (1) *IN GENERAL.*—Not later than June 1, 2017,  
13 the Secretary of Defense shall submit to the Commit-  
14 tees on Armed Services of the House of Representa-  
15 tives and the Senate an implementation plan to im-  
16 prove access to health care for *TRICARE* beneficiaries  
17 pursuant to the amendments made by this section.

18                 (2) *ELEMENTS.*—The plan under paragraph (1)  
19 shall—

20                         (A) ensure that at least 85 percent of the  
21 beneficiary population under *TRICARE Pre-*  
22 *ferred* is covered by the network by January 1,  
23 2018;

24                         (B) establish access standards for appoint-  
25 ments for health care;

1           (C) establish mechanisms for monitoring  
2 compliance with access standards;

3           (D) establish health care provider-to-bene-  
4 ficiary ratios;

5           (E) monitor on a monthly basis complaints  
6 by beneficiaries with respect to network adequacy  
7 and the availability of health care providers;

8           (F) establish requirements for mechanisms  
9 to monitor the responses to complaints by bene-  
10 ficiaries;

11           (G) mechanisms to evaluate the quality  
12 metrics of the network providers established  
13 under section 711;

14           (H) any recommendations for legislative ac-  
15 tion the Secretary determines necessary to carry  
16 out the plan; and

17           (I) any other elements the Secretary deter-  
18 mines appropriate.

19 (f) GAO REVIEWS.—

20           (1) IMPLEMENTATION PLAN.—Not later than De-  
21 cember 1, 2017, the Comptroller General of the United  
22 States shall submit to the Committees on Armed Serv-  
23 ices of the House of Representatives and the Senate a  
24 review of the implementation plan of the Secretary  
25 under paragraph (1) of subsection (e), including an



1       *assessment of the adequacy of the plan in meeting the*  
2       *elements specified in paragraph (2) of such sub-*  
3       *section.*

4               (2) *NETWORK.—Not later than September 1,*  
5       *2017, the Comptroller General shall submit to the*  
6       *Committees on Armed Services of the House of Rep-*  
7       *resentatives and the Senate a review of the network*  
8       *established under TRICARE Extra, including the fol-*  
9       *lowing:*

10               (A) *An identification of the percent of bene-*  
11       *ficiaries who are covered by the network.*

12               (B) *An assessment of the extent to which*  
13       *beneficiaries are able to obtain appointments*  
14       *under TRICARE extra.*

15               (C) *The percent of network providers under*  
16       *TRICARE Extra that accept new patients under*  
17       *the TRICARE program.*

18               (D) *An assessment of the satisfaction of*  
19       *beneficiaries under TRICARE Extra.*

20       (g) *DEFINITIONS.—In this section:*

21               (1) *The terms “uniformed services”, “covered*  
22       *beneficiary”, “TRICARE Extra”, “TRICARE for*  
23       *Life”, “TRICARE Prime”, and “TRICARE Stand-*  
24       *ard” have the meaning given those terms in section*

1       1072 of title 10, United States Code, as amended by  
2       subsection (h).

3               (2) The term “TRICARE Preferred” means the  
4       self-managed, preferred-provider network option  
5       under the TRICARE program established by section  
6       1075 of such title, as added by subsection (a).

7       (h) CONFORMING AMENDMENTS.—

8               (1) IN GENERAL.—Title 10, United States Code,  
9       is amended as follows:

10               (A) Section 1072 is amended—

11                       (i) by striking paragraph (7) and in-  
12                       serting the following:

13                               “(7) The term ‘TRICARE program’ means the  
14                       various programs carried out by the Secretary of De-  
15                       fense under this chapter and any other provision of  
16                       law providing for the furnishing of medical and den-  
17                       tal care and health benefits to members and former  
18                       members of the uniformed services and their depend-  
19                       ents, including the following health plan options:

20                                       “(A) TRICARE Prime.

21                                       “(B) TRICARE Preferred.

22                                       “(C) TRICARE for Life.”; and

23                                       (ii) by adding at the end the following  
24                       new paragraphs:

1           “(11) The term ‘*TRICARE Extra*’ means the  
2           preferred provider option of the *TRICARE* program  
3           made available prior to January 1, 2018, under  
4           which *TRICARE Standard* beneficiaries may obtain  
5           discounts on cost-sharing as a result of using  
6           *TRICARE network providers*.

7           “(12) The term ‘*TRICARE Preferred*’ the self-  
8           managed, preferred-provider network option under the  
9           *TRICARE* program established by section 1075 of  
10          this title.

11          “(13) The term ‘*TRICARE for Life*’ means the  
12          Medicare wraparound coverage option of the  
13          *TRICARE* program made available to the beneficiary  
14          by reason of section 1086(d) of this title.

15          “(14) The term ‘*TRICARE Prime*’ means the  
16          managed care option of the *TRICARE* program.

17          “(15) The term ‘*TRICARE Standard*’ means the  
18          *TRICARE* program made available prior to January  
19          1, 2018, covering—

20                 “(A) medical care to which a dependent de-  
21                 scribed in section 1076(a)(2) of this title is enti-  
22                 tled; and

23                 “(B) health benefits contracted for under the  
24                 authority of section 1079(a) of this title and sub-

1           *ject to the same rates and conditions as apply to*  
2           *persons covered under that section.”.*

3           *(B) Section 1076d is amended—*

4                   *(i) in subsection (d)(1), by inserting*  
5                   *after “coverage.” the following: “Such pre-*  
6                   *mium shall apply instead of any enrollment*  
7                   *fees required under section 1075 of this sec-*  
8                   *tion.”; and*

9                   *(ii) in subsection (f), by striking para-*  
10                  *graph (2) and inserting the following new*  
11                  *paragraph:*

12                  *“(2) The term ‘TRICARE Reserve Select’ means*  
13                  *the TRICARE Preferred self-managed, preferred-pro-*  
14                  *vider network option under section 1075 made avail-*  
15                  *able to beneficiaries by reason of this section and in*  
16                  *accordance with subsection (d)(1).”;* and

17                   *(iii) by striking “TRICARE Stand-*  
18                   *ard” each place it appears (including in the*  
19                   *heading of such section) and inserting*  
20                   *“TRICARE Reserve Select”.*

21           *(C) Section 1076e is amended—*

22                   *(i) in subsection (d)(1), by inserting*  
23                   *after “coverage.” the following: “Such pre-*  
24                   *mium shall apply instead of any enrollment*

1           *fees required under section 1075 of this sec-*  
2           *tion.”; and*

3                   *(ii) in subsection (f), by striking para-*  
4                   *graph (2) and inserting the following new*  
5                   *paragraph:*

6                   “*(2) The term ‘TRICARE Retired Reserve’*  
7                   *means the TRICARE Preferred self-managed, pre-*  
8                   *ferred-provider network option under section 1075*  
9                   *made available to beneficiaries by reason of this sec-*  
10                   *tion and in accordance with subsection (d)(1).”;*

11                   *(iii) in subsection (b), by striking*  
12                   *“TRICARE Standard coverage at” and in-*  
13                   *serting “TRICARE coverage at”; and*

14                   *(iv) by striking “TRICARE Standard”*  
15                   *each place it appears (including in the*  
16                   *heading of such section) and inserting*  
17                   *“TRICARE Retired Reserve”.*

18                   *(D) Section 1079a is amended—*

19                   *(i) in the section heading, by striking*  
20                   *“**CHAMPUS**” and inserting*  
21                   *“**TRICARE program**”; and*

22                   *(ii) by striking “the Civilian Health*  
23                   *and Medical Program of the Uniformed*  
24                   *Services” and inserting “the TRICARE*  
25                   *program”.*

1           (E) Section 1099(c) is amended by striking  
2           paragraph (2) and inserting the following new  
3           paragraph:

4           “(2) A plan under the TRICARE program.”.

5           (F) Section 1110b(c)(1) is amended by in-  
6           serting after “(b).” the following: “Such pre-  
7           mium shall apply instead of any enrollment fees  
8           required under section 1075 of this section.”.

9           (2) CLERICAL AMENDMENTS.—The table of sec-  
10          tions at the beginning of chapter 55 of title 10,  
11          United States Code, is further amended—

12           (A) in the item relating to section 1076d, by  
13           striking “TRICARE Standard” and inserting  
14           “TRICARE Reserve Select”;

15           (B) in the item relating to section 1076e, by  
16           striking “TRICARE Standard” and inserting  
17           “TRICARE Retired Reserve”; and

18           (C) in the item relating to section 1079a, by  
19           striking “CHAMPUS” and inserting  
20           “TRICARE program”.

21          (3) CONFORMING STYLE.—Any new language in-  
22          serted or added to title 10, United States Code, by an  
23          amendment made by this subsection shall conform to  
24          the typeface and tpestyle of the matter in which the  
25          language is so inserted or added.

1       (i) *APPLICATION.*—*The amendments made by this sec-*  
 2 *tion shall apply with respect to the provision of health care*  
 3 *under the TRICARE program beginning on January 1,*  
 4 *2018.*

5 **SEC. 702. REFORM OF ADMINISTRATION OF THE DEFENSE**  
 6 **HEALTH AGENCY AND MILITARY MEDICAL**  
 7 **TREATMENT FACILITIES.**

8       (a) *ADMINISTRATION.*—

9           (1) *IN GENERAL.*—*Chapter 55 of title 10, United*  
 10 *States Code, is amended by inserting after section*  
 11 *1073b the following new section:*

12 **“§1073c. Administration of Defense Health Agency**  
 13 **and military medical treatment facilities**

14       “(a) *ADMINISTRATION OF MILITARY MEDICAL TREAT-*  
 15 *MENT FACILITIES.*—(1) *Beginning October 1, 2018, the Di-*  
 16 *rector of the Defense Health Agency shall be responsible for*  
 17 *the administration of each military medical treatment fa-*  
 18 *cility, including with respect to—*

19           “(A) *budgetary matters;*

20           “(B) *information technology;*

21           “(C) *health care administration and manage-*  
 22 *ment;*

23           “(D) *administrative policy and procedure; and*

24           “(E) *any other matters the Secretary of Defense*  
 25 *determines appropriate.*

1       “(2) *The commander of each military medical treat-*  
2 *ment facility shall be responsible for—*

3               “(A) *ensuring the readiness of the members of the*  
4 *armed forces and civilian employees at such facility;*  
5 *and*

6               “(B) *furnishing the health care and medical*  
7 *treatment provided at such facility.*

8       “(3) *The Secretary of Defense shall establish within the*  
9 *Defense Health Agency a professional staff serving in senior*  
10 *executive service positions to carry out this subsection. The*  
11 *Secretary may carry out this paragraph by appointing the*  
12 *positions specified in subsections (b) and (c).*

13       “(b) *DHA ASSISTANT DIRECTOR.—(1) The Secretary*  
14 *of Defense may establish in the Defense Health Agency an*  
15 *Assistant Director for Health Care Administration. If so*  
16 *established, the Assistant Director shall—*

17               “(A) *be a career appointee within the senior ex-*  
18 *ecutive service of the Department; and*

19               “(B) *report directly to the Director of the De-*  
20 *fense Health Agency.*

21       “(2) *If established under paragraph (1), the Assistant*  
22 *Director shall be appointed from among individuals who*  
23 *have equivalent education and experience as a chief execu-*  
24 *tive officer leading a large, civilian health care system.*



1       “(3) *If established under paragraph (1), the Assistant*  
2 *Director shall be responsible for the following:*

3               “(A) *Establishing priorities for health care ad-*  
4 *ministration and management.*

5               “(B) *Establishing policies and procedures for the*  
6 *provision of direct care at military medical treatment*  
7 *facilities.*

8               “(C) *Establishing priorities for budgeting mat-*  
9 *ters with respect to the provision of direct care at*  
10 *military medical treatment facilities.*

11              “(D) *Establishing policies and procedures for*  
12 *clinic management and operations at military med-*  
13 *ical treatment facilities.*

14              “(E) *Establishing priorities for information*  
15 *technology at and between the military medical treat-*  
16 *ment facilities.*

17       “(c) *DHA DEPUTY ASSISTANT DIRECTORS.—(1)(A)*  
18 *The Secretary of Defense may establish in the Defense*  
19 *Health Agency a Deputy Assistant Director for Information*  
20 *Operations.*

21              “(B) *If established under subparagraph (A), the Dep-*  
22 *uty Assistant Director for Information Operations shall be*  
23 *responsible for management and execution of information*  
24 *technology operations at and between the military medical*  
25 *treatment facilities.*

1           “(2)(A) *The Secretary of Defense may establish in the*  
2 *Defense Health Agency a Deputy Assistant Director for Fi-*  
3 *ancial Operations.*

4           “(B) *If established under subparagraph (A), the Dep-*  
5 *uty Assistant Director for Financial Operations shall be re-*  
6 *sponsible for the management and execution of budgeting*  
7 *matters and financial management with respect to the pro-*  
8 *vision of direct care at military medical treatment facili-*  
9 *ties.*

10          “(3)(A) *The Secretary of Defense may establish in the*  
11 *Defense Health Agency a Deputy Assistant Director for*  
12 *Health Care Operations.*

13          “(B) *If established under subparagraph (A), the Dep-*  
14 *uty Assistant Director for Health Care Operations shall be*  
15 *responsible for the execution of health care administration*  
16 *and management in the military medical treatment facili-*  
17 *ties.*

18          “(4)(A) *The Secretary of Defense may establish in the*  
19 *Defense Health Agency a Deputy Assistant Director for*  
20 *Medical Affairs.*

21          “(B) *If established under subparagraph (A), the Dep-*  
22 *uty Assistant Director for Medical Affairs shall be respon-*  
23 *sible for the management and leadership of clinical quality*  
24 *and process improvement, patient safety, infection control,*  
25 *graduate medical education, clinical integration, utiliza-*

1 *tion review, risk management, patient experience, and civil-*  
2 *ian physician recruiting.*

3       “(5) *Each Deputy Assistant Director appointed under*  
4 *paragraphs (1) through (4) shall—*

5               “(A) *be a career appointee within the senior ex-*  
6 *ecutive service of the Department; and*

7               “(B) *report directly to the Assistant Director for*  
8 *Health Care Administration.*

9       “(d) *DHA DEPUTY DIRECTOR.—(1) In addition to the*  
10 *other duties of the Joint Staff Surgeon, the Joint Staff Sur-*  
11 *geon shall serve as the Deputy Director for Combat Support*  
12 *of the Defense Health Agency.*

13       “(2) *The responsibilities of the Deputy Director shall*  
14 *include the following:*

15               “(A) *Ensuring that the Defense Health Agency*  
16 *meets the operational needs of the commanders of the*  
17 *combatant commands.*

18               “(B) *Coordinating with the military depart-*  
19 *ments to ensure that the staffing at the military med-*  
20 *ical treatment facilities support readiness require-*  
21 *ments for members of the armed forces and health*  
22 *care personnel.*

23               “(C) *Serving as the link between the commanders*  
24 *of the combatant commands and the Defense Health*  
25 *Agency.*

1       “(e) *APPOINTMENTS.*—*In carrying out subsection*  
 2 *(a)(3), including with respect to establishing positions*  
 3 *under subsections (b) and (c), the Secretary shall make ap-*  
 4 *pointments under such subsections—*

5               “(1) *by not later than October 1, 2018; and*

6               “(2) *by not increasing the number of full-time*  
 7 *equivalent employees of the Defense Health Agency.*

8       “(f) *DEFINITIONS.*—*In this section:*

9               “(1) *The term ‘career appointee’ has the mean-*  
 10 *ing given that term in section 3132(a)(4) of title 5.*

11              “(2) *The term ‘Defense Health Agency’ means*  
 12 *the Defense Agency established pursuant to Depart-*  
 13 *ment of Defense Directive 5136.13, or such successor*  
 14 *Defense Agency.*

15              “(3) *The term ‘senior executive service’ has the*  
 16 *meaning given that term in section 2101a of title 5.”.*

17              “(2) *CLERICAL AMENDMENT.*—*The table of sec-*  
 18 *tions at the beginning of such chapter is amended by*  
 19 *inserting after the item relating to section 1073b the*  
 20 *following new item:*

*“1073c. Administration of Defense Health Agency and military medical treatment facilities.”.*

21       “(b) *IMPLEMENTATION PLAN.*—

22              “(1) *IN GENERAL.*—*The Secretary of Defense shall*  
 23 *develop a plan to implement section 1073c of title 10,*  
 24 *United States Code, as added by subsection (a).*

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

3           (A) *How the Secretary will carry out sub-*  
4 *section (a) of such section 1073c.*

5           (B) *Efforts to minimize potentially duplica-*  
6 *tive activities carried out by the elements of the*  
7 *Defense Health Agency.*

8           (C) *Efforts to maximize efficiencies in the*  
9 *activities carried out by the Defense Health*  
10 *Agency.*

11           (D) *How the Secretary will implement such*  
12 *section 1073 in a manner that does not increase*  
13 *the number of full-time equivalent employees of*  
14 *the headquarters activities of the military health*  
15 *system as of the date of the enactment of this*  
16 *Act.*

17 (c) *REPORTS.*—

18           (1) *INTERIM REPORT.*—*Not later than March 1,*  
19 *2017, the Secretary shall submit to the congressional*  
20 *defense committees a report containing—*

21           (A) *a preliminary draft of the plan devel-*  
22 *oped under subsection (b)(1); and*

23           (B) *any recommendations for legislative ac-*  
24 *tions the Secretary determines necessary to carry*  
25 *out the plan.*

1           (2) *FINAL REPORT.*—Not later than March 1,  
2           2018, the Secretary shall submit to the congressional  
3           defense committees a report containing the final  
4           version of the plan developed under subsection (b)(1).

5           (3) *COMPTROLLER GENERAL REVIEWS.*—

6           (A) *The Comptroller General of the United*  
7           *States shall submit to the congressional defense*  
8           *committees—*

9                   (i) *a review of the preliminary draft of*  
10                   *the plan submitted under paragraph (1) by*  
11                   *not later than September 1, 2017; and*

12                   (ii) *a review of the final version of the*  
13                   *plan submitted under paragraph (2) by not*  
14                   *later than September 1, 2018.*

15           (B) *Each review of the plan conducted*  
16           *under paragraph (A) shall determine whether the*  
17           *Secretary has addressed the required elements for*  
18           *the plan under subsection (b)(2).*

19 **SEC. 703. MILITARY MEDICAL TREATMENT FACILITIES.**

20           (a) *ADMINISTRATION.*—

21           (1) *IN GENERAL.*—Chapter 55 of title 10, United  
22           States Code, as amended by section 702, is further  
23           amended by inserting after section 1073c the fol-  
24           lowing new section:

1 **“§ 1073d. Military medical treatment facilities**

2       “(a) *IN GENERAL.*—*To support the medical readiness*  
3 *of the armed forces and the readiness of medical personnel,*  
4 *the Secretary of Defense, in consultation with the Secre-*  
5 *taries of the military departments, shall maintain the mili-*  
6 *tary medical treatment facilities described in subsections*  
7 *(b), (c), and (d).*

8       “(b) *MEDICAL CENTERS.*—(1) *The Secretary of De-*  
9 *fense shall maintain medical centers in areas with a large*  
10 *population of members of the armed forces and covered*  
11 *beneficiaries.*

12       “(2) *Medical centers shall serve as referral facilities for*  
13 *members and covered beneficiaries who require comprehen-*  
14 *sive health care services that support medical readiness.*

15       “(3) *Medical centers shall consist of the following:*

16           “(A) *Inpatient and outpatient tertiary care fa-*  
17 *cilities that incorporate specialty and subspecialty*  
18 *care.*

19           “(B) *Graduate medical education programs.*

20           “(C) *Residency training programs.*

21           “(D) *Level one or level two trauma care capa-*  
22 *bilities.*

23       “(c) *HOSPITALS.*—(1) *The Secretary of Defense shall*  
24 *maintain hospitals in areas where civilian health care fa-*  
25 *cilities are unable to support the health care needs of mem-*  
26 *bers of the armed forces and covered beneficiaries.*

1       “(2) *Hospitals shall provide—*

2               “(A) *inpatient and outpatient health services to*  
3       *maintain medical readiness; and*

4               “(B) *such other programs and functions as the*  
5       *Secretary determines appropriate.*

6       “(3) *Hospitals shall consist of inpatient and out-*  
7       *patient care facilities with limited specialty care that the*  
8       *Secretary determines—*

9               “(A) *is cost effective; or*

10              “(B) *is not available at civilian health care fa-*  
11       *cilities in the area of the hospital.*

12       “(d) *AMBULATORY CARE CENTERS.—(1) The Sec-*  
13       *retary of Defense shall maintain ambulatory care centers*  
14       *in areas where civilian health care facilities are able to sup-*  
15       *port the health care needs of members of the armed forces*  
16       *and covered beneficiaries.*

17       “(2) *Ambulatory care centers shall provide the out-*  
18       *patient health services required to maintain medical readi-*  
19       *ness, including with respect to partnerships established pur-*  
20       *suant to section 707 of the National Defense Authorization*  
21       *Act for Fiscal Year 2017.*

22       “(3) *Ambulatory care centers shall consist of out-*  
23       *patient care facilities with limited specialty care that the*  
24       *Secretary determines—*

25              “(A) *is cost effective; or*



1           “(B) is not available at civilian health care fa-  
2           cilities in the area of the ambulatory care center.”.

3           (2) *CLERICAL AMENDMENT.*—The table of sec-  
4           tions at the beginning of such chapter, as amended by  
5           section 702, is further amended by inserting after the  
6           item relating to section 1073c the following new item:

“1073d. *Military medical treatment facilities.*”.

7           (b) *UPDATE OF STUDY.*—

8           (1) *IN GENERAL.*—The Secretary of Defense, in  
9           collaboration with the Secretaries of the military de-  
10          partments, shall update the report described in para-  
11          graph (2) to address the restructuring or realignment  
12          of military medical treatment facilities pursuant to  
13          section 1073d of title 10, United States Code, as  
14          added by subsection (a), including with respect to any  
15          expansions or consolidations of such facilities.

16          (2) *REPORT DESCRIBED.*—The report described  
17          in this paragraph is the *Military Health System*  
18          *Modernization Study* dated May 29th, 2015, required  
19          by section 713(a)(2) of the *Carl Levin and Howard*  
20          *P. “Buck” McKeon National Defense Authorization*  
21          *Act for Fiscal Year 2015 (Public Law 113–291; 128*  
22          *Stat. 3414).*

23          (3) *SUBMISSION.*—Not later than 270 days after  
24          the date of the enactment of this Act, the Secretary of

1 *Defense shall submit to the congressional defense com-*  
2 *mittees the updated report under paragraph (1).*

3 *(c) IMPLEMENTATION PLAN.—*

4 *(1) IN GENERAL.—Not later than two years after*  
5 *the date of the enactment of this Act, the Secretary of*  
6 *Defense shall submit to the congressional defense com-*  
7 *mittees an implementation plan to restructure or re-*  
8 *align the military medical treatment facilities pursu-*  
9 *ant to section 1073d of title 10, United States Code,*  
10 *as added by subsection (a).*

11 *(2) ELEMENTS.—The implementation plan*  
12 *under paragraph (1) shall include the following:*

13 *(A) With respect to each military medical*  
14 *treatment facility—*

15 *(i) whether the facility will be re-*  
16 *aligned or restructured under the plan;*

17 *(ii) whether the functions of such facil-*  
18 *ity will be expanded or consolidated;*

19 *(iii) the costs of such realignment or*  
20 *restructuring;*

21 *(iv) a description of any changes to the*  
22 *military and civilian personnel assigned to*  
23 *such facility as of the date of the plan;*

24 *(v) a timeline for such realignment or*  
25 *restructuring; and*

1                   (vi) *the justifications for such realign-*  
2                   *ment or restructuring, including an assess-*  
3                   *ment of the capacity of the civilian health*  
4                   *care facilities located near such facility.*

5                   (B) *A description of the relocation of the*  
6                   *graduate medical education programs and the*  
7                   *residency programs.*

8 **SEC. 704. ACCESS TO URGENT CARE UNDER TRICARE PRO-**  
9                   **GRAM.**

10           (a) *IN GENERAL.*—Chapter 55 of title 10, United  
11 *States Code, is amended by inserting after section 1077 the*  
12 *following new section:*

13 **“§ 1077a. Access to military medical treatment facili-**  
14                   **ties and other facilities**

15           “(a) *URGENT CARE.*—(1) *Beginning not later than*  
16 *one year after the date of the enactment of this section, the*  
17 *Secretary of Defense shall ensure that military medical*  
18 *treatment facilities, at locations the Secretary determines*  
19 *appropriate, provide urgent care services for members of the*  
20 *armed forces and covered beneficiaries until 11:00 p.m each*  
21 *day.*

22           “(2) *With respect to areas in which a military medical*  
23 *treatment facility covered by paragraph (1) is not located,*  
24 *the Secretary shall ensure that members of the armed forces*  
25 *and covered beneficiaries may access urgent care clinics*

1 *that are open during the hours specified in such paragraph*  
2 *through the health care provider network under the*  
3 *TRICARE program.*

4 “(3) *A covered beneficiary may access urgent care serv-*  
5 *ices without the need for preauthorization for such services.*

6 “(4) *The Secretary shall—*

7 “(A) *publish information about changes in access*  
8 *to urgent care under the TRICARE program—*

9 “(i) *on the primary publicly available*  
10 *Internet website of the Department; and*

11 “(ii) *on the primary publicly available*  
12 *website of each military treatment facility; and*

13 “(B) *ensure that such information is made*  
14 *available on the publically available Internet website*  
15 *of each current managed care contractor that has es-*  
16 *tablished a health care provider network under the*  
17 *TRICARE program.*

18 “(b) *NURSE ADVICE LINE.—The Secretary shall en-*  
19 *sure that the nurse advice line of the Department directs*  
20 *covered beneficiaries seeking access to care to the source of*  
21 *the most appropriate level of health care required to treat*  
22 *the medical conditions of the beneficiaries, including urgent*  
23 *care services described in subsection (a).”.*

1           (b) *CLERICAL AMENDMENT.*—*The table of sections at*  
2 *the beginning of such chapter is amended by inserting after*  
3 *the item relating to section 1077 the following new item:*

          “1077a. *Access to military medical treatment facilities and other facilities*”.

4 **SEC. 705. ACCESS TO PRIMARY CARE CLINICS AT MILITARY**  
5 **MEDICAL TREATMENT FACILITIES.**

6           (a) *IN GENERAL.*—*Section 1077a of title 10, United*  
7 *States Code, as added by section 704, is amended by adding*  
8 *at the end the following new subsection:*

9           “(c) *PRIMARY CARE CLINICS.*—(1) *The Secretary shall*  
10 *ensure that primary care clinics at military medical treat-*  
11 *ment facilities are available for members of the armed forces*  
12 *and covered beneficiaries between the hours determined ap-*  
13 *propriate under paragraph (2), including with respect to*  
14 *expanded hours described in subparagraph (B) of such*  
15 *paragraph.*

16           “(2)(A) *The Secretary shall determine the hours that*  
17 *each primary care clinic at a military medical treatment*  
18 *facility is available for members of the armed forces and*  
19 *covered beneficiaries based on—*

20                   “(i) *the needs of the military treatment facility*  
21 *to meet the access standards under the TRICARE*  
22 *Prime program; and*

23                   “(ii) *the primary care usage patterns of members*  
24 *and covered beneficiaries at such military medical*  
25 *treatment facility.*

1       “(B) *The primary care clinic hours at a military med-*  
2 *ical treatment facility determined under subparagraph (A)*  
3 *shall include expanded hours beyond regular business hours*  
4 *during weekdays and the weekend if the Secretary deter-*  
5 *mines under such subparagraph that sufficient demand ex-*  
6 *ists at the military medical treatment facility for such ex-*  
7 *anded primary care clinic hours.”.*

8       (b) *IMPLEMENTATION.—The Secretary of Defense shall*  
9 *implement subsection (c) of section 1077a of title 10, United*  
10 *States Code, as added by subsection (a), by not later than*  
11 *180 days after the date of the enactment of this Act.*

12 **SEC. 706. INCENTIVES FOR VALUE-BASED HEALTH UNDER**  
13 **TRICARE PROGRAM.**

14       (a) *IN GENERAL.—Chapter 55 of title 10, United*  
15 *States Code, is amended by inserting after section 1095g*  
16 *the following new section:*

17 **“§ 1095h. TRICARE program: value-based health care**

18       “(a) *IN GENERAL.—The Secretary of Defense may de-*  
19 *velop and implement value-based incentive programs as*  
20 *part of any contract awarded under this chapter for the*  
21 *provision of health care services to covered beneficiaries to*  
22 *encourage health care providers under the TRICARE pro-*  
23 *gram (including physicians, hospitals, and other persons*  
24 *and facilities involved in providing such health care serv-*  
25 *ices) to improve the following:*

1           “(1) *The quality of health care provided to cov-*  
2 *ered beneficiaries under the TRICARE program.*

3           “(2) *The experience of covered beneficiaries in re-*  
4 *ceiving health care under the TRICARE program.*

5           “(3) *The health of covered beneficiaries.*

6           “(b) *VALUE-BASED INCENTIVE PROGRAMS.—(1) In de-*  
7 *veloping value-based incentive programs under subsection*  
8 *(a), the Secretary shall—*

9           “(A) *link payments to health care providers*  
10 *under the TRICARE program to improved perform-*  
11 *ance with respect to quality, cost, and reducing the*  
12 *provision of inappropriate care;*

13           “(B) *consider the characteristics of the popu-*  
14 *lation of covered beneficiaries affected by the value-*  
15 *based incentive program;*

16           “(C) *consider how the value-based incentive pro-*  
17 *gram would affect the receipt of health care under the*  
18 *TRICARE program by such covered beneficiaries;*

19           “(D) *establish or maintain an assurance that*  
20 *such covered beneficiaries will have timely access to*  
21 *health care during the operation of the value-based in-*  
22 *centive program;*

23           “(E) *ensure that such covered beneficiaries do*  
24 *not incur any additional costs by reason of the value-*  
25 *based incentive program; and*

1           “(F) consider such other factors as the Secretary  
2           considers appropriate.

3           “(2) With respect to a value-based incentive program  
4           developed and implemented under subsection (a), the Sec-  
5           retary shall ensure that—

6           “(A) the size, scope, and duration of the value-  
7           based incentive program is reasonable in relation to  
8           the purpose of the value-based incentive program; and

9           “(B) the value-based incentive program relies on  
10          the core quality performance metrics pursuant to sec-  
11          tion 711 of the National Defense Authorization Act  
12          for Fiscal Year 2017.

13          “(c) *USE OF EXISTING MODELS.*—In developing a  
14          value-based incentive program under subsection (a), the  
15          Secretary may adapt a value-based incentive program con-  
16          ducted by a *TRICARE* managed care support contractor,  
17          the Centers for Medicare & Medicaid Services, or any other  
18          governmental or commercial health care program.”.

19          (b) *CLERICAL AMENDMENT.*—The table of sections at  
20          the beginning of such chapter is amended by inserting after  
21          the item relating to section 1095g the following new item:

          “1095h. *TRICARE* program: value-based health care.”.

22          (c) *BRIEFINGS.*—

23                 (1) *PRIOR TO CERTAIN CONTRACT MODIFICA-*  
24                 *TIONS.*—Not later than 60 days before the date on  
25                 which the Secretary of Defense modifies a contract



1        *awarded under chapter 55 of title 10, United States*  
2        *Code, to implement a value-based incentive program*  
3        *under section 1095h of such title, as added by sub-*  
4        *section (a), the Secretary shall provide to the Com-*  
5        *mittees on Armed Services of the House of Represent-*  
6        *atives and the Senate (and any other appropriate*  
7        *congressional committee upon request) a briefing on*  
8        *any implementation plan of the Secretary with re-*  
9        *spect to such a value-based incentive program.*

10            (2) *ANNUAL BRIEFING.*—*Not later than one year*  
11        *after the date of the enactment of this Act, and annu-*  
12        *ally thereafter through 2022, the Secretary shall pro-*  
13        *vide to the Committees on Armed Services of the*  
14        *House of Representatives and the Senate (and any*  
15        *other appropriate congressional committee upon re-*  
16        *quest) a briefing on the quality performance metrics*  
17        *and expenditures relating to a value-based incentive*  
18        *program developed and implemented under section*  
19        *1095h of title 10, United States Code, as added by*  
20        *subsection (a).*

21            (3) *APPROPRIATE CONGRESSIONAL COMMIT-*  
22        *TEES.*—*In this subsection, the term “appropriate con-*  
23        *gressional committees” means—*

24                    (A) *the congressional defense committees;*

25                    *and*

1                   (B) the Committee on Transportation and  
2                   Infrastructure of the House of Representatives  
3                   and the Committee on Commerce, Science, and  
4                   Transportation of the Senate.

5 **SEC. 707. IMPROVEMENTS TO MILITARY-CIVILIAN PARTNER-**  
6                   **SHIPS TO INCREASE ACCESS TO HEALTH**  
7                   **CARE AND READINESS.**

8           (a) *PARTNERSHIP AGREEMENTS.*—Subsection (a) of  
9           section 1096 of title 10, United States Code, is amended  
10          to read as follows:

11          “(a) *PARTNERSHIP AGREEMENTS.*—The Secretary of  
12          Defense may enter into a partnership agreement between  
13          facilities of the uniformed services and local or regional  
14          health care systems if the Secretary determines that such  
15          an agreement would—

16                  “(1) result in the delivery of health care to which  
17          covered beneficiaries are entitled under this chapter—

18                          “(A) in a more effective, efficient, or eco-  
19                          nomical manner; and

20                          “(B) at a level of quality at least com-  
21                          parable to the quality of services beneficiaries  
22                          would receive from a military medical treatment  
23                          facility; or

1           “(2) provide members of the armed forces with  
2           additional training opportunities to maintain readi-  
3           ness requirements.”.

4           (b) *IN GENERAL.*—Such section 1096 is further  
5 amended—

6           (1) by redesignating subsections (c) and (d) as  
7           subsections (f) and (g), respectively; and

8           (2) by inserting after subsection (b) the following  
9           new subsections:

10          “(c) *CRITERIA.*—In entering into an agreement under  
11 subsection (a) between a facility of the uniformed services  
12 and a local or regional health care system, the Secretary  
13 shall—

14           “(1) identify and analyze—

15           “(A) the health care delivery options pro-  
16           vided by the local or regional health care system;  
17           and

18           “(B) the health care services provided by the  
19           facility;

20           “(2) assess—

21           “(A) how such agreement affects the delivery  
22           of health care at the facility and the readiness of  
23           the members of the uniformed services;

1           “(B) the viability of the agreement with re-  
2           spect to succeeding on a long-term basis in the  
3           local community of the facility; and

4           “(C) the cost efficiency and effectiveness of  
5           the agreement; and

6           “(3) consult with—

7           “(A) the Secretary concerned;

8           “(B) representatives from such facility, in-  
9           cluding the leadership of the installation at  
10          which the facility is located, the leadership of the  
11          facility, and covered beneficiaries at such instal-  
12          lation;

13          “(C) the TRICARE managed care support  
14          contractor with responsibility for such facility;

15          “(D) officials of the Federal, State, and  
16          local governments, as appropriate; and

17          “(E) representatives from the local or re-  
18          gional health care system.

19          “(d) LOCAL CONSORTIUM.—The Secretary shall ensure  
20          that an agreement entered into under subsection (a) between  
21          a facility of the uniformed services and a local or regional  
22          health care system is developed by a consortium rep-  
23          resenting the community of the facility and such health care  
24          system.

1       “(e) *BIENNIAL EVALUATION.*—*The Secretary of De-*  
2 *fense shall evaluate each agreement entered into under sub-*  
3 *section (a) on a biennial basis to—*

4               “(1) *assess whether the agreement provides in-*  
5 *creased access to health care for covered beneficiaries;*

6               “(2) *assess the training opportunities to main-*  
7 *tain readiness requirements provided pursuant to*  
8 *such agreement; and*

9               “(3) *determine whether such agreement should*  
10 *continue.*”.

11       “(c) *REMOVAL OF REIMBURSEMENT LIMIT FOR LICENS-*  
12 *ING FEES.*—*Subsection (g) of such section 1096, as redesi-*  
13 *gnated by subsection (a), is amended by striking “up to \$500*  
14 *of”.*

15 **SEC. 708. JOINT TRAUMA SYSTEM.**

16       “(a) *PLAN.*—

17               “(1) *IN GENERAL.*—*Not later than 180 days after*  
18 *the date of the enactment of this Act, the Secretary of*  
19 *Defense shall submit to the Committees on Armed*  
20 *Services of the House of Representatives and the Sen-*  
21 *ate an implementation plan to establish a Joint*  
22 *Trauma System within the Defense Health Agency*  
23 *that promotes improved trauma care to members of*  
24 *the Armed Forces and other individuals who are eligi-*

1        *ble to be treated for trauma at a military medical*  
2        *treatment facility.*

3            (2) *IMPLEMENTATION.*—*The Secretary shall im-*  
4        *plement the plan under paragraph (1) after a 90-day*  
5        *period has elapsed following the date on which the*  
6        *Comptroller General of the United States is required*  
7        *to submit to the Committees on Armed Services of the*  
8        *House of Representatives and the Senate the review*  
9        *under subsection (c). In implementing such plan, the*  
10       *Secretary shall take into account any recommenda-*  
11       *tion made by the Comptroller General under such re-*  
12       *view.*

13          (b) *ELEMENTS.*—*The Joint Trauma System described*  
14       *in subsection (a)(1) shall include the following elements:*

15            (1) *Serve as the reference body for all trauma*  
16        *care provided across the military health system.*

17            (2) *Establish standards of care for trauma serv-*  
18        *ices provided at military medical treatment facilities.*

19            (3) *Coordinate the translation of research from*  
20        *the centers of excellence of the Department of Defense*  
21        *into standards of clinical trauma care.*

22            (4) *Coordinate the incorporation of lessons*  
23        *learned from the trauma education and training*  
24        *partnerships pursuant to section 709 into clinical*  
25        *practice.*

1           (c) *REVIEW.*—Not later than 120 days after the date  
2 on which the Secretary submits to the Committees on Armed  
3 Services of the House of Representatives and the Senate the  
4 implementation plan under subsection (a)(1), the Com-  
5 troller General of the United States shall submit to such  
6 committees a review of such plan to determine if each ele-  
7 ment under subsection (b) is included in such plan.

8           (d) *REVIEW OF MILITARY TRAUMA SYSTEM.*—In es-  
9 tablishing a Joint Trauma System, the Secretary of Defense  
10 may seek to enter into an agreement with a non-govern-  
11 mental entity with subject matter experts to—

12                   (1) conduct a system-wide review of the military  
13 trauma system; and

14                   (2) make publicly available a report containing  
15 such review and recommendations to establish a com-  
16 prehensive trauma system for the Armed Forces.

17 **SEC. 709. JOINT TRAUMA EDUCATION AND TRAINING DI-**  
18 **RECTORATE.**

19           (a) *ESTABLISHMENT.*—The Secretary of Defense shall  
20 establish a Joint Trauma Education and Training Direc-  
21 torate (in this section referred to as the “Directorate”) to  
22 ensure that the traumatologists of the Armed Forces main-  
23 tain readiness and are able to be rapidly deployed for future  
24 armed conflicts. The Secretary shall carry out this section

1 *in collaboration with the Secretaries of the military depart-*  
2 *ments.*

3 (b) *DUTIES.*—*The duties of the Directorate are as fol-*  
4 *lows:*

5 (1) *To enter into and coordinate the partner-*  
6 *ships under subsection (c).*

7 (2) *To establish the goals of such partnerships*  
8 *necessary for trauma combat casualty care teams led*  
9 *by traumatologists to maintain professional com-*  
10 *petency in trauma care.*

11 (3) *To establish metrics for measuring the per-*  
12 *formance of such partnerships in achieving such*  
13 *goals.*

14 (4) *To develop methods of data collection and*  
15 *analysis for carrying out paragraph (3).*

16 (5) *To communicate and coordinate lessons*  
17 *learned from such partnerships with the Joint Trau-*  
18 *ma System established under section 708.*

19 (c) *PARTNERSHIPS.*—

20 (1) *IN GENERAL.*—*The Secretary shall enter into*  
21 *partnerships with civilian academic medical centers*  
22 *and large metropolitan teaching hospitals that have*  
23 *level I civilian trauma centers.*

24 (2) *TRAUMA COMBAT CASUALTY CARE TEAMS.*—  
25 *Under the partnerships entered into with civilian*



1        *academic medical centers and large metropolitan*  
2        *teaching hospitals under paragraph (1), trauma com-*  
3        *bat casualty care teams of the Armed Forces led by*  
4        *traumatologists of the Armed Forces shall embed*  
5        *within the trauma centers of the medical centers and*  
6        *hospitals on an enduring basis.*

7                (3) *SELECTION.—The Secretary shall select civil-*  
8        *ian academic medical centers and large metropolitan*  
9        *teaching hospitals to enter into partnerships under*  
10        *paragraph (1) based on patient volume, acuity, and*  
11        *other factors the Secretary determines necessary to en-*  
12        *sure that the traumatologists of the Armed Forces and*  
13        *the associated clinical support teams have adequate*  
14        *and continuous exposure to critically injured pa-*  
15        *tients.*

16                (4) *CONSIDERATION.—In entering into partner-*  
17        *ships under paragraph (1), the Secretary may con-*  
18        *sider the experiences and lessons learned by the mili-*  
19        *tary departments that have entered into memoranda*  
20        *of understanding with civilian medical centers for*  
21        *trauma care.*

22                (d) *ANALYSIS.—The Secretary of Defense shall conduct*  
23        *an analysis to determine the number of traumatologists of*  
24        *the Armed Forces, by specialty, that must be maintained*

1 *within the Department of Defense to meet the requirements*  
2 *of the combatant commands.*

3 (e) *IMPLEMENTATION PLAN.*—*Not later than July 1,*  
4 *2017, the Secretary shall submit to the Committees on*  
5 *Armed Services of the House of Representatives and the*  
6 *Senate an implementation plan for establishing the Joint*  
7 *Trauma Education and Training Directorate under sub-*  
8 *section (a) and entering into partnerships under subsection*  
9 *(c).*

10 (f) *LEVEL I CIVILIAN TRAUMA CENTER DEFINED.*—  
11 *In this section, the term “level I civilian trauma center”*  
12 *means a comprehensive regional resource that is a tertiary*  
13 *care facility central to the trauma system and is capable*  
14 *of providing total care for every aspect of injury from pre-*  
15 *vention through rehabilitation.*

16 **SEC. 710. IMPROVEMENTS TO ACCESS TO HEALTH CARE IN**  
17 **MILITARY MEDICAL TREATMENT FACILITIES.**

18 (a) *FIRST CALL RESOLUTION.*—

19 (1) *IN GENERAL.*—*The Secretary of Defense shall*  
20 *implement standard processes to ensure that, in the*  
21 *case of a beneficiary contacting a military medical*  
22 *treatment facility over the telephone for, at a min-*  
23 *imum, scheduling an appointment, requesting a pre-*  
24 *scription drug refill, and other matters determined*

1       *appropriate by the Secretary, the needs of the bene-*  
2       *ficiary are met during the first such telephone call.*

3           (2) *METRICS.—The Secretary shall—*

4               (A) *develop metrics, collect data, and evalu-*  
5               *ate the performance of the processes implemented*  
6               *under paragraph (1); and*

7               (B) *carry out satisfaction surveys to mon-*  
8               *itor the satisfaction of beneficiaries with such*  
9               *processes, including with respect to the satisfac-*  
10              *tion regarding access to appointments and pa-*  
11              *tient care.*

12       (b) *APPOINTMENT SCHEDULING.—*

13           (1) *IN GENERAL.—The Secretary shall imple-*  
14           *ment standard processes to schedule beneficiaries for*  
15           *appointments at military medical treatment facili-*  
16           *ties.*

17           (2) *ELEMENTS.—The standard processes imple-*  
18           *mented under paragraph (1) shall include the fol-*  
19           *lowing:*

20               (A) *Requiring clinics at military medical*  
21               *treatment facilities to allow a beneficiary to*  
22               *schedule an appointment for wellness visits or*  
23               *follow-up appointments during the six-month or*  
24               *longer period beginning on the date of the request*  
25               *for the appointment.*

1           (B) *A process to remind a beneficiary of fu-*  
2           *ture appointments in a manner that the bene-*  
3           *ficiary prefers, which may include sending post-*  
4           *cards to the beneficiary prior to appointments*  
5           *and making reminder telephone calls, emails, or*  
6           *cellular text messages to the beneficiary at speci-*  
7           *fied intervals prior to appointments.*

8           (c) *APPOINTMENT SUPPLY AND DEMAND.—*

9           (1) *PRODUCTIVITY.—The Secretary shall imple-*  
10          *ment standards for the productivity of health care*  
11          *providers at military medical treatment facilities. In*  
12          *developing such standards, the Secretary shall con-*  
13          *sider civilian benchmarks for measuring the produc-*  
14          *tivity of health care providers, the optimal number of*  
15          *appointments (patient contact hours) required to*  
16          *maintain access according to the standards developed*  
17          *by the Secretary, and readiness requirements.*

18          (2) *MANAGING USE OF FACE-TO-FACE APPOINT-*  
19          *MENTS.—The Secretary shall implement strategies for*  
20          *managing the use of face-to-face appointments at*  
21          *military medical treatment facilities. Such strategies*  
22          *may include—*

23                  (A) *maximizing the use of telehealth and*  
24                  *virtual appointments for beneficiaries at the dis-*

1           cretion of the health care provider and the bene-  
2           ficiary;

3           (B) the implementation of remote patient  
4           monitoring of chronic conditions to improve out-  
5           comes and reduce the number of follow-up ap-  
6           pointments for beneficiaries; and

7           (C) maximizing the use of secure messaging  
8           between health care providers and beneficiaries  
9           to improve the access of beneficiaries to health  
10          care and reduce the number of visits for health  
11          care needs.

12          (d) *IMPLEMENTATION.*—The Secretary shall imple-  
13          ment subsections (a), (b), and (c) by not later than Feb-  
14          ruary 1, 2017.

15          (e) *BRIEFING.*—Not later than March 1, 2017, the Sec-  
16          retary shall provide the Committees on Armed Services of  
17          the House of Representatives and the Senate a briefing on  
18          the implementation of subsections (a), (b), and (c).

19          (f) *BENEFICIARIES DEFINED.*—In this section, the  
20          term “beneficiaries” means members of the Armed Forces  
21          and covered beneficiaries (as defined in section 1072(5) of  
22          title 10, United States Code).

23         **SEC. 711. ADOPTION OF CORE QUALITY PERFORMANCE**

24                                 **METRICS.**

25          (a) *ADOPTION.*—

1           (1) *IN GENERAL.*—Not later than 180 days after  
2           the date of the enactment of this Act, the Secretary of  
3           Defense shall adopt the core quality performance  
4           metrics agreed upon by the Core Quality Measures  
5           Collaborative for use by the military health system  
6           and in contracts awarded to carry out the TRICARE  
7           program.

8           (2) *CORE MEASURES.*—The core quality perform-  
9           ance metrics described in paragraph (1) shall include  
10          the following sets:

11                   (A) *Accountable care organizations, patient*  
12                   *centered medical homes and primary care.*

13                   (B) *Cardiology.*

14                   (C) *Gastroenterology.*

15                   (D) *HIV and hepatitis C.*

16                   (E) *Medical oncology.*

17                   (F) *Obstetrics and gynecology.*

18                   (G) *Orthopedics.*

19          (b) *DEFINITIONS.*—In this section:

20                   (1) The term “Core Quality Measures Collabo-  
21                   rative” means the collaboration between the Centers  
22                   for Medicare & Medicaid Services, major health in-  
23                   surance companies, national physician organizations,  
24                   and other entities to reach consensus on core perform-  
25                   ance measures reported by health care providers.

1           (2) *The term “TRICARE program” has the*  
2           *meaning given that term in section 1072 of title 10,*  
3           *United States Code.*

4 **SEC. 712. STUDY ON IMPROVING CONTINUITY OF HEALTH**  
5           **CARE COVERAGE FOR RESERVE COMPO-**  
6           **NENTS.**

7           (a) *STUDY.—The Secretary of Defense shall conduct a*  
8           *study of options for providing health care coverage that im-*  
9           *proves the continuity of health care provided to current and*  
10          *former members of the Selected Reserve of the Ready Reserve*  
11          *who are not—*

12           (1) *serving on active duty;*

13           (2) *eligible for the Transitional Assistance Man-*  
14          *agement Program under section 1145 of title 10,*  
15          *United States Code; or*

16           (3) *eligible for the Federal Employees Health*  
17          *Benefit Program under chapter 89 of title 5.*

18          (b) *ELEMENTS.—The study under subsection (a) shall*  
19          *address the following:*

20           (1) *Whether to allow current and former mem-*  
21          *bers of the Selected Reserve to participate in the Fed-*  
22          *eral Employees Health Benefit Program under chap-*  
23          *ter 89 of title 5.*

1           (2) *Whether to pay a stipend to current and*  
2 *former members to continue coverage in a health plan*  
3 *obtained by the member.*

4           (3) *Whether to allow current and former mem-*  
5 *bers to participate in the TRICARE program under*  
6 *section 1076d of title 10, United States Code.*

7           (4) *Whether to allow members of the National*  
8 *Guard assigned to Homeland Response Force Units*  
9 *mobilized for a State emergency pursuant to chapter*  
10 *9 of title 32, United States Code, to remain eligible*  
11 *for the TRICARE program.*

12           (5) *Any other options for providing health care*  
13 *coverage to current and former members of the Se-*  
14 *lected Reserve the Secretary considers appropriate.*

15           (c) *CONSULTATION.*—*In carrying out the study under*  
16 *subsection (a), the Secretary shall consult with, and obtain*  
17 *the opinions of, current and former members of the Selected*  
18 *Reserve, including the leadership of the Selected Reserve.*

19           (d) *SUBMISSION.*—

20           (1) *REPORT.*—*Not later than 180 days after the*  
21 *date of the enactment of this Act, the Secretary shall*  
22 *submit to the congressional defense committees a re-*  
23 *port on the study under subsection (a).*

24           (2) *MATTERS INCLUDED.*—*The report under*  
25 *paragraph (1) shall include the following:*



1           (A) *A description of the health care coverage*  
2 *options addressed by the Secretary under sub-*  
3 *section (b).*

4           (B) *Identification of such health care cov-*  
5 *erage option that the Secretary recommends as*  
6 *the best option.*

7           (C) *The justifications for such recommended*  
8 *best option.*

9           (D) *The number and proportion of the cur-*  
10 *rent and former members of the Selected Reserve*  
11 *projected to participate in such recommended*  
12 *best option.*

13           (E) *A determination of the appropriate cost*  
14 *sharing for such recommended best option with*  
15 *respect to the percentage contribution as a*  
16 *monthly premium for current members of the Se-*  
17 *lected Reserve.*

18           (F) *An estimate of the cost of implementing*  
19 *such recommended best option.*

20           (G) *Any legislative language required to*  
21 *implement such recommended best option.*

1           **Subtitle B—Other Health Care**  
2                           **Benefits**

3   **SEC. 721. PROVISION OF HEARING AIDS TO DEPENDENTS**  
4                           **OF RETIRED MEMBERS.**

5           *Section 1077 of title 10, United States Code, is amend-*  
6 *ed—*

7                   (1) *in subsection (a)(16), by striking “A hearing*  
8 *aid” and inserting “Except as provided by subsection*  
9 *(g), a hearing aid”; and*

10                   (2) *by adding at the end the following new sub-*  
11 *section:*

12                   “(g) *In addition to the authority to provide a hearing*  
13 *aid under subsection (a)(16), hearing aids may be sold*  
14 *under this section to dependents of former members of the*  
15 *uniformed services at cost to the United States.”.*

16   **SEC. 722. EXTENDED TRICARE PROGRAM COVERAGE FOR**  
17                           **CERTAIN MEMBERS OF THE NATIONAL**  
18                           **GUARD AND DEPENDENTS DURING CERTAIN**  
19                           **DISASTER RESPONSE DUTY.**

20           (a) *IN GENERAL.*—*Chapter 55 of title 10, United*  
21 *States Code, is amended by inserting after section 1076e*  
22 *the following new section:*

1 **“§ 1076f. TRICARE program: extension of coverage for**  
2 ***certain members of the National Guard***  
3 ***and dependents during certain disaster***  
4 ***response duty***

5       “(a) *EXTENDED COVERAGE.*—During a period in  
6 which a member of the National Guard is performing dis-  
7 aster response duty, the member shall be treated as being  
8 on active duty for a period of more than 30 days for pur-  
9 poses of the eligibility of the member and dependents of the  
10 member for health care benefits under the TRICARE pro-  
11 gram if such period immediately follows a period in which  
12 the member served on full-time National Guard duty under  
13 section 502(f) of title 32, including pursuant to chapter 9  
14 of such title, unless the Governor of the State (or, with re-  
15 spect to the District of Columbia, the mayor of the District  
16 of Columbia) determines that such extended eligibility is not  
17 in the best interest of the member or the State.

18       “(b) *CONTRIBUTION BY STATE.*—(1) *The Secretary*  
19 *may charge a State for the costs of providing coverage under*  
20 *the TRICARE program to members of the National Guard*  
21 *of the State and the dependents of the members pursuant*  
22 *to subsection (a). Such charges shall be paid from the funds*  
23 *of the State or from any other non-Federal funds.*

24       “(2) *Any amounts received by the Secretary under*  
25 *paragraph (1) shall be credited to the appropriation avail-*  
26 *able for the Defense Health Program Account under section*

1 1100 of this title, shall be merged with sums in such Ac-  
2 count that are available for the fiscal year in which col-  
3 lected, and shall be available under subsection (b) of such  
4 section, including to carry out subsection (a) of this section.

5 “(c) *DEFINITIONS.*—*In this section:*

6 “(1) The term ‘disaster response duty’ means  
7 duty performed by a member of the National Guard  
8 in State status pursuant to an emergency declaration  
9 by the Governor of the State (or, with respect to the  
10 District of Columbia, the mayor of the District of Co-  
11 lumbia) in response to a disaster or in preparation  
12 for an imminent disaster.

13 “(2) The term ‘State’ means each of the several  
14 States, the District of Columbia, the Commonwealth  
15 of Puerto Rico, and any territory or possession of the  
16 United States.”.

17 (b) *CLERICAL AMENDMENT.*—*The table of sections at*  
18 *the beginning of such chapter is amended by inserting after*  
19 *the item relating to section 1076e the following new item:*

“1076f. *TRICARE program: extension of coverage for certain members of the Na-  
tional Guard and dependents during certain disaster response  
duty.*”.

1                   **Subtitle C—Health Care**  
2                   **Administration**

3   **SEC. 731. PROSPECTIVE PAYMENT OF FUNDS NECESSARY**  
4                   **TO PROVIDE MEDICAL CARE FOR THE COAST**  
5                   **GUARD.**

6           (a) *IN GENERAL.*—Chapter 13 of title 14, United  
7 States Code, is amended by adding at the end the following:

8   “**§519. Prospective payment of funds necessary to pro-**  
9                   **vide medical care**

10           “(a) *PROSPECTIVE PAYMENT REQUIRED.*—In lieu of  
11 the reimbursement required under section 1085 of title 10,  
12 the Secretary of Homeland Security shall make a prospec-  
13 tive payment to the Secretary of Defense of an amount that  
14 represents the actuarial valuation of treatment or care—

15                   “(1) that the Department of Defense shall pro-  
16 vide to members of the Coast Guard, former members  
17 of the Coast Guard, and dependents of such members  
18 and former members (other than former members and  
19 dependents of former members who are a Medicare-eli-  
20 gible beneficiary or for whom the payment for treat-  
21 ment or care is made from the Medicare-Eligible Re-  
22 tiree Health Care Fund) at facilities under the jurisdic-  
23 tion of the Department of Defense or a military  
24 department; and

1           “(2) for which a reimbursement would otherwise  
2           be made under section 1085.

3           “(b) AMOUNT.—The amount of the prospective pay-  
4           ment under subsection (a) shall be—

5           “(1) in the case of treatment or care to be pro-  
6           vided to members of the Coast Guard and their de-  
7           pendents, derived from amounts appropriated for the  
8           operating expenses of the Coast Guard;

9           “(2) in the case of treatment or care to be pro-  
10          vided former members of the Coast Guard and their  
11          dependents, derived from amounts appropriated for  
12          retired pay;

13          “(3) determined under procedures established by  
14          the Secretary of Defense;

15          “(4) paid during the fiscal year in which treat-  
16          ment or care is provided; and

17          “(5) subject to adjustment or reconciliation as  
18          the Secretaries determine appropriate during or  
19          promptly after such fiscal year in cases in which the  
20          prospective payment is determined excessive or insuf-  
21          ficient based on the services actually provided.

22          “(c) NO PROSPECTIVE PAYMENT WHEN SERVICE IN  
23          NAVY.—No prospective payment shall be made under this  
24          section for any period during which the Coast Guard oper-  
25          ates as a service in the Navy.

1       “(d) *RELATIONSHIP TO TRICARE.*—This section shall  
 2 not be construed to require a payment for, or the prospective  
 3 payment of an amount that represents the value of, treat-  
 4 ment or care provided under any TRICARE program.”.

5       (b) *CLERICAL AMENDMENT.*—The analysis for chapter  
 6 13 of title 14, United States Code, is amended by adding  
 7 at the end the following:

“519. Prospective payment of funds necessary to provide medical care.”.

8       (c) *REPEAL.*—Section 217 of the Coast Guard Author-  
 9 ization Act of 2016 (Public Law 114–120), as amended by  
 10 section 3504, and the item relating to that section in the  
 11 table of contents in section 2 of such Act, are repealed.

12 **SEC. 732. REQUIREMENT TO REVIEW AND MONITOR PRE-**  
 13 **SCRIBING PRACTICES AT MILITARY TREAT-**  
 14 **MENT FACILITIES OF PHARMACEUTICAL**  
 15 **AGENTS FOR TREATMENT OF POST-TRAU-**  
 16 **MATIC STRESS.**

17       (a) *IN GENERAL.*—Not later than 180 days after the  
 18 date of the enactment of this Act, the Secretary of Defense  
 19 shall—

20           (1) conduct a comprehensive review of the pre-  
 21 scribing practices at military treatment facilities of  
 22 pharmaceutical agents for the treatment of post-trau-  
 23 matic stress;

24           (2) implement a process or processes to monitor  
 25 the prescribing practices at military treatment facili-

1 *ties of pharmaceutical agents that are discouraged*  
2 *from use under the VA/DOD Clinical Practice Guide-*  
3 *line for Management of Post-Traumatic Stress; and*

4 *(3) implement a plan to address any deviations*  
5 *from such guideline in prescribing practices of phar-*  
6 *maceutical agents for management of post-traumatic*  
7 *stress at such facilities.*

8 *(b) PHARMACEUTICAL AGENT DEFINED.—In this sec-*  
9 *tion, the term “pharmaceutical agent” has the meaning*  
10 *given that term in section 1074g(g) of title 10, United*  
11 *States Code.*

12 **SEC. 733. USE OF MEFLOQUINE FOR MALARIA.**

13 *(a) MEFLOQUINE.—In providing health care to mem-*  
14 *bers of the Armed Forces, the Secretary of Defense shall re-*  
15 *quire—*

16 *(1) that the use of mefloquine for the prophylaxis*  
17 *of malaria be limited to members with intolerance or*  
18 *contraindications to other chemoprophylaxis;*

19 *(2) that mefloquine be prescribed by a licensed*  
20 *medical provider on an individual basis, and*

21 *(3) that members prescribed mefloquine for ma-*  
22 *laria prophylaxis be counseled by the medical pro-*  
23 *vider about the potential side effects of the drug and*  
24 *be provided the Food and Drug Administration-re-*  
25 *quired patient information handouts.*



1       **(b) PROCESS AND REVIEW.**—

2               **(1) PROCESS.**—Not later than 180 days after the  
3       date of the enactment of this Act, in providing health  
4       care to members of the Armed Forces, the Secretary  
5       shall develop a standardized process to document the  
6       screening for contraindications and patient edu-  
7       cation, including a prior authorization form, to be  
8       used by all medical providers prescribing mefloquine  
9       for malaria prophylaxis.

10              **(2) ANNUAL REVIEW.**—The Secretary shall con-  
11       duct an annual review of each mefloquine prescrip-  
12       tion at all military medical treatment facilities to  
13       evaluate the documentation of the assessment for con-  
14       traindications, justification for not using other  
15       chemoprophylaxis, and patient education for the safe  
16       use of mefloquine and its side effects.

17              **(c) ADVERSE HEALTH EFFECTS OF MEFLOQUINE.**—  
18       The Secretary of Defense shall expand the missions of the  
19       Hearing Center of Excellence, the Vision Center of Excel-  
20       lence, the Defense Centers of Excellence for Psychological  
21       Health and Traumatic Brain Injury (including the Deploy-  
22       ment Health Clinical Center), and the Center for Deploy-  
23       ment Health Research to include, as appropriate, improv-  
24       ing the clinical evaluation, diagnosis, management, and ep-

1 *idemiological study of adverse health effects among members*  
2 *of the Armed Forces following exposure to mefloquine.*

3 **SEC. 734. APPLIED BEHAVIOR ANALYSIS.**

4 *(a) RATES OF REIMBURSEMENT.—*

5 *(1) IN GENERAL.—In furnishing applied behav-*  
6 *ior analysis under the TRICARE program to indi-*  
7 *viduals described in paragraph (2) during the period*  
8 *beginning on the date of the enactment of this Act,*  
9 *and ending on December 31, 2018, the Secretary of*  
10 *Defense shall ensure that the reimbursement rates for*  
11 *providers of applied behavior analysis are not less*  
12 *than the rates that were in effect on March 31, 2016.*

13 *(2) INDIVIDUALS DESCRIBED.—Individuals de-*  
14 *scribed in this paragraph are individuals who are*  
15 *covered beneficiaries (as defined in section 1072 of*  
16 *title 10, United States Code) by reason of being a*  
17 *member or former member of the Army, Navy, Air*  
18 *Force, or Marine Corps, including the reserve compo-*  
19 *nents thereof, or a dependent of such a member or*  
20 *former member.*

21 *(b) ANALYSIS.—*

22 *(1) IN GENERAL.—Upon the completion of the*  
23 *Department of Defense Comprehensive Autism Care*  
24 *Demonstration, the Assistant Secretary of Defense for*  
25 *Health Affairs shall conduct an analysis to—*

1           (A) use data gathered during the dem-  
2           onstration to set future reimbursement rates for  
3           providers of applied behavior analysis under the  
4           TRICARE program; and

5           (B) review comparative commercial insur-  
6           ance claims for purposes of setting such future  
7           rates, including by—

8                   (i) conducting an analysis of the com-  
9                   parative total of commercial insurance  
10                  claims billed for applied behavior analysis;  
11                  and

12                   (ii) reviewing any covered beneficiary  
13                  limitations on access to applied behavior  
14                  analysis services at various military instal-  
15                  lations throughout the United States.

16           (2) *SUBMISSION.*—The Assistant Secretary shall  
17           submit to the congressional defense committees the  
18           analysis conducted under paragraph (1).

19           (c) *FUNDING.*—

20                   (1) *INCREASE.*—Notwithstanding the amounts  
21                  set forth in the funding tables in division D, the  
22                  amount authorized to be appropriated in section 1405  
23                  for the Defense Health Program, as specified in the  
24                  corresponding funding table in section 4501, for Pri-  
25                  vate Sector Care is hereby increased by \$32,000,000.

1           (2) *OFFSET.*—Notwithstanding the amounts set  
2           forth in the funding tables in division D, the amount  
3           authorized to be appropriated in section 4301 for op-  
4           eration and maintenance, as specified in the cor-  
5           responding funding table in section 4301, for the Of-  
6           fice of the Secretary of Defense (Line 300) is hereby  
7           reduced by \$32,000,000.

8           (d) *SENSE OF CONGRESS.*—It is the sense of Congress  
9           that amounts should be appropriated for behavioral health  
10          treatment of TRICARE beneficiaries, including pursuant  
11          to this section, in a manner to ensure the appropriate and  
12          equitable access to such treatment by all such beneficiaries.

13                   ***Subtitle D—Reports and Other***  
14                   ***Matters***

15   **SEC. 741. MENTAL HEALTH RESOURCES FOR MEMBERS OF**  
16                   ***THE MILITARY SERVICES AT HIGH RISK OF***  
17                   ***SUICIDE.***

18          (a) *IN GENERAL.*—The Secretary of Defense shall de-  
19          velop a methodology that identifies which members and  
20          units of the military services are at high risk of suicide.

21          (b) *MENTAL HEALTH RESOURCES.*—

22                  (1) *HIGH RISK MEMBERS OF THE MILITARY*  
23                  *SERVICES.*—The Secretary of Defense shall use the re-  
24                  sults under subsection (c) to—

1           (A) identify which units have a dispropor-  
2           tionately high rate of suicide and suicide at-  
3           tempts; and

4           (B) provide additional preventative and  
5           treatment resources for mental health for mem-  
6           bers of the military services who were deployed  
7           with the units identified under subparagraph  
8           (A).

9           (2) *PREVENTATIVE MENTAL HEALTH CARE.*—The  
10          Secretary of Defense shall use the results under sub-  
11          section (c) to—

12           (A) identify the circumstances of deploy-  
13           ments associated with increased vulnerability to  
14           suicide, including the length of deployment, the  
15           region and area of deployment, and the nature  
16           and extent to which there was contact with  
17           enemy forces; and

18           (B) provide additional preventative mental  
19           health care to units who currently are, or will be,  
20           deployed under circumstances similar to those of  
21           subparagraph (A).

22           (3) *HIGH RISK VETERANS.*—The Secretary of  
23          Veterans Affairs shall use the results under subsection  
24          (c) to provide outreach regarding the available pre-  
25          ventative and treatment resources for mental health

1        *for enrolled veterans who were deployed with the units*  
2        *identified under this subsection.*

3        (c) *METHODOLOGY.*—*Not later than 180 days after the*  
4 *date of the enactment of this Act, the Secretary of Defense*  
5 *shall develop a methodology to assess the rate of suicide and*  
6 *suicide attempts of members of the military services of units*  
7 *that have been deployed in support of a contingency oper-*  
8 *ation after September 11, 2001.*

9        (d) *REPORTS.*—*Not later than September 30, 2017, the*  
10 *Secretary of Defense and the Secretary of Veterans Affairs*  
11 *shall submit to the Committee on Armed Services and the*  
12 *Committee on Veterans' Affairs of the House of Representa-*  
13 *tives and the Committee on Armed Services and the Com-*  
14 *mittee on Veterans' Affairs of the Senate a report on the*  
15 *activities carried out under this section and the effectiveness*  
16 *of such activities.*

17        (e) *RESTRICTION ON USE OF INFORMATION.*—*Infor-*  
18 *mation disclosed or obtained pursuant to the provisions of*  
19 *this section may be used by officers, employees, and contrac-*  
20 *tors of the Department of Defense only for the purposes of,*  
21 *and to the extent necessary in, carrying out this section.*

22        (f) *DEFINITIONS.*—*In this section:*

23            (1) *MILITARY SERVICES.*—*The term “military*  
24 *services” means the Army, Navy, Air Force, and the*

1 *Marine Corps, including the reserve components*  
2 *thereof.*

3 (2) *ENROLLED VETERAN.*—*The term “enrolled*  
4 *veteran” means a veteran enrolled in the health care*  
5 *system of the Department of Veterans Affairs.*

6 **SEC. 742. RESEARCH OF CHRONIC TRAUMATIC**  
7 **ENCEPHALOPATHY.**

8 *Of the funds authorized to be appropriated by this Act*  
9 *or otherwise made available for fiscal year 2017 for ad-*  
10 *vanced development for research, development, test, and*  
11 *evaluation for the Defense Health Program, not more than*  
12 *\$25,000,000 may be used to award grants to medical re-*  
13 *searchers and universities to support research into early de-*  
14 *tection of chronic traumatic encephalopathy.*

15 **SEC. 743. ACTIVE OSCILLATING NEGATIVE PRESSURE**  
16 **TREATMENT.**

17 *In furnishing health care and medical treatment to*  
18 *members of the Armed Forces who have incurred injuries*  
19 *from improvised explosive devices and other blast-related*  
20 *events, the Secretary of Defense shall consider using non-*  
21 *invasive technologies that increase blood flow to areas of re-*  
22 *duced circulation, including through the use of active oscil-*  
23 *lating negative pressure treatment.*

1 **SEC. 744. LONG-TERM STUDY ON HEALTH OF HELICOPTER**  
2 **AND TILTROTOR PILOTS.**

3 (a) *STUDY REQUIRED.*—*The Secretary of Defense shall*  
4 *carry out a long-term study of career helicopter and*  
5 *tiltrotor pilots to assess potential links between the oper-*  
6 *ation of helicopter and tiltrotor aircraft and acute and*  
7 *chronic medical conditions experienced by such pilots.*

8 (b) *ELEMENTS.*—*The study under subsection (a) shall*  
9 *include the following:*

10 (1) *A study of career helicopter and tiltrotor pi-*  
11 *lots compared to a control population that—*

12 (A) *takes into account the amount of time*  
13 *such pilots operated aircraft;*

14 (B) *examines the severity and rates of acute*  
15 *and chronic injuries experienced by such pilots;*  
16 *and*

17 (C) *determines whether such pilots experi-*  
18 *ence a higher degree of acute and chronic med-*  
19 *ical conditions than the control population.*

20 (2) *If a higher degree of acute and chronic med-*  
21 *ical conditions is observed among such pilots, an ex-*  
22 *planation of—*

23 (A) *the specific causes of the conditions*  
24 *(such as whole body vibration, seat and cockpit*  
25 *ergonomics, landing loads, hard impacts, and*  
26 *pilot-worn gear); and*



1                   (B) any costs associated with treating the  
2                   conditions if the causes are not mitigated.

3                   (3) A review of relevant scientific literature and  
4                   prior research.

5                   (4) Such other information as the Secretary de-  
6                   termines to be appropriate.

7                   (c) *DURATION*.—The duration of the study under sub-  
8                   section (a) shall be not more than 2 years.

9                   (d) *BRIEFING*.—Not later than June 6, 2017, the Sec-  
10                  retary shall provide to the Committees on Armed Services  
11                  of the Senate and House of Representatives (and other con-  
12                  gressional defense committees on request) a briefing on the  
13                  progress of the Secretary in carrying out the study under  
14                  subsection (a).

15   **SEC. 745. PILOT PROGRAM FOR PRESCRIPTION DRUG AC-**  
16                                   **QUISITION COST PARITY IN THE TRICARE**  
17                                   **PHARMACY BENEFITS PROGRAM.**

18                  (a) *AUTHORITY TO ESTABLISH PILOT PROGRAM*.—The  
19                  Secretary of Defense may conduct a pilot program to evalu-  
20                  ate whether, in carrying out the *TRICARE* pharmacy bene-  
21                  fits program under section 1074g of title 10, United States  
22                  Code, extending additional discounts for prescription drugs  
23                  filled at retail pharmacies will maintain or reduce pre-  
24                  scription drug costs for the Department of Defense.

1           (b) *ELEMENTS OF PILOT PROGRAM.*—*In carrying out*  
2 *the pilot program under subsection (a), the Secretary shall*  
3 *require that for prescription medications, including but not*  
4 *limited to non-generic maintenance medications, that are*  
5 *dispensed to retired TRICARE beneficiaries that are not*  
6 *Medicare eligible, through any TRICARE participating re-*  
7 *tail pharmacy, including small business pharmacies, man-*  
8 *ufacturers shall pay rebates such that those medications are*  
9 *available to the Department at the lowest rate available.*  
10 *In addition to utilizing the authority under section*  
11 *1074g(f) of title 10, United States Code, the Secretary shall*  
12 *have the authority to enter into a purchase blanket agree-*  
13 *ment with prescription drug manufactures for supple-*  
14 *mental discounts for prescription drugs dispensed in the*  
15 *pilot to be paid in the form of manufactures rebates.*

16           (c) *CONSULTATION.*—*The Secretary shall develop the*  
17 *pilot program in consultation with—*

18                   (1) *the Secretaries of the military departments,*  
19                   *including Army, Navy and Air Force;*

20                   (2) *the Chief, Pharmacy Operations Division, of*  
21                   *the Defense Health Agency; and*

22                   (3) *stakeholders, including TRICARE bene-*  
23                   *ficiaries and retail pharmacies.*

24           (d) *DURATION OF PILOT PROGRAM.*—*If the Secretary*  
25 *carries out the pilot program under subsection (a), the Sec-*

1 *retary shall commence such pilot program no later than Oc-*  
2 *tober 1, 2017, and may terminate such program no later*  
3 *than September 30, 2018.*

4 *(e) REPORTS.—If the Secretary carries out the pilot*  
5 *program under subsection (a), the Secretary of Defense shall*  
6 *submit to the congressional defense committees, including*  
7 *the House and Senate Committees on Armed Services, re-*  
8 *ports on the pilot program as follows:*

9 *(1) Not later than 90 days after the date of the*  
10 *enactment of this Act, a report containing an imple-*  
11 *mentation plan for the pilot program.*

12 *(2) Not later than 180 days after the date on*  
13 *which the pilot program commences, an interim re-*  
14 *port on the pilot program.*

15 *(3) Not later than 90 days after the date on*  
16 *which the pilot program terminates, a final report de-*  
17 *scribing the results of the pilot program, including*  
18 *any recommendations of the Secretary to expand such*  
19 *program. The final report will include—*

20 *(A) an analysis of the changes in prescrip-*  
21 *tion drug costs for the Department related to the*  
22 *pilot program;*

23 *(B) an analysis of the impact on bene-*  
24 *ficiary access to prescription drugs;*

1           (C) a survey of beneficiary satisfaction with  
2           the pilot program;

3           (D) a summary of any fraud and abuse ac-  
4           tivities related to the pilot and actions taken in  
5           response by the Department; and

6           (E) a comparison of immunization rates for  
7           beneficiaries participating in the pilot and those  
8           outside of the pilot.

9 **SEC. 746. STUDY ON DISPLAY OF WAIT TIMES AT URGENT**  
10 **CARE CLINICS, PHARMACIES, AND EMER-**  
11 **GENCY ROOMS OF MILITARY MEDICAL TREAT-**  
12 **MENT FACILITIES.**

13           (a) *STUDY.*—

14           (1) *IN GENERAL.*—*The Secretary of Defense shall*  
15 *conduct a study on the feasibility of placing in a con-*  
16 *spicuous location at each urgent care clinic of a mili-*  
17 *tary medical treatment facility, pharmacy of such a*  
18 *facility, and emergency room of such a facility an*  
19 *electronic sign that displays the current average wait*  
20 *time for a patient to be seen by a qualified medical*  
21 *professional or to receive a filled prescription, as the*  
22 *case may be.*

23           (2) *DETERMINATION OF CERTAIN WAIT TIMES.*—

24           *For purposes of conducting the study under para-*  
25 *graph (1) with respect to urgent care clinics and*

1        *emergency rooms, the average wait time that would be*  
2        *displayed shall be—*

3                *(A) determined by calculating, for the four-*  
4                *hour period preceding the calculation, the aver-*  
5                *age length of time beginning at the time of the*  
6                *arrival of a patient and ending at the time at*  
7                *which the patient is first seen by a doctor of*  
8                *medicine, a doctor of osteopathy, a physician as-*  
9                *stant, or an advanced registered nurse practi-*  
10               *tioner; and*

11               *(B) updated every 30 minutes.*

12        *(b) REPORT.—Not later than March 1, 2017, the Sec-*  
13        *retary shall submit to the Committees on Armed Services*  
14        *of the House of Representatives and the Senate a report on*  
15        *the study conducted under subsection (a)(1), including the*  
16        *estimated costs for displaying the wait times as described*  
17        *in such subsection.*

18        **SEC. 747. REPORT ON FEASIBILITY OF INCLUDING ACU-**  
19                **PUNCTURE AND CHIROPRACTIC SERVICES**  
20                **FOR RETIREES UNDER TRICARE PROGRAM.**

21        *Not later than November 1, 2016, the Secretary of De-*  
22        *fense shall submit to the congressional defense committees*  
23        *a report on the feasibility of furnishing acupuncture serv-*  
24        *ices and chiropractic services under the TRICARE program*  
25        *to beneficiaries who are retired members of the uniformed*

1 *services (not including any dependent of such a retired*  
2 *member).*

3 **SEC. 748. CLARIFICATION OF SUBMISSION OF REPORTS ON**  
4 **LONGITUDINAL STUDY ON TRAUMATIC BRAIN**  
5 **INJURY.**

6 *Section 1080 of the National Defense Authorization*  
7 *Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.*  
8 *1000; 10 U.S.C. 111 note) shall not apply to reports sub-*  
9 *mitted by the Secretary of Defense to Congress under section*  
10 *721 of the John Warner National Defense Authorization Act*  
11 *for Fiscal Year 2007 (Public Law 109–364; 120 Stat.*  
12 *2294).*

13 **SEC. 749. INCREASED COLLABORATION WITH NIH TO COM-**  
14 **BAT TRIPLE NEGATIVE BREAST CANCER.**

15 *The Office of Health of the Department of Defense shall*  
16 *work in collaboration with the National Institutes of Health*  
17 *to—*

18 *(1) identify specific genetic and molecular tar-*  
19 *gets and biomarkers for triple negative breast cancer;*  
20 *and*

21 *(2) provide information useful in biomarker se-*  
22 *lection, drug discovery, and clinical trials design that*  
23 *will enable both—*

1           (A) triple negative breast cancer patients to  
2           be identified earlier in the progression of their  
3           disease; and

4           (B) the development of multiple targeted  
5           therapies for the disease.

6 **SEC. 750. DEPARTMENT OF DEFENSE STUDIES ON PRE-**  
7           **VENTING THE DIVERSION OF OPIOID MEDICA-**  
8           **TIONS.**

9           (a) *STUDIES.*—With respect to programs of the De-  
10          partment of Defense that dispense drugs to patients, the  
11          Secretary of Defense (referred to in this section as the “Sec-  
12          retary”) shall study the feasibility, the effectiveness in pre-  
13          venting the diversion of opioid medications, and the cost-  
14          effectiveness of—

15               (1) requiring that such programs, in appropriate  
16               cases, dispense opioid medications in vials using af-  
17               fordable technologies designed to prevent access to the  
18               medications by anyone other than the intended pa-  
19               tient, such as a vial with a locking-cap closure mech-  
20               anism; and

21               (2) the Secretary providing education on the  
22               risks of opioid medications to individuals for whom  
23               such medications are prescribed, and to their families,  
24               with special consideration given to raising awareness  
25               among adolescents on such risks.

1       (b) *FEEDBACK*.—In conducting the studies under sub-  
 2 section (a), the Secretary shall seek feedback (on a confiden-  
 3 tial basis when appropriate) from the individuals and enti-  
 4 ties involved in the studies.

5       (c) *REPORT TO CONGRESS*.—Not later than one year  
 6 after the date of the enactment of this Act, the Secretary  
 7 shall submit to the Congress a report on the results of the  
 8 studies conducted under subsection (a).

9       **TITLE VIII—ACQUISITION POL-**  
 10       **ICY, ACQUISITION MANAGE-**  
 11       **MENT, AND RELATED MAT-**  
 12       **TERS**

13       **Subtitle A—Amendments to General**  
 14       **Contracting Authorities, Proce-**  
 15       **dures, and Limitations**

16       **SEC. 801. REVISION TO AUTHORITIES RELATING TO DE-**  
 17       **PARTMENT OF DEFENSE TEST RESOURCE**  
 18       **MANAGEMENT CENTER.**

19       Section 196 of title 10, United States Code, is amend-  
 20 ed—

21               (1) in subsection (c)(1)(B), by striking “of the  
 22 Major Range and Test Facility Base, including with  
 23 respect to the expansion, divestment, consolidation, or  
 24 curtailment of activities,” and inserting the following:  
 25 “that comprise the Major Range and Test Facility



1 *Base and other facilities and resources used to sup-*  
2 *port the acquisition programs of the Department of*  
3 *Defense”;*

4 *(2) in subsection (d)(2)(E)—*

5 *(A) by striking “plans and business case*  
6 *analyses supporting any significant modification*  
7 *of” and inserting “implementation plans and*  
8 *analyses supporting any significant change to”;*  
9 *and*

10 *(B) by striking “including with respect to*  
11 *the expansion, divestment, consolidation, or cur-*  
12 *tailment of activities”;*

13 *(3) in subsection (f)—*

14 *(A) in the subsection heading, by striking*  
15 *“MODIFICATIONS” and inserting “CHANGES”;*

16 *(B) in paragraph (1)—*

17 *(i) in the matter preceding subpara-*  
18 *graph (A), by striking “modification of the*  
19 *test” and all that follows through “activi-*  
20 *ties,” and inserting “change of the test and*  
21 *evaluation facilities and resources that com-*  
22 *prise the Major Range and Test Facility*  
23 *Base and other facilities and resources used*  
24 *to support the acquisition programs of the*  
25 *Department of Defense”;*

1           (ii) in subparagraph (A), by striking  
2           “a business case analysis for such modifica-  
3           tion” and inserting “an implementation  
4           plan and analysis, including an analysis of  
5           cost considerations, that supports such a  
6           change”; and

7           (iii) in subparagraph (B), by striking  
8           “analysis and approves such modification”  
9           and inserts “plan and analysis and ap-  
10          proves such change”; and

11          (C) in paragraph (2), by striking “business  
12          case” and inserting “implementation plan and”;  
13          and

14          (4) in subsection (i)—

15               (A) by striking “In this section, the term”  
16               and inserting “In this section:  
17               “(1) The term”; and

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

20               “(2) The term ‘significant change’ means—

21                       (A) any action that will limit or preclude  
22                       a test and evaluation capability from fully per-  
23                       forming its intended purpose;

24                       (B) any action that affects the ability of  
25                       the Department of Defense to conduct test and

1           *evaluation in a timely or cost-effective manner;*

2           *or*

3           *“(C) any expansion or addition that devel-*

4           *ops a new significant test capability.”.*

5 **SEC. 802. AMENDMENTS TO RESTRICTIONS ON**  
6 **UNDEFINITIZED CONTRACTUAL ACTIONS.**

7           *(a) ALLOWABLE PROFIT.—Section 2326(e) of title 10,*  
8 *United States Code, is amended—*

9           *(1) by redesignating paragraphs (1) and (2) as*  
10 *subparagraphs (A) and (B);*

11           *(2) by inserting “(1)” before “The head”; and*

12           *(3) by adding at the end the following new para-*  
13 *graph:*

14           *“(2) If a contractor submits a qualifying proposal to*  
15 *definitize an undefinitized contractual action and the con-*  
16 *tracting officer for such action definitized the contract after*  
17 *the end of the 180-day period beginning on the date on*  
18 *which the contractor submitted the qualifying proposal, the*  
19 *head of the agency concerned shall ensure that the profit*  
20 *allowed on the contract accurately reflects the cost risk of*  
21 *the contractor as it existed on the date the contractor sub-*  
22 *mitted the qualifying proposal.”.*

23           *(b) FOREIGN MILITARY SALES.—Section 2326 of such*  
24 *title is further amended—*

1           (1) *by redesignating subsections (f) and (g) as*  
2           *subsections (g) and (h), respectively;*

3           (2) *by inserting after subsection (e) the following*  
4           *new subsection (f):*

5           “(f) *FOREIGN MILITARY SALES.*—*A contracting officer*  
6 *of the Department of Defense may not enter into an*  
7 *undefinitized contractual action for a foreign military sale*  
8 *unless the contractual action provides for agreement upon*  
9 *contractual terms, specifications, and price by the end of*  
10 *the 180-day period beginning on the date on which the con-*  
11 *tractor submits a qualifying proposal to definitize such*  
12 *terms, specifications, and price. This subsection may be*  
13 *waived in the same manner as subsection (b) may be*  
14 *waived under subsection (b)(4).”.*

15          (c) *DEFINITIONS.*—*Subsection (h) of such section, as*  
16 *redesignated by subsection (b), is amended—*

17           (1) *in paragraph (1)—*

18                 (A) *by striking subparagraph (A); and*

19                 (B) *by redesignating subparagraphs (B),*  
20                 (C), *and (D) as subparagraphs (A), (B), and*  
21                 (C), *respectively; and*

22           (2) *in paragraph (2), by striking “complete and*  
23 *meaningful audits” and all that follows through the*  
24 *period and inserting “a meaningful audit of the in-*  
25 *formation contained in the proposal.”.*

1 **SEC. 803. REVISION TO REQUIREMENTS RELATING TO IN-**  
2 **VENTORY METHOD FOR DEPARTMENT OF DE-**  
3 **FENSE CONTRACTS FOR SERVICES.**

4 (a) *REVISION TO CURRENT REQUIREMENTS.*—Section  
5 2330a of title 10, United States Code, is amended—

6 (1) *by striking subsections (c), (d), (f), and (g);*

7 (2) *by redesignating subsections (e), (h), (i), and*  
8 *(j) as subsections (d), (e), (f), and (g), respectively;*  
9 *and*

10 (3) *by inserting after subsection (b) the following*  
11 *new subsection (c):*

12 “(c) *INVENTORY.*—(1) *The Secretary of Defense shall*  
13 *implement a method for inventory of Department of Defense*  
14 *contracts for services. The method implemented under this*  
15 *subsection shall provide the capability to—*

16 “(A) *make appropriate comparisons of con-*  
17 *tractor and Government civilian full-time equivalent*  
18 *employees for the purpose of informing sourcing deci-*  
19 *sions and workforce planning in compliance with sec-*  
20 *tion 129a of this title;*

21 “(B) *distinguish between different types of serv-*  
22 *ices contracts, including contracts for labor or staff*  
23 *augmentation and other types of services contracts;*

24 “(C) *provide qualitative information such as the*  
25 *nature of the work performed, the place where the*

1 *work is actually performed (on-site or off-site), and*  
2 *the entity for which the work is performed; and*

3 *“(D) identify the number of contractor employ-*  
4 *ees, expressed as full-time equivalents for direct labor,*  
5 *using direct labor hours and associated cost data col-*  
6 *lected from contractors.*

7 *“(2) The Secretary shall ensure that the method imple-*  
8 *mented under this subsection is auditable at minimal*  
9 *cost.”.*

10 *(b) IMPLEMENTATION OF INVENTORY METHOD.—Not*  
11 *later than 90 days after the date of the enactment of this*  
12 *Act, the Secretary of Defense shall implement a method for*  
13 *inventory of Department of Defense contracts for services,*  
14 *as required by subsection (c) of section 2330a, as amended*  
15 *by subsection (a). In implementing the method, the Sec-*  
16 *retary shall use methods and systems, including time-and-*  
17 *attendance systems, or combinations of methods and sys-*  
18 *tems, in existence as of the date of the enactment of this*  
19 *Act, as determined appropriate by the Secretary.*

20 *(c) SUBMISSION TO CONGRESS.—Not later than the*  
21 *end of the third quarter of each fiscal year, through fiscal*  
22 *year 2021, the Secretary of Defense shall submit to Congress*  
23 *a summary of the inventory reporting activities performed*  
24 *by each military department, each combatant command,*  
25 *and each Defense Agency, during the preceding fiscal year*

1 *pursuant to contracts for services (and pursuant to con-*  
2 *tracts for goods to the extent services are a significant com-*  
3 *ponent of performance as identified in a separate line item*  
4 *of a contract) for or on behalf of the Department of Defense.*

5 *(d) CONFORMING AMENDMENTS.—*

6 *(1) Section 2330a of title 10, United States*  
7 *Code, is further amended—*

8 *(A) in subsection (d), as redesignated by*  
9 *subsection (a)(2) of this section, by striking*  
10 *“Within 90 days after the date on which an in-*  
11 *ventory is submitted under subsection (c),” and*  
12 *inserting “Not later than the end of each fiscal*  
13 *year,”; and*

14 *(B) in subsection (e), as so redesignated—*

15 *(i) by striking “2014 and ending with*  
16 *2016” and inserting “2017 and ending with*  
17 *2018”; and*

18 *(ii) by striking “subsections (e) and*  
19 *(f)” and inserting “subsection (c)”.*

20 *(2) Section 235(b) of such title is amended—*

21 *(A) by striking “and separately” and all*  
22 *the follows through “amount requested” and in-*  
23 *serting “and separately identify the amount re-*  
24 *quested and the number of full-time contractor*

1           *employees (or the equivalent of full-time in the*  
2           *case of part-time contractor employees)”;*

3                   *(B) by striking “; and” and inserting a pe-*  
4           *riod; and*

5                   *(C) by striking paragraph (2).*

6 **SEC. 804. PROCUREMENT OF PERSONAL PROTECTIVE**  
7                   **EQUIPMENT.**

8           *Section 884 of the National Defense Authorization Act*  
9           *for Fiscal Year 2016 (Public Law 114–92; 129 Stat. 948;*  
10          *10 U.S.C. 2302 note) is amended—*

11                   *(1) by inserting “(a) REQUIREMENT.—” before*  
12           *“The Secretary of Defense”;*

13                   *(2) by striking “that is predominately” and all*  
14           *that follows through “price” and inserting “described*  
15           *in subsection (b)”;* and

16                   *(3) by adding at the end the following new sub-*  
17           *section:*

18                   *“(b) SOURCE SELECTION CRITERIA DESCRIBED.—For*  
19           *purposes of subsection (a), the source selection criteria de-*  
20           *scribed in this subsection are criteria—*

21                   *“(1) that are predominately based on technical*  
22           *qualifications of the item and not predominately*  
23           *based on price;*

24                   *“(2) that do not use reverse auction or lowest*  
25           *price technically acceptable contracting methods; and*



1           “(3) that reflect a preference for best value source  
2           selection methods.”.

3   **SEC. 805. REVISION TO EFFECTIVE DATE OF SENIOR EXECU-**  
4                   **TIVE BENCHMARK COMPENSATION FOR AL-**  
5                   **LOWABLE COST LIMITATIONS.**

6           (a) *REPEAL OF RETROACTIVE APPLICABILITY.*—Sec-  
7           tion 803(c) of the National Defense Authorization Act for  
8           Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1485; 10  
9           U.S.C. 2324 note) is amended by striking “amendments  
10          made by” and all that follows and inserting “amendments  
11          made by this section shall apply with respect to costs of  
12          compensation incurred after January 1, 2012, under con-  
13          tracts entered into on or after December 31, 2011.”.

14          (b) *APPLICABILITY.*—The amendment made by sub-  
15          section (a) shall take effect as of December 31, 2011, and  
16          shall apply as if included in the National Defense Author-  
17          ization Act for Fiscal Year 2012 as enacted.

18   **SEC. 806. AMENDMENTS RELATED TO DETECTION AND**  
19                   **AVOIDANCE OF COUNTERFEIT ELECTRONIC**  
20                   **PARTS.**

21          Section 818 of the National Defense Authorization Act  
22          for Fiscal Year 2012 (Public Law 112–81; 10 U.S.C. 2302  
23          note) is amended—

24                  (1) in paragraph (3) of subsection (c)—

1           (A) by striking the heading and inserting  
2           “SUPPLIERS MEETING ANTICOUNTERFEITING RE-  
3           QUIREMENTS.—”;

4           (B) in subparagraph (A)(i), by striking  
5           “trusted suppliers in accordance with regulations  
6           issued pursuant to subparagraph (C) or (D)  
7           who” and inserting “suppliers that meet  
8           anticounterfeiting requirements in accordance  
9           with regulations issued pursuant to subpara-  
10          graph (C) or (D) and that”;

11          (C) in subparagraphs (A)(ii) and (A)(iii),  
12          by striking “trusted suppliers” each place it ap-  
13          pears and inserting “suppliers that meet  
14          anticounterfeiting requirements”;

15          (D) in subparagraph (C), by striking “as  
16          trusted suppliers those” and inserting “sup-  
17          pliers”;

18          (E) in subparagraph (D) in the matter pre-  
19          ceding clause (i), by striking “trusted suppliers”  
20          and inserting “suppliers that meet  
21          anticounterfeiting requirements”; and

22          (F) in subparagraphs (D)(i) and (D)(iii),  
23          by striking “trusted” each place it appears; and

1           (2) in subsection (e)(2)(A)(v), by striking “use of  
2           trusted suppliers” and inserting “the use of suppliers  
3           that meet applicable anticounterfeiting requirements”.

4 **SEC. 807. AMENDMENTS TO SPECIAL EMERGENCY PRO-**  
5 **CUREMENT AUTHORITY.**

6           Section 1903(a) of title 41, United States Code, is  
7 amended—

8           (1) by striking “or” at the end of paragraph (1);

9           (2) by striking the period at the end of para-  
10          graph (2) and inserting a semicolon; and

11          (3) by adding after paragraph (2) the following  
12          new paragraphs:

13               “(3) in support of a request from the Secretary  
14          of State or the Administrator of the United States  
15          Agency for International Development to facilitate the  
16          provision of international disaster assistance pursu-  
17          ant to chapter 9 of part I of the Foreign Assistance  
18          Act of 1961 (22 U.S.C. 2292 et seq.); or

19               “(4) in support of an emergency or major dis-  
20          aster (as those terms are defined in section 102 of the  
21          Robert T. Stafford Disaster Relief and Emergency As-  
22          sistance Act (42 U.S.C. 5122)).”.

1 **SEC. 808. COMPLIANCE WITH DOMESTIC SOURCE REQUIRE-**  
2 **MENTS FOR FOOTWEAR FURNISHED TO EN-**  
3 **LISTED MEMBERS OF THE ARMED FORCES**  
4 **UPON THEIR INITIAL ENTRY INTO THE**  
5 **ARMED FORCES.**

6 *Section 418 of title 37, United States Code, is amended*  
7 *by adding at the end the following new subsection:*

8 *“(d)(1) In the case of athletic footwear needed by mem-*  
9 *bers of the Army, Navy, Air Force, or Marine Corps upon*  
10 *their initial entry into the armed forces, the Secretary of*  
11 *Defense shall furnish such footwear directly to the members*  
12 *instead of providing a cash allowance to the members for*  
13 *the purchase of such footwear.*

14 *“(2) In procuring athletic footwear to comply with*  
15 *paragraph (1), the Secretary of Defense shall comply with*  
16 *the requirements of section 2533a of title 10, without regard*  
17 *to the applicability of any simplified acquisition threshold*  
18 *under chapter 137 of title 10 (or any other provision of*  
19 *law).*

20 *“(3) This subsection does not prohibit the provision of*  
21 *a cash allowance to a member described in paragraph (1)*  
22 *for the purchase of athletic footwear if such footwear—*

23 *“(A) is medically required to meet unique phys-*  
24 *iological needs of the member; and*

25 *“(B) cannot be met with athletic footwear that*  
26 *complies with the requirements of this subsection.”.*

1 **SEC. 809. REQUIREMENT FOR POLICIES AND STANDARD**  
2 **CHECKLIST IN PROCUREMENT OF SERVICES.**

3 (a) *REQUIREMENT.*—Section 2330a of title 10, United  
4 States Code, as amended by section 803, is further amended  
5 by adding by adding at the end the following new sub-  
6 section:

7 “(h) *REQUEST FOR SERVICES CONTRACT AP-*  
8 *PROVAL.*—(1) *The Under Secretary of Defense for Personnel*  
9 *and Readiness shall—*

10 “(A) *ensure that Department of Defense Instruc-*  
11 *tion 1100.22, Guidance for Manpower Mix, is modi-*  
12 *fied to incorporate policies establishing a standard*  
13 *checklist to be completed ensuring the appropriate*  
14 *alignment of workload to the private sector prior to*  
15 *the issuance of a solicitation for any new contract for*  
16 *services or exercising an option under an existing*  
17 *contract for services, including services provided*  
18 *under a contract for goods; and*

19 “(B) *in coordination with the Under Secretary*  
20 *of Defense for Acquisition, Technology, and Logistics,*  
21 *ensure that such policies and checklist are incor-*  
22 *porated by reference or otherwise into the Service Re-*  
23 *quirements Review Board processes established under*  
24 *Department of Defense Instruction 5000.74 and into*  
25 *the pre-solicitation requirements of the Defense Fed-*  
26 *eral Acquisition Regulation Supplement.*

1       “(2) *Such checklist shall, at minimum, consolidate and*  
2 *address workforce management and sourcing considerations*  
3 *established under sections 129, 129a, 2461, and 2463 of this*  
4 *title as well as Office of Federal Procurement Policy Letter*  
5 *11–01.”.*

6       **(b) ARMY MODEL.**—*In implementing section 2330a(g)*  
7 *of title 10, United States Code, as added by subsection (a),*  
8 *the Under Secretary of Defense for Personnel and Readiness*  
9 *shall model, to the maximum extent practicable, its policies*  
10 *and checklist on the policies and checklist relating to serv-*  
11 *ices contract approval established and in use by the Depart-*  
12 *ment of the Army (as set forth in the request for services*  
13 *contract approval form updated as of August 2012, or any*  
14 *successor form).*

15       **(c) DEADLINE.**—*The policies required under such sec-*  
16 *tion 2230a(g) of such title, as so added, shall be issued with-*  
17 *in one year after the date of the enactment of this Act.*

18       **SEC. 809A. EXTENSION OF LIMITATION ON AGGREGATE AN-**  
19                               **NUAL AMOUNT AVAILABLE FOR CONTRACT**  
20                               **SERVICES.**

21       *Section 808 of the National Defense Authorization Act*  
22 *for Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1489),*  
23 *as most recently amended by section 813 of the National*  
24 *Defense Authorization Act for Fiscal Year 2015 (Public*  
25 *Law 113–291; 128 Stat. 3429) is further amended—*

1           (1) in subsections (a) and (b), by striking “or  
2           2015” and inserting “2015, 2016, or 2017”;

3           (2) in subsection (c)(3), by striking “and 2015”  
4           and inserting “2015, 2016, and 2017”;

5           (3) in subsection (d)(4), by striking “or 2015”  
6           and inserting “2015, 2016, or 2017”; and

7           (4) in subsection (e), by striking “2015” and in-  
8           serting “2017”.

9   **SEC. 809B. EXTENSION OF AUTHORITY FOR ENHANCED**  
10                           **TRANSFER OF TECHNOLOGY DEVELOPED AT**  
11                           **DEPARTMENT OF DEFENSE LABORATORIES.**

12           Section 801(e) of the National Defense Authorization  
13   Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat.  
14   804; 10 U.S.C. 2514 note) is amended by striking “2017”  
15   and inserting “2021”.

16   **Subtitle B—Provisions Relating to**  
17           **Major Defense Acquisition Pro-**  
18           **grams**

19   **SEC. 811. CHANGE IN DATE OF SUBMISSION TO CONGRESS**  
20                           **OF SELECTED ACQUISITION REPORTS.**

21           Section 2432(f) of title 10, United States Code, is  
22   amended by striking “45” the first place it occurs and in-  
23   serting “10”.

1 **SEC. 812. AMENDMENTS RELATING TO INDEPENDENT COST**  
2 **ESTIMATION AND COST ANALYSIS.**

3 (a) *AMENDMENTS.*—Section 2334 of title 10, United  
4 States Code, is amended—

5 (1) in subsection (a)(3), by striking “selection of  
6 confidence levels” both places it appears and inserting  
7 “discussion of risk”;

8 (2) in subsection (a)(6)—

9 (A) by inserting “or approve” after “con-  
10 duct”;

11 (B) by striking “major defense acquisition  
12 programs” and all that follows through “Author-  
13 ity—” and inserting “all major defense acquisi-  
14 tion programs, major automated information  
15 system programs, and major subprograms—”;  
16 and

17 (C) in subparagraph (B), by striking “or  
18 upon the request” and all that follows through  
19 the semicolon at the end and inserting “, upon  
20 the request of the Under Secretary of Defense for  
21 Acquisition, Technology, and Logistics, or upon  
22 the request of the milestone decision authority;”

23 (3) by redesignating subsections (b), (c), (d), (e),  
24 and (f) as subsections (c), (d), (e), (f), and (h), respec-  
25 tively;



1           (4) by inserting after subsection (a) the following  
2           new subsection (b):

3           “(b) *INDEPENDENT COST ESTIMATE REQUIRED BE-*  
4 *FORE APPROVAL.—(1) A milestone decision authority may*  
5 *not approve the system development and demonstration, or*  
6 *production and deployment, of a major defense acquisition*  
7 *program, major automated information system program, or*  
8 *major subprogram unless an independent cost estimate of*  
9 *the full life-cycle cost of the program or subprogram has*  
10 *been conducted or approved by the Director of Cost Assess-*  
11 *ment and Program Evaluation and considered by the mile-*  
12 *stone decision authority.*

13           “(2) *The regulations governing the content and sub-*  
14 *mission of independent cost estimates required by subsection*  
15 *(a) shall require that the independent cost estimate of the*  
16 *full life-cycle cost of a program or subprogram include—*

17           “(A) *all costs of development, procurement, mili-*  
18 *tary construction, operations and support, and*  
19 *trained manpower to operate, maintain, and support*  
20 *the program or subprogram upon full operational de-*  
21 *ployment, without regard to funding source or man-*  
22 *agement control; and*

23           “(B) *an analysis to support decision making*  
24 *that identifies and evaluates alternative courses of ac-*

1        *tion that may reduce cost, reduce risk, and result in*  
2        *more affordable programs.”;*

3            (5) *in subsection (d), as so redesignated, in*  
4        *paragraph (3), by striking “confidence level” and in-*  
5        *serting “discussion of risk”;*

6            (6) *in subsection (e), as so redesignated—*

7            (A) *by amending the subsection heading to*  
8        *read as follows: “DISCUSSION OF RISK IN COST*  
9        *ESTIMATES.—”;*

10          (B) *by amending paragraph (1) to read as*  
11        *follows:*

12          “(1) *issue guidance requiring a discussion of*  
13        *risk, the potential impacts of risk on program costs,*  
14        *and approaches to mitigate risk in cost estimates for*  
15        *major defense acquisition programs, major automated*  
16        *information system programs, and major subpro-*  
17        *grams;”;*

18          (C) *in paragraph (2)—*

19            (i) *by striking “such confidence level*  
20        *provides” and inserting “cost estimates pro-*  
21        *vide”; and*

22            (ii) *by inserting “or subprogram” after*  
23        *“the program”; and*

24          (D) *in paragraph (3), by striking “disclo-*  
25        *sure required by paragraph (1)” and inserting*

1           *“information required in the guidance under*  
2           *paragraph (1)”*; and

3           *(7) by inserting after subsection (f), as so redesi-*  
4           *gnated, the following new subsection:*

5           *“(g) GUIDELINES AND COLLECTION OF COST DATA.—*

6           *(1) The Director of Cost Assessment and Program Evalua-*  
7           *tion shall, in consultation with the Under Secretary of De-*  
8           *fense for Acquisition, Technology, and Logistics, develop*  
9           *policies, procedures, guidance, and a collection method to*  
10           *ensure that acquisition cost data are collected in a stand-*  
11           *ardized format that facilitates cost estimation and compari-*  
12           *son across acquisition programs.*

13           *“(2) The program manager and contracting officer for*  
14           *each major defense acquisition program, major automated*  
15           *information system program, and major subprogram, in*  
16           *consultation with the cost estimating component of the rel-*  
17           *evant military department or Defense Agency, shall ensure*  
18           *that cost data are collected in accordance with the require-*  
19           *ments of paragraph (1) for any acquisition program in an*  
20           *amount greater than \$100,000,000.*

21           *“(3) The requirement under paragraph (1) may be*  
22           *waived only by the Director of Cost Assessment and Pro-*  
23           *gram Evaluation.”*

24           *(b) CONFORMING AMENDMENTS TO ADD SUBPRO-*  
25           *GRAMS.—Section 2334 of such title is further amended—*

1           (1) in subsection (a)(2), by inserting “or major  
2           subprogram” before “under chapter 144”;

3           (2) in paragraphs (3), (4), and (5) of subsection  
4           (a) and in subsection (c)(1) (as redesignated by sub-  
5           section (a) of this section), by striking “major defense  
6           acquisition programs and major automated informa-  
7           tion system programs” and inserting “major defense  
8           acquisition programs, major automated information  
9           system programs, and major subprograms” each place  
10          it appears;

11          (3) in paragraphs (1) and (2) of subsection (d)  
12          (as so redesignated), and in subsection (f)(4) (as so  
13          redesignated), by striking “major defense acquisition  
14          program or major automated information system pro-  
15          gram” and inserting “major defense acquisition pro-  
16          gram, major automated information system program,  
17          or major subprogram” each place it appears;

18          (4) in subsection (d)(4) (as so redesignated), by  
19          inserting before the period “or major subprogram”;

20          (5) in subsection (e)(3)(B) (as so redesignated),  
21          by inserting “or major subprogram” after “major de-  
22          fense acquisition program”; and

23          (6) in subsection (f)(3) (as so redesignated), by  
24          striking “major defense acquisition program and  
25          major automated information system program” and

1        *inserting “major defense acquisition program, major*  
2        *automated information system program, and major*  
3        *subprogram”.*

4        *(c) REPEAL.—Chapter 144 of such title is amended—*

5                *(1) by striking section 2434; and*

6                *(2) in the table of sections at the beginning of*  
7        *such chapter, by striking the item relating to such sec-*  
8        *tion.*

9        **SEC. 813. REVISIONS TO MILESTONE B DETERMINATIONS.**

10        *Section 2366b(a)(3) of title 10, United States Code, is*  
11        *amended—*

12                *(1) in subparagraph (B), by striking “acquisi-*  
13        *tion cost in” and all that follows through the semi-*  
14        *colon, and inserting “life-cycle cost;”; and*

15                *(2) in subparagraph (D), by striking “funding*  
16        *is” and all that follows through “made,” and insert-*  
17        *ing “funding is expected to be available to execute the*  
18        *product development and production plan for the pro-*  
19        *gram,”.*

20        **SEC. 814. REVIEW AND REPORT ON SUSTAINMENT PLAN-**  
21                **NING IN THE ACQUISITION PROCESS.**

22        *(a) REQUIREMENT FOR REVIEW.—The Secretary of*  
23        *Defense shall conduct a review of the extent to which*  
24        *sustainment matters are considered in decisions related to*  
25        *the requirements, acquisition, cost estimating, and pro-*

1 *gramming and budgeting processes for major defense acqui-*  
2 *sition programs. The review shall include the following:*

3           (1) *A determination of whether information re-*  
4 *lated to the operation and sustainment of major de-*  
5 *fense acquisition programs, including cost data, is*  
6 *available to inform decisions made during those proc-*  
7 *esses.*

8           (2) *If such information exists, an evaluation of*  
9 *the completeness, timeliness, quality, and suitability*  
10 *of the information for aiding in decisions made dur-*  
11 *ing those processes.*

12           (3) *A determination of whether information re-*  
13 *lated to the operation and sustainment of existing*  
14 *major weapon systems is used to forecast the oper-*  
15 *ation and sustainment needs of major weapon sys-*  
16 *tems proposed for or under development.*

17           (4) *A description of the potential benefits from*  
18 *improved completeness, timeliness, quality, and suit-*  
19 *ability of data on operation and support costs and*  
20 *increased consideration of such data.*

21           (5) *Recommendations for improving access to*  
22 *and consideration of operation and support cost data.*

23           (6) *An assessment of product support strategies*  
24 *for major weapon systems required by section 2337 of*

1 *title 10, United States Code, or other similar life-cycle*  
2 *sustainment strategies, including an evaluation of—*

3 *(A) the stage at which such strategies are*  
4 *developed during the life of a major weapon sys-*  
5 *tem;*

6 *(B) the content and completeness of such*  
7 *strategies;*

8 *(C) the extent to which such strategies influ-*  
9 *ence the planning for major defense acquisition*  
10 *programs; and*

11 *(D) the extent to which such strategies in-*  
12 *fluence decisions related to the life-cycle manage-*  
13 *ment and product support of major weapon sys-*  
14 *tems.*

15 *(7) An assessment of how effectively the military*  
16 *departments consider sustainment matters at key de-*  
17 *cision points for acquisition and life-cycle manage-*  
18 *ment in accordance with the requirements of sections*  
19 *2431a, 2366a, 2366b, and 2337 of title 10, United*  
20 *States Code and section 832 of the National Defense*  
21 *Authorization Act for Fiscal Year 2012 (Public Law*  
22 *112–81; 10 U.S.C. 2430 note).*

23 *(8) Recommendations for improving the consid-*  
24 *eration of sustainment during the requirements, ac-*

1        *quisition, cost estimating, programming and budg-*  
2        *eting processes.*

3        *(b) CONTRACT WITH INDEPENDENT ENTITY.—Not*  
4        *later than 30 days after the date of the enactment of this*  
5        *Act, the Secretary shall enter into a contract with an inde-*  
6        *pendent entity with appropriate expertise to conduct the*  
7        *review required by subsection (a). The contract also shall*  
8        *require the entity to provide to the Secretary a report on*  
9        *the findings of the entity.*

10        *(c) BRIEFING.—Not later than March 1, 2017, the Sec-*  
11        *retary shall provide a briefing to the Committees on Armed*  
12        *Services of the Senate and House of Representatives on the*  
13        *preliminary findings of the independent entity.*

14        *(d) SUBMISSION TO CONGRESS.—Not later than Au-*  
15        *gust 1, 2017, the Secretary shall submit to the congressional*  
16        *defense committees a copy of the report of the independent*  
17        *entity, along with comments on the report, proposed revi-*  
18        *sions or clarifications to laws related to life-cycle manage-*  
19        *ment or sustainment planning for major weapon systems,*  
20        *and a description of any actions the Secretary may take*  
21        *to revise or clarify regulations related to life-cycle manage-*  
22        *ment or sustainment planning for major weapon systems.*



1 **SEC. 815. REVISION TO DISTRIBUTION OF ANNUAL REPORT**  
 2 **ON OPERATIONAL TEST AND EVALUATION.**

3 *Section 139(h) of title 10, United States Code, is*  
 4 *amended—*

5 *(1) in paragraph (2)—*

6 *(A) by inserting “the Secretaries of the*  
 7 *military departments,” after “Logistics,”; and*

8 *(B) by striking “10 days” and all that fol-*  
 9 *lows through “title 31” and inserting “January*  
 10 *31 of each year, through January 31, 2021”;* and

11 *(2) in paragraph (5), by inserting after “Sec-*  
 12 *retary” the following: “of Defense and the Secretaries*  
 13 *of the military departments”.*

14 **Subtitle C—Provisions Relating to**  
 15 **Commercial Items**

16 **SEC. 821. REVISION TO DEFINITION OF COMMERCIAL ITEM.**

17 *(a) IN GENERAL.—Section 103(8) of title 41, United*  
 18 *States Code, is amended by striking “to multiple State and*  
 19 *local governments” and inserting “to State, local, or foreign*  
 20 *governments”.*

21 *(b) EFFECT ON SECTION 2464.—Nothing in this sec-*  
 22 *tion or the amendment made by this section shall affect the*  
 23 *meaning of the term “commercial item” under section*  
 24 *(a)(5) of section 2464 of title 10, United States Code, or*  
 25 *any requirement under subsection (a)(3) or subsection (c)*  
 26 *of such section.*

1 **SEC. 822. MARKET RESEARCH FOR DETERMINATION OF**  
2 **PRICE REASONABLENESS IN ACQUISITION OF**  
3 **COMMERCIAL ITEMS.**

4 *Section 2377 of title 10, United States Code, is amend-*  
5 *ed—*

6 *(1) by redesignating subsection (d) as subsection*  
7 *(e), and in that subsection by striking “subsection*  
8 *(c)” and inserting “subsections (c) and (d)”;* and

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

11 *“(d) MARKET RESEARCH FOR PRICE ANALYSIS.—The*  
12 *Secretary of Defense shall ensure that procurement officials*  
13 *in the Department of Defense conduct or obtain market re-*  
14 *search to support the determination of the reasonableness*  
15 *of price for commercial items contained in any bid or offer*  
16 *submitted in response to an agency solicitation. To the ex-*  
17 *tent necessary to support such market research, the procure-*  
18 *ment official for the solicitation—*

19 *“(1) in the case of items acquired under section*  
20 *2379 of this title, shall use information submitted*  
21 *under subsection (d) of that section; and*

22 *“(2) in the case of other items, may require the*  
23 *offeror to submit relevant information.”.*

1 **SEC. 823. VALUE ANALYSIS FOR THE DETERMINATION OF**  
2 **PRICE REASONABLENESS.**

3 *Subsection 2379(d) of title 10, United States Code, is*  
4 *amended—*

5 *(1) by redesignating paragraph (2) as para-*  
6 *graph (3); and*

7 *(2) by inserting after paragraph (1) the fol-*  
8 *lowing new paragraph (2):*

9 *“(2) An offeror may submit information or analysis*  
10 *relating to the value of a commercial item to aid in the*  
11 *determination of the reasonableness of the price of such*  
12 *item. A contracting officer may consider such information*  
13 *or analysis in addition to the information submitted pursu-*  
14 *ant to paragraphs (1)(A) and (1)(B).”.*

15 **SEC. 824. CLARIFICATION OF REQUIREMENTS RELATING TO**  
16 **COMMERCIAL ITEM DETERMINATIONS.**

17 *Paragraphs (1) and (2) of section 2380 of title 10,*  
18 *United States Code, are amended to read as follows:*

19 *“(1) establish and maintain a centralized capa-*  
20 *bility with necessary expertise and resources to pro-*  
21 *vide assistance to the military departments and De-*  
22 *fense Agencies in making commercial item determina-*  
23 *tions, conducting market research, and performing*  
24 *analysis of price reasonableness for the purposes of*  
25 *procurements by the Department of Defense; and*

1           “(2) provide to officials of the Department of De-  
2       fense access to previous Department of Defense com-  
3       mercial item determinations, market research, and  
4       analysis used to determine the reasonableness of price  
5       for the purposes of procurements by the Department  
6       of Defense.”.

7   **SEC. 825. PILOT PROGRAM FOR AUTHORITY TO ACQUIRE IN-**  
8                   **NOVATIVE COMMERCIAL ITEMS USING GEN-**  
9                   **ERAL SOLICITATION COMPETITIVE PROCE-**  
10                  **DURES.**

11       (a) *AUTHORITY.*—*The Secretary of Defense may carry*  
12 *out a pilot program, to be known as a “commercial solu-*  
13 *tions opening pilot program”, under which innovative com-*  
14 *mercial items may be acquired through a competitive selec-*  
15 *tion of proposals resulting from a general solicitation and*  
16 *the peer review of such proposals.*

17       (b) *TREATMENT AS COMPETITIVE PROCEDURES.*—*Use*  
18 *of general solicitation competitive procedures for the pilot*  
19 *program under subsection (a) shall be considered to be use*  
20 *of competitive procedures for purposes of chapter 137 of title*  
21 *10, United States Code.*

22       (c) *LIMITATIONS ON FUNDING.*—

23           (1) *LIMITATION ON INDIVIDUAL CONTRACT*  
24 *AMOUNT.*—*The Secretary may not enter into a con-*

1        *tract under the pilot program for an amount in ex-*  
2        *cess of \$10,000,000.*

3            (2) *ANNUAL LIMITATION.*—*The total amount that*  
4        *may be obligated or expended under the pilot pro-*  
5        *gram for a fiscal year may not exceed \$75,000,000.*

6            (d) *LIMITATION RELATING TO MAJOR DEFENSE AC-*  
7        *QUISITION PROGRAM SYSTEMS.*—*The Secretary may not*  
8        *acquire innovative commercial items under the pilot pro-*  
9        *gram to replace a system under a major defense acquisition*  
10       *program in its entirety.*

11          (e) *GUIDANCE.*—*The Secretary shall issue guidance for*  
12       *the implementation of the pilot program under this section*  
13       *within the Department of Defense. Such guidance shall be*  
14       *issued in consultation with the Office of Management and*  
15       *Budget and shall be posted for access by the public.*

16          (f) *REPORTS REQUIRED.*—

17            (1) *IN GENERAL.*—*Not later than six months*  
18       *after the initiation of the pilot program, and every*  
19       *six months thereafter, the Secretary shall submit to*  
20       *the Committees on Armed Services of the Senate and*  
21       *House of Representatives a report on the activities the*  
22       *Department of Defense carried out under the pilot*  
23       *program.*

24            (2) *ELEMENTS OF REPORT.*—*The report under*  
25       *this subsection shall include the following:*

1           (A) *An assessment of the impact of the pilot*  
2           *program on competition.*

3           (B) *An assessment of the ability under the*  
4           *pilot program to attract proposals from non-*  
5           *traditional defense contractors (as defined in sec-*  
6           *tion 2302(9) of title 10, United States Code).*

7           (C) *A comparison of acquisition timelines*  
8           *for—*

9                   (i) *procurements made using the pilot*  
10                  *program; and*

11                   (ii) *procurements made using other*  
12                  *competitive procedures that do not use gen-*  
13                  *eral solicitations.*

14           (D) *A recommendation on whether the au-*  
15           *thority for the pilot program should be made*  
16           *permanent.*

17           (3) *TERMINATION OF REPORT REQUIREMENT.—*

18           *The requirement to submit a report under this sub-*  
19           *section shall terminate on the date occurring five*  
20           *years after the date of the enactment of this Act.*

21           (g) *DEFINITION.—In this section, the term “innova-*  
22           *tive” means—*

23                   (1) *any new technology, process, or method, able*  
24                  *to be used to improve or replace existing information*  
25                  *system applications, programs, or networks, or used*

1       to improve research and development of information  
2       technology advancements; or

3               (2) any new application of an existing tech-  
4       nology, process, or method.

5       (h) *TERMINATION*.—The authority to enter into a con-  
6       tract under a pilot program under this section terminates  
7       on the date occurring five years after the date of the enact-  
8       ment of this Act.

## 9                   **Subtitle D—Other Matters**

### 10 **SEC. 831. REVIEW AND REPORT ON THE BID PROTEST** 11                   **PROCESS.**

12       (a) *REVIEW*.—The Secretary of Defense shall conduct  
13       a review of the bid protest processes related to major defense  
14       acquisition programs. The review shall examine the extent  
15       to which—

16               (1) the incidence and duration of bid protests  
17       have increased or decreased during the previous dec-  
18       ade;

19               (2) bid protests have delayed procurement of  
20       items or services;

21               (3) there are differences in the incidence and out-  
22       comes of bid protests filed by incumbent and non-in-  
23       cumbent contractors;

24               (4) protests filed by incumbent contractors result  
25       in extension of the period of performance of a con-

1        *tract, and whether there are benefits (monetary or*  
2        *non-monetary) to incumbent contractors under such*  
3        *circumstances; and*

4            *(5) there are alternative actions or authorities*  
5        *that could give the Government more flexibility in*  
6        *managing contracts if a bid protest is filed.*

7        *(b) CONTRACT WITH INDEPENDENT ENTITY.—Not*  
8        *later than 30 days after the date of the enactment of this*  
9        *Act, the Secretary of Defense shall enter into a contract with*  
10       *an independent entity with appropriate expertise to con-*  
11       *duct the review required in subsection (a).*

12       *(c) BRIEFING.—Not later than March 1, 2017, the Sec-*  
13       *retary, or his designee, shall brief the Committees on Armed*  
14       *Services of the Senate and House of Representatives on in-*  
15       *terim findings of the independent entity.*

16       *(d) REPORT.—Not later than July 1, 2017, the Sec-*  
17       *retary shall submit to the congressional defense committees*  
18       *a report on the findings of the independent entity, along*  
19       *with a description of any actions that the Secretary pro-*  
20       *poses to address the findings of the independent entity.*

21       **SEC. 832. REVIEW AND REPORT ON INDEFINITE DELIVERY**

22                            **CONTRACTS.**

23       *(a) REPORT.—The Comptroller General of the United*  
24       *States shall deliver, not later than March 31, 2018, a report*  
25       *to Congress on the use by the Department of Defense of in-*



1 *definite delivery contracts entered into during fiscal years*  
2 *2015, 2016, and 2017.*

3 (b) *ELEMENTS.*—*The report under subsection (a) shall*  
4 *address, at a minimum, the following:*

5 (1) *A review of Department of Defense policies*  
6 *for using indefinite delivery contracts, including re-*  
7 *quirements for competition.*

8 (2) *The number and value of all indefinite deliv-*  
9 *ery contracts entered into by the Department of De-*  
10 *fense.*

11 (3) *An assessment of the number and value of in-*  
12 *definite delivery contracts entered into by the Depart-*  
13 *ment of Defense that included competition between*  
14 *multiple vendors.*

15 (4) *Selected case studies of indefinite delivery*  
16 *contracts, including an assessment of whether any*  
17 *such contracts may have limited future opportunities*  
18 *for competition for the services or items required.*

19 (5) *Recommendations for potential changes to*  
20 *current law or Department of Defense acquisition reg-*  
21 *ulations to promote competition with respect to in-*  
22 *definite delivery contracts.*

1 **SEC. 833. REVIEW AND REPORT ON CONTRACTUAL FLOW-**  
2 **DOWN PROVISIONS.**

3 (a) *REVIEW REQUIRED.*—*The Secretary of Defense*  
4 *shall conduct a review of contractual flow-down provisions*  
5 *related to major defense acquisition programs. The review*  
6 *shall—*

7 (1) *identify the flow-down provisions that exist*  
8 *in the Federal Acquisition Regulation and the Defense*  
9 *Federal Acquisition Regulation Supplement;*

10 (2) *identify the flow-down provisions that are*  
11 *critical for national security;*

12 (3) *examine the extent to which clauses in con-*  
13 *tracts with the Department of Defense are being ap-*  
14 *plied inappropriately in subcontracts under the con-*  
15 *tracts;*

16 (4) *assess the applicability of flow-down provi-*  
17 *sions for the purchase of commodity items that are*  
18 *acquired in bulk for multiple acquisition programs;*

19 (5) *determine the unnecessary costs or burdens,*  
20 *if any, of flow-down provisions on the supply chain;*  
21 *and*

22 (6) *determine the effect, if any, of flow-down pro-*  
23 *visions on the participation rate of small businesses*  
24 *and non-traditional defense contractors in defense*  
25 *procurements.*

1       (b) *CONTRACT.*—Not later than 30 days after the date  
2 of the enactment of this Act, the Secretary of Defense shall  
3 enter into a contract with an independent entity with ap-  
4 propriate expertise to conduct the review required by sub-  
5 section (a).

6       (c) *BRIEFING.*—Not later than March 1, 2017, the Sec-  
7 retary, or his designee, shall brief the Committees on Armed  
8 Services of the Senate and the House of Representatives on  
9 interim findings of the independent entity as well as initial  
10 recommendations of the entity on how to modify or elimi-  
11 nate contractual flow-down requirements that the entity  
12 considers burdensome or unnecessary.

13       (d) *REPORT.*—Not later than August 1, 2017, the Sec-  
14 retary shall submit to the congressional defense committees  
15 a report on the findings of the independent entity, along  
16 with a description of any actions that the Secretary pro-  
17 poses to address the findings of the independent entity.

18 **SEC. 834. REVIEW OF ANTI-COMPETITIVE SPECIFICATIONS**  
19                   **IN INFORMATION TECHNOLOGY ACQUISI-**  
20                   **TIONS.**

21       (a) *REVIEW REQUIRED.*—Not later than 180 days  
22 after the date of the enactment of this Act, the Under Sec-  
23 retary of Defense for Acquisition, Technology, and Logistics  
24 shall conduct a review of the policy, guidance, regulations,  
25 and training related to specifications included in informa-

1 *tion technology acquisitions to ensure current policies*  
2 *eliminate the unjustified use of potentially anti-competitive*  
3 *specifications. In conducting the review, the Under Sec-*  
4 *retary shall examine the use of brand names or proprietary*  
5 *specifications or standards in solicitations for procurements*  
6 *of goods and services, as well as the current acquisition*  
7 *training curriculum related to those areas.*

8       **(b) BRIEFING REQUIRED.**—*Not later than 270 days*  
9 *after the date of the enactment of this Act, the Under Sec-*  
10 *retary shall provide a briefing to the Committees on Armed*  
11 *Services of the Senate and House of Representatives on the*  
12 *results of the review required by subsection (a).*

13       **(c) ADDITIONAL GUIDANCE.**—*Not later than one year*  
14 *after the date of the enactment of this Act, the Under Sec-*  
15 *retary shall revise policies, guidance, and training to incor-*  
16 *porate such recommendations as the Under Secretary con-*  
17 *siders appropriate from the review required by subsection*  
18 *(a).*

19 **SEC. 835. COAST GUARD MAJOR ACQUISITION PROGRAMS.**

20       **(a) FUNCTIONS OF CHIEF ACQUISITION OFFICER.**—  
21 *Section 56(c) of title 14, United States Code, is amended*  
22 *by striking “and” after the semicolon at the end of para-*  
23 *graph (8), striking the period at the end of paragraph (9)*  
24 *and inserting “; and”, and adding at the end the following:*

1           “(10)(A) keeping the Commandant informed of  
2           the progress of major acquisition programs (as that  
3           term is defined in section 581);

4           “(B) informing the Commandant on a con-  
5           tinuing basis of any developments on such programs  
6           that may require new or revisited trade-offs among  
7           cost, schedule, technical feasibility, and performance,  
8           including—

9                   “(i) significant cost growth or schedule slip-  
10                   page; and

11                   “(ii) requirements creep (as that term is de-  
12                   fined in section 2547(c)(1) of title 10); and

13           “(C) ensuring that the views of the Commandant  
14           regarding such programs on cost, schedule, technical  
15           feasibility, and performance trade-offs are strongly  
16           considered by program managers and program execu-  
17           tive officers in all phases of the acquisition process.”.

18           (b) CUSTOMER SERVICE MISSION OF DIRECTORATE.—

19                   (1) IN GENERAL.—Chapter 15 of title 14, United  
20                   States Code, is amended—

21                           (A) in section 561(b)—

22                                   (i) in paragraph (1), by striking “;  
23                                   and” and inserting a semicolon;

24                                   (ii) in paragraph (2), by striking the  
25                                   period and inserting “; and”; and

1                   (iii) by adding at the end the fol-  
2                   lowing:

3                   “(3) to meet the needs of customers of major ac-  
4                   quisition programs in the most cost-effective manner  
5                   practicable.”;

6                   (B) in section 562, by repealing subsection  
7                   (b) and redesignating subsections (c) through (g)  
8                   as subsections (b) through (f), respectively;

9                   (C) in section 563, by striking “Not later  
10                  than 180 days after the date of enactment of the  
11                  Coast Guard Authorization Act of 2010, the  
12                  Commandant shall commence implementation  
13                  of” and inserting “The Commandant shall main-  
14                  tain”;

15                  (D) by adding at the end of section 564 the  
16                  following:

17                  “(c) ACQUISITION OF UNMANNED AERIAL SYSTEMS.—

18                  “(1) IN GENERAL.—The Commandant—

19                  “(A) may not award a contract for design  
20                  of an unmanned aerial system for use by the  
21                  Coast Guard; and

22                  “(B) may acquire an unmanned aerial sys-  
23                  tem only—

24                  “(i) if such a system has been acquired  
25                  or has been used by the Department of De-

1           *fense or the Department of Homeland Secu-*  
 2           *rity, or a component thereof, before the date*  
 3           *on which the Commandant acquires the sys-*  
 4           *tem; and*

5           “(ii) *through an agreement with such*  
 6           *department or component, unless the un-*  
 7           *manned aerial system can be obtained at*  
 8           *less cost through independent contract ac-*  
 9           *tion.*

10           “(2) *LIMITATION ON APPLICATION.—The limita-*  
 11           *tions of paragraph (1)(B) shall not apply to any*  
 12           *small unmanned aerial system that consists of—*

13           “(A) *an unmanned aircraft weighing less*  
 14           *than 55 pounds on takeoff, including all compo-*  
 15           *nents and equipment on board or otherwise at-*  
 16           *tached to the aircraft; and*

17           “(B) *associated elements (including commu-*  
 18           *nication links and the components that control*  
 19           *such aircraft) that are required for the safe and*  
 20           *efficient operation of such aircraft.”;*

21           “(E) *in subchapter II, by adding at the end*  
 22           *the following:*

23           **“§ 578. *Role of Vice Commandant in major acquisition***  
 24   ***programs***

25           *“The Vice Commandant—*

1           “(1) shall represent the customer of a major ac-  
2           quisition program with regard to trade-offs made  
3           among cost, schedule, technical feasibility, and per-  
4           formance with respect to such program; and

5           “(2) shall advise the Commandant in decisions  
6           regarding the balancing of resources against prior-  
7           ities, and associated trade-offs referred to in para-  
8           graph (1), on behalf of the customer of a major acqui-  
9           sition program.

10 **“§579. Extension of major acquisition program con-**  
11 **tracts**

12           “(a) *IN GENERAL.*—Notwithstanding section 564(a)(2)  
13 of this title and section 2304 of title 10, and subject to sub-  
14 sections (b) and (c) of this section, the Secretary may ac-  
15 quire additional units procured under a Coast Guard major  
16 acquisition program contract, by extension of such contract  
17 without competition, if the Comptroller General of the  
18 United States determines that the costs that would be saved  
19 through award of a new contract in accordance with such  
20 sections would not exceed the costs of such an award.

21           “(b) *LIMITATION ON NUMBER OF ADDITIONAL*  
22 *UNITS.*—The number of additional units acquired under a  
23 contract extension under this section may not exceed the  
24 number of additional units for which such determination  
25 is made.



1       “(c) *DETERMINATION OF COSTS UPON REQUEST.*—  
 2 *The Comptroller General shall, at the request of the Sec-*  
 3 *retary, determine for purposes of this section—*

4               “(1) *the costs that would be saved through award*  
 5 *of a new major acquisition program contract in ac-*  
 6 *cordance with section 564(a)(2) for the acquisition of*  
 7 *a number of additional units specified by the Sec-*  
 8 *retary; and*

9               “(2) *the costs of such award, including the costs*  
 10 *that would be incurred due to acquisition schedule*  
 11 *delays and asset design changes associated with such*  
 12 *award.*

13       “(d) *NUMBER OF EXTENSIONS.*—*A contract may be*  
 14 *extended under this section more than once.”; and*

15               *(F) in section 581—*

16                       *(i) by redesignating paragraphs (7)*  
 17 *through (10) as paragraphs (9) through*  
 18 *(12), respectively, and by redesignating*  
 19 *paragraphs (3) through (6) as paragraphs*  
 20 *(4) through (7), respectively;*

21                       *(ii) by inserting after paragraph (2)*  
 22 *the following:*

23               “(3) *CUSTOMER OF A MAJOR ACQUISITION PRO-*  
 24 *GRAM.*—*The term ‘customer of a major acquisition*  
 25 *program’ means the operating field unit of the Coast*

1 *Guard that will field the system or systems acquired*  
 2 *under a major acquisition program.”; and*

3 *(iii) by inserting after paragraph (7),*

4 *as so redesignated, the following:*

5 *“(8) MAJOR ACQUISITION PROGRAM.—The term*  
 6 *‘major acquisition program’ means an ongoing acqui-*  
 7 *sition undertaken by the Coast Guard with a life-*  
 8 *cycle cost estimate greater than or equal to*  
 9 *\$300,000,000.”.*

10 *(2) CONFORMING AMENDMENT.—Section 569a of*  
 11 *such title is amended by striking subsection (e).*

12 *(3) CLERICAL AMENDMENT.—The analysis at the*  
 13 *beginning of such chapter is amended by adding at*  
 14 *the end of the items relating to subchapter II the fol-*  
 15 *lowing:*

*“578. Role of Vice Commandant in major acquisition programs.*

*“579. Extension of major acquisition program contracts.”.*

16 *(c) REVIEW REQUIRED.—*

17 *(1) REQUIREMENT.—The Commandant of the*  
 18 *Coast Guard shall conduct a review of—*

19 *(A) the authorities provided to the Com-*  
 20 *mandant in chapter 15 of title 14, United States*  
 21 *Code, and other relevant statutes and regulations*  
 22 *related to Coast Guard acquisitions, including*  
 23 *developing recommendations to ensure that the*  
 24 *Commandant plays an appropriate role in the*

1           *development of requirements, acquisition proc-*  
2           *esses, and the associated budget practices;*

3           *(B) implementation of the strategy prepared*  
4           *in accordance with section 562(b)(2) of title 14,*  
5           *United States Code, as in effect before the enact-*  
6           *ment of the National Defense Authorization Act*  
7           *for Fiscal Year 2017; and*

8           *(C) acquisition policies, directives, and reg-*  
9           *ulations of the Coast Guard to ensure such poli-*  
10          *cies, directives, and regulations establish a cus-*  
11          *tommer-oriented acquisition system.*

12          *(2) REPORT.—Not later than March 1, 2017, the*  
13          *Commandant shall submit to the Committee on*  
14          *Transportation and Infrastructure of the House of*  
15          *Representatives and the Committee on Commerce,*  
16          *Science, and Transportation of the Senate a report*  
17          *containing, at a minimum, the following:*

18                 *(A) The recommendations developed by the*  
19                 *Commandant under paragraph (1) and other re-*  
20                 *sults of the review conducted under such para-*  
21                 *graph.*

22                 *(B) The actions the Commandant is taking,*  
23                 *if any, within the Commandant's existing au-*  
24                 *thority to implement such recommendations.*

1           (3) *MODIFICATION OF POLICIES, DIRECTIVES,*  
2 *AND REGULATIONS.*—Not later than one year after the  
3 *date of the enactment of this Act, the Commandant of*  
4 *the Coast Guard shall modify the acquisition policies,*  
5 *directives, and regulations of the Coast Guard as nec-*  
6 *essary to ensure the development and implementation*  
7 *of a customer-oriented acquisition system, pursuant*  
8 *to the review under paragraph (1)(C).*

9           (d) *ANALYSIS OF USING MULTIYEAR CONTRACTING.*—

10           (1) *IN GENERAL.*—No later than one year after  
11 *the date of the enactment of this Act, the Secretary of*  
12 *the department in which the Coast Guard is oper-*  
13 *ating shall submit to the Committee on Transpor-*  
14 *tation and Infrastructure of the House of Representa-*  
15 *tives and the Committee on Commerce, Science, and*  
16 *Transportation of the Senate an analysis of the use*  
17 *of multiyear contracting, including procurement au-*  
18 *thority provided under section 2306b of title 10,*  
19 *United States Code, and authority similar to that*  
20 *granted to the Navy under section 121(b) of the Na-*  
21 *tional Defense Authorization Act for Fiscal Year 1998*  
22 *(Public Law 105–85; 111 Stat. 1648) and section 150*  
23 *of the Continuing Appropriations Act, 2011 (Public*  
24 *Law 111–242; 124 Stat. 3519), to acquire any com-*  
25 *bination of at least five—*

1           (A) *Fast Response Cutters, beginning with*  
2           *hull 43; and*

3           (B) *Offshore Patrol Cutters, beginning with*  
4           *hull 5.*

5           (2) *CONTENTS.—The analysis under paragraph*  
6           *(1) shall include the costs and benefits of using*  
7           *multiyear contracting, the impact of multiyear con-*  
8           *tracting on delivery timelines, and whether the acqui-*  
9           *sitions examined would meet the tests for the use of*  
10          *multiyear procurement authorities.*

11 **SEC. 836. WAIVER OF CONGRESSIONAL NOTIFICATION FOR**  
12                           **ACQUISITION OF TACTICAL MISSILES AND**  
13                           **MUNITIONS GREATER THAN QUANTITY SPEC-**  
14                           **IFIED IN LAW.**

15          Section 2308(c) of title 10, United States Code, is  
16 *amended—*

17           (1) *by inserting “(1)” before “The head”;*

18           (2) *by inserting “, except as provided in para-*  
19           *graph (2),” after “but”; and*

20           (3) *by adding at the end the following new para-*  
21           *graph:*

22           “(2) *A notification is not required under paragraph*  
23           *(1) if the end item being acquired in a higher quantity is*  
24           *an end item under a tactical missile program or a muni-*  
25           *tion program.”.*

1 **SEC. 837. CLOSEOUT OF OLD DEPARTMENT OF THE NAVY**  
2 **CONTRACTS.**

3 (a) *AUTHORITY.*—Notwithstanding any other provi-  
4 sion of law, the Secretary of the Navy may close out the  
5 contracts described in subsection (b) through the issuance  
6 of one or more modifications to such contracts without com-  
7 pleting further reconciliation audits or corrective actions  
8 other than those described in this section. To accomplish  
9 closeout of such contracts—

10 (1) *remaining contract balances may be offset*  
11 *with balances in other contract line items within a*  
12 *contract regardless of the year or type of appropria-*  
13 *tion obligated to fund each contract line item and re-*  
14 *gardless of whether the appropriations for such con-*  
15 *tract line items have closed; and*

16 (2) *remaining contract balances may be offset*  
17 *with balances on other contracts regardless of the year*  
18 *or type of appropriation obligated to fund each con-*  
19 *tract and regardless of whether the appropriations for*  
20 *such contract line item have closed.*

21 (b) *CONTRACTS COVERED.*—The contracts covered by  
22 this section are a group of contracts that are with one con-  
23 tractor and identified by the Secretary, each one of which  
24 is a contract—

25 (1) *to design, construct, repair, or support the*  
26 *construction or repair of Navy submarines that—*

1           (A) was entered into between fiscal years  
2           1974 and 1998; and

3           (B) has no further supply or services  
4           deliverables due under the terms and conditions  
5           of the contract;

6           (2) with respect to which the Secretary of the  
7           Navy has established the total final contract value;  
8           and

9           (3) with respect to which the Secretary of the  
10          Navy has determined that the final allowable cost  
11          may have a negative or positive unliquidated obliga-  
12          tion balance for which it would be difficult to deter-  
13          mine the year or type of appropriation because—

14               (A) the records for the contract have been  
15               destroyed or lost; or

16               (B) the records for the contract are avail-  
17               able but the contracting officer, in collaboration  
18               with the certifying official, has determined that  
19               a discrepancy is of such a minimal value that  
20               the time and effort required to determine the  
21               cause of an out-of-balance condition is dis-  
22               proportionate to the amount of the discrepancy.

23          (c) *CLOSEOUT*.—The contracts described in subsection  
24          (b) may be closed out—

1           (1) upon receipt of \$581,803 from the contractor,  
2           to be deposited into the Treasury as miscellaneous re-  
3           ceipts; and

4           (2) without seeking further amounts from the  
5           contractor, and without payment to the contractor of  
6           any amounts that may be due under such contracts.

7           (d) *ADJUSTMENT AND CLOSURE OF RECORDS.*—After  
8           closeout of any contract described in subsection (b) using  
9           the authority of this section, the payment or accounting of-  
10          fices concerned may adjust and close any open finance and  
11          accounting records relating to the contract.

12 **SEC. 838. REQUIREMENT THAT CERTAIN SHIP COMPO-**  
13                   **NENTS BE MANUFACTURED IN THE NA-**  
14                   **TIONAL TECHNOLOGY AND INDUSTRIAL**  
15                   **BASE.**

16          (a) *ADDITIONAL PROCUREMENT LIMITATION.*—Section  
17          2534(a) of title 10, United States Code, is amended by add-  
18          ing at the end the following new paragraph:

19                   “(6) *COMPONENTS FOR AUXILIARY SHIPS.*—Sub-  
20          ject to subsection (k), the following components:

21                           “(A) *Auxiliary equipment, including*  
22                           *pumps, for all shipboard services.*

23                           “(B) *Propulsion system components, includ-*  
24                           *ing engines, reduction gears, and propellers.*

25                           “(C) *Shipboard cranes.*



1                   “(D) Spreaders for shipboard cranes.”.

2           (b) *IMPLEMENTATION.*—Such section is further amend-  
3 ed by adding at the end the following new subsection:

4           “(k) *IMPLEMENTATION OF AUXILIARY SHIP COMPO-*  
5 *NENT LIMITATION.*—Subsection (a)(6) applies only with re-  
6 spect to contracts awarded by the Secretary of a military  
7 department for new construction of an auxiliary ship after  
8 the date of the enactment of the National Defense Authoriza-  
9 tion Act for Fiscal Year 2017 using funds available for Na-  
10 tional Defense Sealift Fund programs or Shipbuilding and  
11 Conversion, Navy.”.

12 **SEC. 839. DEPARTMENT OF DEFENSE ACQUISITION WORK-**  
13 **FORCE DEVELOPMENT FUND DETERMINA-**  
14 **TION ADJUSTMENT.**

15           Subsection (d)(2)(D) of section 1705 of title 10, United  
16 States Code, is amended by inserting after “\$400,000,000”  
17 the following: “except that, in the case of fiscal year 2017,  
18 the Secretary may reduce the amount to \$0”.

1 **SEC. 840. AMENDMENT TO PROHIBITION ON PERFORMANCE**  
 2 **OF NON-DEFENSE AUDITS BY DEFENSE CON-**  
 3 **TRACT AUDIT AGENCY TO EXEMPT AUDITS**  
 4 **FOR NATIONAL NUCLEAR SECURITY ADMINIS-**  
 5 **TRATION.**

6 *Section 893(a) of the National Defense Authorization*  
 7 *Act for Fiscal Year 2016 (Public Law 114–92; Stat. 952)*  
 8 *is amended—*

9 *(1) in paragraph (1), by striking “Effective”*  
 10 *and inserting “Except as provided in paragraph (3),*  
 11 *effective”; and*

12 *(2) by adding at the end the following new para-*  
 13 *graph:*

14 *“(3) EXCEPTION.—In this subsection, the term*  
 15 *‘non-Defense Agencies’ does not include the National*  
 16 *Nuclear Security Administration.”.*

17 **SEC. 841. SELECTION OF SERVICE PROVIDERS FOR AUDIT-**  
 18 **ING SERVICES AND AUDIT READINESS SERV-**  
 19 **ICES.**

20 *The Department of Defense shall select service pro-*  
 21 *viders for auditing services and audit readiness services*  
 22 *based on the best value to the Department, as determined*  
 23 *by the resource sponsor for an auditing contract, rather*  
 24 *than based on the lowest price technically acceptable service*  
 25 *provider.*

1 **SEC. 842. MODIFICATIONS TO THE JUSTIFICATION AND AP-**  
2 **PROVAL PROCESS FOR CERTAIN SOLE-**  
3 **SOURCE CONTRACTS FOR SMALL BUSINESS**  
4 **CONCERNS.**

5 (a) *REPEAL OF SIMPLIFIED JUSTIFICATION AND AP-*  
6 *PROVAL PROCESS.*—Section 811 of the National Defense  
7 Authorization Act for Fiscal Year 2010 (Public Law 111–  
8 84; 123 Stat. 2405; 41 U.S.C. 3304 note) is repealed.

9 (b) *REQUIREMENTS FOR JUSTIFICATION AND AP-*  
10 *PROVAL PROCESS.*—

11 (1) *DEFENSE PROCUREMENTS.*—Section  
12 2304(f)(2)(D)(ii) of title 10, United States Code, is  
13 amended by inserting “only if such procurement is  
14 for property or services in an amount less than  
15 \$20,000,000” before the semicolon at the end.

16 (2) *CIVILIAN PROCUREMENTS.*—Section  
17 3304(e)(4) of title 41, United States Code, is amend-  
18 ed—

19 (A) in subparagraph (C), by striking “or”  
20 at the end;

21 (B) in subparagraph (D), by striking “or  
22 section 8(a) of the Small Business Act (15  
23 U.S.C. 637(a)).” and inserting “; or”; and

24 (C) by adding at the end the following new  
25 subparagraph:

1           “(E) the procurement is for property or  
2           services in an amount less than \$20,000,000 and  
3           is conducted under section 8(a) of the Small  
4           Business Act (15 U.S.C. 637(a)).”.

5 **SEC. 843. BRIEFING ON DESIGN-BUILD CONSTRUCTION**  
6           **PROCESS FOR DEFENSE CONTRACTS.**

7           Not later than February 1, 2017, the Secretary of De-  
8           fense shall provide to the Committee on Armed Services of  
9           the House of Representatives a briefing on the use and im-  
10          plementation of the two-phase design-build selection proce-  
11          dures. The briefing shall address the following:

12           (1) How the Department of Defense continues to  
13           implement the updates to the Federal Acquisition  
14           Regulation that implemented the 2015 amendments to  
15           section 2305a, title 10, United States Code.

16           (2) A list of instances in which the Department  
17           awarded a design-build contract pursuant to section  
18           2305a of title 10, United States Code, that had more  
19           than five finalists for phase-two requests for proposals  
20           during fiscal year 2016, and the list of design-build  
21           requests for proposals that used a one-step process.

22           (3) Any feedback the Department has received  
23           from industry.

24           (4) Any challenges to the implementation of the  
25           statute.

1           (5) *Any additional criteria identified by the Sec-*  
2           *retary.*

3 **SEC. 844. ASSESSMENT OF OUTREACH FOR SMALL BUSI-**  
4           **NESS CONCERNS OWNED AND CONTROLLED**  
5           **BY WOMEN AND MINORITIES REQUIRED BE-**  
6           **FORE CONVERSION OF CERTAIN FUNCTIONS**  
7           **TO CONTRACTOR PERFORMANCE.**

8           *No Department of Defense function that is performed*  
9           *by Department of Defense civilian employees and is tied*  
10          *to a certain military base may be converted to performance*  
11          *by a contractor until the Secretary of Defense conducts an*  
12          *assessment to determine if the Department of Defense has*  
13          *carried out sufficient outreach programs to assist small*  
14          *business concerns owned and controlled by women (as such*  
15          *term is defined in section 8(d)(3)(D) of the Small Business*  
16          *Act (15 U.S.C. 637(d)(3)(D))) and small business concerns*  
17          *owned and controlled by socially and economically dis-*  
18          *advantaged individuals (as such term is defined in section*  
19          *8(d)(3)(C) of the Small Business Act (15 U.S.C.*  
20          *637(d)(3)(C))) that are located in the geographic area near*  
21          *the military base.*

1   **SEC. 845. INCLUSION OF INFORMATION ON COMMON**  
2                   **GROUND FOR SUSTAINING BID PROTESTS IN**  
3                   **ANNUAL GOVERNMENT ACCOUNTABILITY OF-**  
4                   **FICE REPORTS TO CONGRESS.**

5           *The Comptroller General of the United States shall in-*  
6           *clude in the annual report to Congress on the Government*  
7           *Accountability Office each year a list of the most common*  
8           *grounds for sustaining protests relating to bids for contracts*  
9           *during such year.*

10   **SEC. 846. REVISION OF EFFECTIVE DATE FOR AMENDMENTS**  
11                   **RELATING TO UNDER SECRETARY OF DE-**  
12                   **FENSE FOR BUSINESS MANAGEMENT AND IN-**  
13                   **FORMATION.**

14           *Section 901(a)(1) of the Carl Levin and Howard P.*  
15           *“Buck” Mckeen National Defense Authorization Act for Fis-*  
16           *cal Year 2015 (Public Law 113–291; 128 Stat. 3462; 10*  
17           *U.S.C. 132a note) is amended by striking “February 1,*  
18           *2017” and inserting “February 1, 2018”.*

19   **SEC. 847. PROMOTION OF VALUE-BASED DEFENSE PRO-**  
20                   **CUREMENT.**

21           (i) *STATEMENT OF POLICY.—It shall be the policy of*  
22           *the Department of Defense to avoid using lowest price tech-*  
23           *nically acceptable source selection criteria in inappropriate*  
24           *circumstances that potentially deny the Department the*  
25           *benefits of cost and technical tradeoffs in the source selection*  
26           *process.*

1           (b) *REQUIREMENT FOR SOLICITATIONS.*—*For new so-*  
2 *licitations issued on or after the date that is 120 days after*  
3 *the date of the enactment of this Act, lowest price tech-*  
4 *nically acceptable source selection criteria shall be used only*  
5 *in situations in which—*

6           (1) *the Department of Defense is able to com-*  
7 *prehensively and clearly describe the minimum re-*  
8 *quirements expressed in term of performance objec-*  
9 *tives, measures, and standards that will be used to de-*  
10 *termine acceptability of offers;*

11           (2) *the Department would realize no, or mini-*  
12 *mal, value from a contract proposal exceeding the*  
13 *minimum technical or performance requirements set*  
14 *forth in the request for proposal;*

15           (3) *the proposed technical approaches will re-*  
16 *quire no, or minimal, subjective judgment by the*  
17 *source selection authority as to the desirability of one*  
18 *offeror's proposal versus a competing proposal;*

19           (4) *a review of technical proposals of offerors*  
20 *other than the lowest bidder would result in no, or*  
21 *minimal, benefit to the Department; and*

22           (5) *the contracting officer has included a jus-*  
23 *tification for the use of a lowest price technically ac-*  
24 *ceptable evaluation methodology in the contract file,*  
25 *if the contract to be awarded is predominately for the*

1        *acquisition of information technology services, systems*  
2        *engineering and technical assistance services, or other*  
3        *knowledge-based professional services.*

4        *(c) AVOIDANCE OF USE OF LOWEST PRICE TECH-*  
5        *NICALLY ACCEPTABLE SOURCE SELECTION CRITERIA IN*  
6        *PROCUREMENTS OF INFORMATION TECHNOLOGY AND AU-*  
7        *DITING.—To the maximum extent practicable, the use of*  
8        *lowest price technically acceptable source selection criteria*  
9        *shall be avoided when the procurement is predominately for*  
10       *the acquisition of information technology services, systems*  
11       *engineering and technical assistance services, audit or audit*  
12       *readiness services, or other knowledge-based professional*  
13       *services.*

14       *(d) REPORTING.—Not later than 180 days after the*  
15       *date of the enactment of this Act, and annually thereafter*  
16       *for 3 years, the Secretary of Defense shall submit to the*  
17       *congressional defense committees a report on the number of*  
18       *instances in which lowest-price technically acceptable*  
19       *source selection criteria is used, including an explanation*  
20       *of how the criteria was considered when making a deter-*  
21       *mination to use lowest price technically acceptable source*  
22       *selection criteria.*



1 **SEC. 848. STUDY AND REPORT ON CONTRACTS AWARDED**  
2 **TO MINORITY-OWNED AND WOMEN-OWNED**  
3 **BUSINESSES.**

4 (a) *STUDY.*—The Comptroller General of the United  
5 States shall carry out a study on the number and types  
6 of contracts for the procurement of goods or services for the  
7 Department of Defense awarded to minority-owned and  
8 women-owned businesses during fiscal years 2010 through  
9 2015. In conducting the study, the Comptroller General  
10 shall identify minority-owned businesses according to the  
11 categories identified in the Federal procurement data sys-  
12 tem (described in section 1122(a)(4)(A) of title 41, United  
13 States Code).

14 (b) *REPORT.*—Not later than 1 year after the date of  
15 the enactment of this Act, the Comptroller General shall  
16 submit to the congressional defense committees a report on  
17 the results of the study under subsection (a).

1 **TITLE IX—DEPARTMENT OF DE-**  
2 **FENSE ORGANIZATION AND**  
3 **MANAGEMENT**  
4 **Subtitle A—Goldwater-Nichols**  
5 **Reform**

6 **SEC. 901. SENSE OF CONGRESS ON GOLDWATER-NICHOLS**  
7 **REFORM.**

8 *It is the sense of Congress that the following principles*  
9 *should be adhered to in any reform of the Goldwater-Nichols*  
10 *Department of Defense Reorganization Act of 1986:*

11 *(1) Civilian control of the military and the civil-*  
12 *ian chain of command must be preserved.*

13 *(2) The role of the Chairman of the Joint Chiefs*  
14 *of Staff in providing independent military advice, as*  
15 *the principal military advisor to the President and*  
16 *the Secretary of Defense, must be preserved.*

17 *(3) Any changes to the Goldwater-Nichols Act of*  
18 *1986 should be rooted in a clear identification and*  
19 *understanding of the issues and the objectives and*  
20 *ramifications of any changes.*

21 *(4) Any changes to the Goldwater-Nichols Act of*  
22 *1986 should enhance the capabilities of the United*  
23 *States Armed Forces.*

24 *(5) Each Geographical Unified Command has its*  
25 *own distinct area of emphasis and expertise, as well*

1        *as requirements and responsibilities. Combining*  
2        *Northern Command and Southern Command, or com-*  
3        *binning European Command and Africa Command,*  
4        *would severely degrade mission effectiveness, but*  
5        *would provide only marginal increased efficiency. Ad-*  
6        *ditionally, consolidating Geographic Unified Com-*  
7        *mands would cause unacceptable risk to both global*  
8        *strategic influence as well as regional capability, and*  
9        *would exacerbate already significant capacity chal-*  
10       *lenges.*

11            *(6) The emphasis on strategy and planning in*  
12        *the Goldwater-Nichols Act must be sustained.*

13            *(7) Complex security challenges will become in-*  
14        *creasingly transregional, multi-domain, and multi-*  
15        *functional.*

16            *(8) Therefore, the Department of Defense, includ-*  
17        *ing streamlined headquarters staffs, must be more*  
18        *agile and adaptive.*

19        **SEC. 902. REPEAL OF DEFENSE STRATEGY REVIEW.**

20            *(a) REPEAL.—Section 118 of title 10, United States*  
21        *Code, is repealed.*

22            *(b) CLERICAL AMENDMENT.—The table of sections at*  
23        *the beginning of chapter 2 of such title is amended by strik-*  
24        *ing the item relating to section 118.*

1 **SEC. 903. COMMISSION ON THE NATIONAL DEFENSE STRAT-**  
2 **EGY FOR THE UNITED STATES.**

3 (a) *ESTABLISHMENT.*—*There is hereby established a*  
4 *commission to be known as the “Commission on the Na-*  
5 *tional Defense Strategy for the United States”.* *The purpose*  
6 *of the commission is to examine and make recommenda-*  
7 *tions with respect to national defense strategy for the*  
8 *United States.*

9 (b) *COMPOSITION.*—

10 (1) *MEMBERSHIP.*—*The commission shall be*  
11 *composed of 12 members appointed as follows:*

12 (A) *Three members appointed by the chair*  
13 *of the Committee on Armed Services of the House*  
14 *of Representatives.*

15 (B) *Three members appointed by the rank-*  
16 *ing minority member of the Committee on*  
17 *Armed Services of the House of Representatives.*

18 (C) *Three members appointed by the chair*  
19 *of the Committee on Armed Services of the Sen-*  
20 *ate.*

21 (D) *Three members appointed by the rank-*  
22 *ing minority member of the Committee on*  
23 *Armed Services of the Senate.*

24 (2) *CHAIR; VICE CHAIR.*—

25 (A) *CHAIR.*—*The chair of the Committee on*  
26 *Armed Services of the House of Representative*

1           *and the chair of the Committee on Armed Serv-*  
2           *ices of the Senate shall jointly designate one*  
3           *member of the commission to serve as chair of*  
4           *the commission.*

5           *(B) VICE CHAIR.—The ranking minority*  
6           *member of the Committee on Armed Services of*  
7           *the House of Representative and the ranking mi-*  
8           *nority member of the Committee on Armed Serv-*  
9           *ices of the Senate shall jointly designate one*  
10          *member of the commission to serve as vice chair*  
11          *of the commission.*

12          *(3) PERIOD OF APPOINTMENT; VACANCIES.—*  
13          *Members shall be appointed for the life of the commis-*  
14          *sion. Any vacancy in the commission shall be filled*  
15          *in the same manner as the original appointment.*

16          *(c) DUTIES.—*

17                 *(1) REVIEW.—The commission shall review the*  
18                 *current national defense strategy of the United States,*  
19                 *including the assumptions, missions, force posture*  
20                 *and capabilities, and strategic and military risks as-*  
21                 *sociated with the strategy.*

22                 *(2) ASSESSMENT AND RECOMMENDATIONS.—The*  
23                 *commission shall conduct a comprehensive assessment*  
24                 *of the strategic environment, the size and shape of the*  
25                 *force, the readiness of the force, the posture and capa-*

1 *bilities of the force, the allocation of resources, and*  
2 *strategic and military risks to provide recommenda-*  
3 *tions on national defense strategy for the United*  
4 *States.*

5 *(d) COOPERATION FROM GOVERNMENT.—*

6 *(1) COOPERATION.—In carrying out its duties,*  
7 *the commission shall receive the full and timely co-*  
8 *operation of the Secretary of Defense in providing the*  
9 *commission with analysis, briefings, and other infor-*  
10 *mation necessary for the fulfillment of its responsibil-*  
11 *ities.*

12 *(2) LIAISON.—The Secretary of Defense shall*  
13 *designate at least one officer or employee of the De-*  
14 *partment of Defense to serve as a liaison officer be-*  
15 *tween the Department and the commission.*

16 *(e) REPORT.—*

17 *(1) FINAL REPORT.—Not later than December 1,*  
18 *2017, the commission shall submit to the President,*  
19 *the Secretary of Defense, the Committee on Armed*  
20 *Services of the House of Representatives, and the*  
21 *Committee on Armed Services of the Senate a report*  
22 *on the commission's findings, conclusions, and rec-*  
23 *ommendations. The report shall address, but not be*  
24 *limited to, each of the following:*

1           (A) *The strategic environment, including se-*  
2 *curity challenges, and the national security in-*  
3 *terests of the United States.*

4           (B) *The military missions for which the De-*  
5 *partment of Defense should prepare and the force*  
6 *planning construct.*

7           (C) *The roles and missions of the Armed*  
8 *Forces to carry out those missions and the roles*  
9 *and capabilities provided by other United States*  
10 *Government agencies and by allies and inter-*  
11 *national partners.*

12           (D) *The force size and shape, posture and*  
13 *capabilities, readiness, infrastructure, organiza-*  
14 *tion, personnel, and other elements of the defense*  
15 *program necessary to support the strategy.*

16           (E) *The resources necessary to support the*  
17 *strategy, including budget recommendations.*

18           (F) *The strategic and military risks associ-*  
19 *ated with the strategy, including the relation-*  
20 *ships and tradeoffs between missions, risks, and*  
21 *resources.*

22           (2) *INTERIM BRIEFING.—Not later than June 1,*  
23 *2017, the commission shall provide to the Committee*  
24 *on Armed Services of the House of Representatives,*  
25 *and the Committee on Armed Services of the Senate*

1        *a briefing on the status of its review and assessment,*  
2        *and include a discussion of any interim recommenda-*  
3        *tions.*

4        (f) *FUNDING.*— *Of the amounts authorized to be ap-*  
5        *propriated or otherwise made available pursuant to this Act*  
6        *to the Department of Defense, \$5,000,000 is available to*  
7        *fund the activities of the commission.*

8        (g) *TERMINATION.*—*The commission shall terminate 6*  
9        *months after the date on which it submits the report re-*  
10       *quired by subsection (e).*

11       **SEC. 904. REFORM OF DEFENSE STRATEGIC AND POLICY**  
12       **GUIDANCE.**

13       *Subsection (g) of section 113 of title 10, United States*  
14       *Code, is amended to read as follows:*

15       “(g) *DEFENSE STRATEGIC AND POLICY GUIDANCE.*—

16                “(1) *DEFENSE STRATEGIC GUIDANCE.*—*The Sec-*  
17        *retary of Defense, with the advice and assistance of*  
18        *the Chairman of the Joint Chiefs of Staff, shall pro-*  
19        *vide every four years to the heads of the military de-*  
20        *partments, the unified and specified combatant com-*  
21        *mands, all other Defense Agencies and Department of*  
22        *Defense Field Activities, and any other elements of the*  
23        *Department of Defense named in paragraphs (1) to*  
24        *(10) of section 111(b) of this title, written strategic*



1 *guidance expressing the national defense strategy of*  
2 *the United States. The strategic guidance shall—*

3 *“(A) support the most recent national secu-*  
4 *rity strategy report of the President under sec-*  
5 *tion 108 of the National Security Act of 1947*  
6 *(50 U.S.C. 3043);*

7 *“(B) be a mechanism for—*

8 *“(i) setting priorities for sizing and*  
9 *shaping the force, guiding the development*  
10 *and sustainment of capabilities, allocating*  
11 *resources, and adjusting the organization of*  
12 *the Department of Defense to respond to*  
13 *changes in the strategic environment;*

14 *“(ii) monitoring, assessing, and hold-*  
15 *ing accountable agencies within the Depart-*  
16 *ment of Defense for the development of poli-*  
17 *cies and programs that support the national*  
18 *defense strategy;*

19 *“(iii) integrating and supporting other*  
20 *national and related interagency security*  
21 *policies and strategies with other Depart-*  
22 *ment of Defense guidance, plans, and activi-*  
23 *ties; and*

24 *“(iv) communicating such national de-*  
25 *fense strategy to the American public, Con-*

1 *gress, relevant United States Government*  
2 *agencies, and allies and international part-*  
3 *ners;*

4 “(C) *provide a comprehensive discussion*  
5 *of—*

6 “(i) *the assumed strategic environment,*  
7 *including security challenges, and the as-*  
8 *sumed or defined prioritized national secu-*  
9 *rity interests and objectives of the United*  
10 *States;*

11 “(ii) *the prioritized military missions*  
12 *for which the Department of Defense must*  
13 *prepare and the assumed force planning*  
14 *scenarios and constructs;*

15 “(iii) *the roles and missions of the*  
16 *armed forces to carry out those missions,*  
17 *and the assumed roles and capabilities pro-*  
18 *vided by other United States Government*  
19 *agencies and by allies and international*  
20 *partners;*

21 “(iv) *the force size and shape, posture,*  
22 *capabilities, readiness, infrastructure, orga-*  
23 *nization, personnel, and other elements of*  
24 *the defense program necessary to support*  
25 *the strategy;*

1                   “(v) the resources necessary to support  
2                   the strategy, including an estimated budget  
3                   plan; and

4                   “(vi) the strategic and military risks  
5                   associated with the strategy, including the  
6                   relationships and tradeoffs between mis-  
7                   sions, risks, and resources; and

8                   “(D) include any additional or alternative  
9                   views of the Chairman of the Joint Chiefs of  
10                  Staff, including any military assessment of risks  
11                  associated with the defense strategy.

12                  “(2) *POLICY GUIDANCE ON DEVELOPMENT OF*  
13                  *FORCES.*—In implementing the guidance in para-  
14                  graph (1), the Secretary of Defense, with the advice  
15                  and assistance of the Chairman of the Joint Chiefs of  
16                  Staff, shall provide annually to the heads of the mili-  
17                  tary departments, the unified and specified combat-  
18                  ant commands, all other Defense Agencies and De-  
19                  partment of Defense Field Activities, and any other  
20                  elements of the Department of Defense named in  
21                  paragraphs (1) to (10) of section 111(b) of this title,  
22                  written policy guidance for the preparation and re-  
23                  view of the program recommendations and budget  
24                  proposals of their respective components to guide the  
25                  development of forces. Such guidance shall include—

1           “(A) the prioritized national security inter-  
2           ests and objectives;

3           “(B) the prioritized military missions of the  
4           Department of Defense, including the assumed  
5           force planning scenarios and constructs;

6           “(C) the force size and shape, posture, capa-  
7           bilities, readiness, infrastructure, organization,  
8           personnel, and other elements of the defense pro-  
9           gram necessary to support the strategy;

10          “(D) the resource levels projected to be  
11          available for the period of time for which such  
12          recommendations and proposals are to be effec-  
13          tive; and

14          “(E) a discussion of any changes in the de-  
15          fense strategy and assumptions underpinning the  
16          strategy, as required by paragraph (1).

17          “(3) *POLICY GUIDANCE ON CONTINGENCY PLAN-*  
18          *NING.—In implementing the guidance in paragraph*  
19          *(1), the Secretary of Defense, with the approval of the*  
20          *President and after consultation with the Chairman*  
21          *of the Joint Chiefs of Staff, shall provide, every two*  
22          *years or more frequently as needed, to the Chairman*  
23          *written policy guidance for the preparation and re-*  
24          *view of contingency plans, including plans for pro-*  
25          *viding support to civil authorities in an incident of*

1        *national significance or a catastrophic incident, for*  
2        *homeland defense, and for military support to civil*  
3        *authorities. Such guidance shall include guidance on*  
4        *the employment of forces, including specific force lev-*  
5        *els and specific supporting resource levels projected to*  
6        *be available for the period of time for which such*  
7        *plans are to be effective.*

8                *“(4) SUBMISSION TO CONGRESS.—(A) Not later*  
9        *than February 15th in any calendar year in which*  
10        *any of the written guidance in paragraphs (1), (2),*  
11        *and (3) is required, the Secretary of Defense shall*  
12        *submit to the congressional defense committees a copy*  
13        *of such guidance developed under such paragraphs.*

14                *“(B) In addition, not later than February 15th*  
15        *in any calendar year in which the written guidance*  
16        *in paragraph (1) is required, the Secretary of Defense*  
17        *shall submit to the congressional defense committees a*  
18        *detailed summary of any classified aspects of the stra-*  
19        *tegic guidance, including assumptions regarding the*  
20        *strategic environment; military missions; force plan-*  
21        *ning scenarios and constructs; force size, shape, pos-*  
22        *ture, capabilities, and readiness; and any additional*  
23        *or alternative views of the Chairman of the Joint*  
24        *Chiefs of Staff.”.*

1 **SEC. 905. REFORM OF THE NATIONAL MILITARY STRATEGY.**

2 *Paragraph (1) of section 153(b) of title 10, United*  
3 *States Code, is amended to read as follows:*

4 *“(1) NATIONAL MILITARY STRATEGY.—(A) The*  
5 *Chairman shall determine each even-numbered year*  
6 *whether to prepare a new National Military Strategy*  
7 *in accordance with this subparagraph or to update a*  
8 *strategy previously prepared in accordance with this*  
9 *subsection. The Chairman shall provide such National*  
10 *Military Strategy or update to the Secretary of De-*  
11 *fense in time for transmittal to Congress pursuant to*  
12 *paragraph (3), including in time for inclusion of the*  
13 *report of the Secretary of Defense, if any, under para-*  
14 *graph (4).*

15 *“(B) Each National Military Strategy (or up-*  
16 *date) under this paragraph shall be based on a com-*  
17 *prehensive review conducted by the Chairman in con-*  
18 *junction with the other members of the Joint Chiefs*  
19 *of Staff and the commanders of the unified and speci-*  
20 *fied combatant commands. Each update shall address*  
21 *only those parts of the most recent National Military*  
22 *Strategy for which the Chairman determines, on the*  
23 *basis of this review, that a modification is needed.*

24 *“(C) Each National Military Strategy (or up-*  
25 *date) submitted under this paragraph shall describe*

1       *how the military will support the objectives of the*  
2       *United States as articulated in—*

3               “(i) *the most recent National Security*  
4               *Strategy prescribed by the President pursuant to*  
5               *section 108 of the National Security Act of 1947*  
6               *(50 U.S.C. 3043);*

7               “(ii) *the most recent annual report of the*  
8               *Secretary of Defense submitted to the President*  
9               *and Congress pursuant to section 113 of this*  
10              *title;*

11              “(iii) *the most recent defense strategic guid-*  
12              *ance provided by the Secretary of Defense pursu-*  
13              *ant to section 113 of this title; and*

14              “(iv) *any other national security or defense*  
15              *strategic guidance issued by the President or the*  
16              *Secretary of Defense.*

17              “(D) *At a minimum, each National Military*  
18              *Strategy (or update) submitted under this paragraph*  
19              *shall be a mechanism for—*

20              “(i) *developing military ends, ways, and*  
21              *means to support the objectives referred to in*  
22              *subparagraph (C);*

23              “(ii) *assessing strategic and military risks,*  
24              *and developing risk mitigation options;*

1           “(iii) establishing a strategic framework for  
2           the development of operational and contingency  
3           plans;

4           “(iv) prioritizing joint force capabilities,  
5           capacities, and resources; and

6           “(v) establishing military guidance for the  
7           development of the joint force.”.

8   **SEC. 906. MODIFICATION TO INDEPENDENT STUDY OF NA-**  
9                           **TIONAL SECURITY STRATEGY FORMULATION**  
10                          **PROCESS.**

11           Section 1064(b)(2) of the National Defense Authoriza-  
12           tion Act for Fiscal Year 2016 (Public Law 114–92; 129  
13           Stat. 989) is amended—

14           (1) in subparagraph (D), by inserting “, includ-  
15           ing Congress,” after “Federal Government”; and

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

18           “(E) The capabilities and limitations of the  
19           Department of Defense workforce responsible for  
20           conducting strategic planning, including rec-  
21           ommendations for improving the workforce  
22           through training, education, and career manage-  
23           ment.”.



1 **SEC. 907. TERM OF OFFICE FOR THE CHAIRMAN OF THE**  
2 **JOINT CHIEFS OF STAFF.**

3 (a) *AMENDMENTS.*—Section 152(a) of title 10, United  
4 States Code, is amended—

5 (1) in paragraph (1), by striking “a term of two  
6 years” and all that follows through the end and in-  
7 serting the following: “a term of four years, beginning  
8 on October 1 of a year that is three years following  
9 a year evenly divisible by four. The limitation of this  
10 paragraph on the length of term does not apply in  
11 time of war.”; and

12 (2) in paragraph (3), by striking “exceeds six  
13 years” and all that follows through the end and in-  
14 serting the following: “exceeds eight years. The limita-  
15 tion of this paragraph does not apply in time of  
16 war.”.

17 (b) *DELAYED EFFECTIVE DATE.*—The amendments  
18 made by this section shall take effect on October 1, 2019.

19 **SEC. 908. RESPONSIBILITIES OF THE CHAIRMAN OF THE**  
20 **JOINT CHIEFS OF STAFF RELATING TO OPER-**  
21 **ATIONS.**

22 Section 153(a) of title 10, United States Code, is  
23 amended—

24 (1) by redesignating paragraphs (4), (5), and (6)  
25 as paragraphs (5), (6), and (7), respectively;

1           (2) by inserting after paragraph (3) the fol-  
2           lowing new paragraph (4):

3           “(4) *ADVICE ON OPERATIONS.—Advising—*

4                     “(A) *the President and the Secretary of De-*  
5                     *fense on ongoing military operations; and*

6                     “(B) *the Secretary on the allocation and*  
7                     *transfer of forces among geographic and func-*  
8                     *tional combatant commands, as necessary, to ad-*  
9                     *dress transregional, multi-domain, and multi-*  
10                    *functional threats.”.*

11 **SEC. 909. ASSIGNED FORCES WITHIN THE CONTINENTAL**  
12 **UNITED STATES.**

13           Section 162(a) of title 10, United States Code, is  
14 *amended—*

15           (1) *in paragraph (2), by inserting after “of this*  
16           *title” the following: “, other forces within the conti-*  
17           *ental United States that are directed by the Sec-*  
18           *retary of Defense to be assigned to a military depart-*  
19           *ment,”; and*

20           (2) *in paragraph (4), by inserting after “unified*  
21           *combatant command” the following: “, other than*  
22           *forces within the continental United States that are*  
23           *directed by the Secretary to be assigned to a military*  
24           *department,”.*

1 **SEC. 910. REDUCTION IN GENERAL OFFICER AND FLAG OF-**  
2 **FICER GRADES AND POSITIONS.**

3 (a) *GRADE OF SERVICE OR FUNCTIONAL COMPONENT*  
4 *COMMANDER.*—Section 164(e) of title 10, United States  
5 Code, is amended by adding after paragraph (4) the fol-  
6 lowing new paragraph:

7 “(5) *The grade of an officer serving as a com-*  
8 *mander of a service or functional component com-*  
9 *mand under a commander of a combatant command*  
10 *shall be no higher than lieutenant general or vice ad-*  
11 *miral.”.*

12 (b) *DEFINITIONS.*—Section 164 of such title is further  
13 amended by adding at the end the following new subsection:

14 “(h) *DEFINITIONS.*—For purposes of this section—

15 “(1) *a service component command is subordi-*  
16 *nate to the commander of a unified command and*  
17 *consists of the service component commander and the*  
18 *service forces (such as individuals, units, detachments,*  
19 *and organizations, including the support forces), as*  
20 *assigned by the Secretary of Defense, that have been*  
21 *assigned to that combatant commander; and*

22 “(2) *a functional component command is a com-*  
23 *mand normally, but not necessarily, composed of*  
24 *forces of two or more military departments which*  
25 *may be established across the range of military oper-*  
26 *ations to perform particular operational missions*

1       *that may be of short duration or may extend over a*  
2       *period of time.”.*

3       (c) *REDUCTION IN POSITIONS.—*

4             (1) *REDUCTION.—The Secretary of Defense shall*  
5       *reduce the total number of officers in the grade of gen-*  
6       *eral or admiral on active duty by five positions.*

7             (2) *REPORT.—The Secretary of Defense shall*  
8       *submit to the congressional defense committees a re-*  
9       *port on how the Department of Defense plans to im-*  
10       *plement the reductions required by paragraph (1), in-*  
11       *cluding how to balance and reduce the total number*  
12       *of general officers and flag officers in accordance with*  
13       *sections 525 and 526 of title 10, United States Code.*

14       (d) *TREATMENT OF CURRENT COMMANDERS.—An offi-*  
15       *cer serving on the date of the enactment of this Act as a*  
16       *commander of a service or functional component command*  
17       *under a commander of a combatant command shall serve*  
18       *in that position until the appointment of another officer*  
19       *in accordance with the amendment made by subsection (a).*

20       **SEC. 911. ESTABLISHMENT OF UNIFIED COMBATANT COM-**  
21                                   **MAND FOR CYBER OPERATIONS.**

22       (a) *ESTABLISHMENT OF CYBER COMMAND.—Chapter*  
23       *6 of title 10, United States Code, is amended by adding*  
24       *at the end the following new section:*

1 **“§ 169. Unified combatant command for cyber oper-**  
2 **ations**

3 “(a) *ESTABLISHMENT.*—With the advice and assist-  
4 *ance of the Chairman of the Joint Chiefs of Staff, the Presi-*  
5 *dent, through the Secretary of Defense, shall establish under*  
6 *section 161 of this title a unified combatant command for*  
7 *cyber operations forces (hereinafter in this section referred*  
8 *to as the ‘cyber command’). The principal function of the*  
9 *command is to prepare cyber operations forces to carry out*  
10 *assigned missions.*

11 “(b) *ASSIGNMENT OF FORCES.*—Unless otherwise di-  
12 *rected by the Secretary of Defense, all active and reserve*  
13 *cyber operations forces of the armed forces stationed in the*  
14 *United States shall be assigned to the cyber command.*

15 “(c) *GRADE OF COMMANDER.*—The commander of the  
16 *cyber operations command shall hold the grade of general*  
17 *or, in the case of an officer of the Navy, admiral while serv-*  
18 *ing in that position, without vacating his permanent grade.*  
19 *The commander of such command shall be appointed to that*  
20 *grade by the President, by and with the advice and consent*  
21 *of the Senate, for service in that position.*

22 “(d) *COMMAND OF ACTIVITY OR MISSION.*—(1) Unless  
23 *otherwise directed by the President or the Secretary of De-*  
24 *fense, a cyber operations activity or mission shall be con-*  
25 *ducted in coordination with the command of the com-*

1 *mander of the unified combatant command in whose geo-*  
2 *graphic area the activity or mission is to be conducted.*

3       “(2) *The commander of the cyber command shall exer-*  
4 *cise command of a selected cyber operations mission if di-*  
5 *rected to do so by the President or the Secretary of Defense.*

6       “(e) *AUTHORITY OF COMBATANT COMMANDER.—(1) In*  
7 *addition to the authority prescribed in section 164(c) of this*  
8 *title, the commander of the cyber command shall be respon-*  
9 *sible for, and shall have the authority to conduct, all affairs*  
10 *of such command relating to cyber operations activities.*

11       “(2) *The commander of such command shall be respon-*  
12 *sible for, and shall have the authority to conduct, the fol-*  
13 *lowing functions relating to cyber operations activities*  
14 *(whether or not relating to the cyber command):*

15               “(A) *Developing strategy, doctrine, and tactics.*

16               “(B) *Preparing and submitting to the Secretary*  
17 *of Defense program recommendations and budget pro-*  
18 *posals for cyber operations forces and for other forces*  
19 *assigned to the cyber command.*

20               “(C) *Exercising authority, direction, and control*  
21 *over the expenditure of funds—*

22                       “(i) *for forces assigned directly to the cyber*  
23 *command; and*

24                       “(ii) *for cyber operations forces assigned to*  
25 *unified combatant commands other than the*

1           *cyber command, with respect to all matters cov-*  
2           *ered by section 807 of the National Defense Au-*  
3           *thorization Act for Fiscal Year 2014 (Public*  
4           *Law 114–92; 129 Stat. 886; 10 U.S.C. 2224*  
5           *note) and, with respect to a matter not covered*  
6           *by such section, to the extent directed by the Sec-*  
7           *retary of Defense.*

8           “(D) *Training assigned forces.*

9           “(E) *Conducting specialized courses of instruc-*  
10          *tion for commissioned and noncommissioned officers.*

11          “(F) *Validating requirements.*

12          “(G) *Establishing priorities for requirements.*

13          “(H) *Ensuring the interoperability of equipment*  
14          *and forces.*

15          “(I) *Formulating and submitting requirements*  
16          *for intelligence support.*

17          “(J) *Monitoring the promotions, assignments, re-*  
18          *tention, training, and professional military education*  
19          *of cyber operations forces officers.*

20          “(3) *The commander of the cyber command shall be*  
21          *responsible for—*

22                 “(A) *ensuring the combat readiness of forces as-*  
23                 *signed to the cyber command; and*

1           “(B) *monitoring the preparedness to carry out*  
2           *assigned missions of cyber forces assigned to unified*  
3           *combatant commands other than the cyber command.*

4           “(C) *The staff of the commander shall include an*  
5           *inspector general who shall conduct internal audits*  
6           *and inspections of purchasing and contracting ac-*  
7           *tions through the cyber operations command and such*  
8           *other inspector general functions as may be assigned.*

9           “(f) *INTELLIGENCE AND SPECIAL ACTIVITIES.—This*  
10          *section does not constitute authority to conduct any activity*  
11          *which, if carried out as an intelligence activity by the De-*  
12          *partment of Defense, would require a notice to the Select*  
13          *Committee on Intelligence of the Senate and the Permanent*  
14          *Select Committee on Intelligence of the House of Represent-*  
15          *atives under title V of the National Security Act of 1947*  
16          *(50 U.S.C. 3091 et seq.).”*

17          “(b) *CLERICAL AMENDMENT.—The table of sections at*  
18          *the beginning of such chapter is amended by adding at the*  
19          *end the following new item:*

*“169. Unified combatant command for cyber operations.”*

20          **SEC. 912. REVISION OF REQUIREMENTS RELATING TO**  
21                         **LENGTH OF JOINT DUTY ASSIGNMENTS.**

22          “(a) *MINIMUM LENGTH OF ASSIGNMENT.—Section*  
23          *664(a) of title 10, United States Code, is amended by strik-*  
24          *ing “assignment—” and paragraphs (1) and (2) and in-*  
25          *serting “assignment shall not be less than two years.”*



1           **(b) REPEAL OF REQUIREMENTS RELATING TO INITIAL**  
2 **ASSIGNMENT OF CERTAIN OFFICERS AND AVERAGE TOUR**  
3 **LENGTHS.**—Section 664 of title 10, United States Code, is  
4 amended by striking subsections (c) and (e).

5           **(c) EXCLUSIONS FROM TOUR LENGTH.**—Section  
6 664(d) of title 10, United States Code, is amended—

7           (1) in paragraph (1), by striking in subpara-  
8 graph (D) and inserting the following new subpara-  
9 graph:

10                   “(D) a qualifying reassignment from a joint  
11 duty assignment as prescribed by the Secretary  
12 of Defense by regulation.”;

13           (2) by striking paragraph (2); and

14           (3) by redesignating paragraph (3) as para-  
15 graph (2).

16           **(d) FULL TOUR OF DUTY.**—Section 664(f) of title 10,  
17 United States Code, is amended—

18           (1) in paragraph (1), by striking “prescribed in”  
19 and inserting “prescribed under”;

20           (2) by striking paragraphs (2) and (4);

21           (3) by redesignating paragraphs (3) and (5) as  
22 paragraphs (2) and (3), respectively; and

23           (4) by redesignating paragraph (6) as para-  
24 graph (4), and in that paragraph, by striking “, but  
25 not less than two years”.

1       (e) *CONSTRUCTIVE CREDIT*.—Section 664(h) of title  
2 10, *United States Code*, is amended—

3           (1) by striking “(1) *The Secretary of Defense*  
4       *may accord*” and inserting “*The Secretary of Defense*  
5       *may award*”; and

6           (2) by striking paragraph (2).

7       (f) *CLERICAL AND CONFORMING AMENDMENTS*.—Sec-  
8 tion 664 of title 10, *United States Code*, is further amend-  
9 ed—

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

12           (2) in subsection (c), as redesignated, by striking  
13 “subsection (f)(3)” and inserting “subsection (d)(2)”;

14           (3) in subsection (d), as redesignated, by striking  
15 “subsection (g)” and inserting “subsection (e)”;

16           (4) in subsection (e), as redesignated, by striking  
17 “ subsection (f)(3)” and inserting “ subsection  
18 (d)(2)”;

19           (5) in subsection (f), as redesignated, by striking  
20 “paragraphs (1), (2), and (4) of subsection (f)” and  
21 inserting “subsection (d)(1)”.

1 **SEC. 913. REVISION OF DEFINITIONS USED FOR JOINT OF-**  
2 **FICER MANAGEMENT.**

3 (a) *DEFINITION OF JOINT MATTERS.*—Paragraph (1)  
4 of section 668(a) of title 10, United States Code, is amended  
5 to read as follows:

6 “(1) In this chapter, the term ‘joint matters’ means  
7 matters related to any of the following:

8 “(A) The development or achievement of strategic  
9 objectives through the synchronization, coordination,  
10 and organization of integrated forces in operations  
11 conducted across domains, such as land, sea, or air,  
12 in space, or in the information environment, includ-  
13 ing matters relating to any of the following:

14 “(i) National military strategy.

15 “(ii) Strategic planning and contingency  
16 planning.

17 “(iii) Command and control, intelligence,  
18 fires, movement and maneuver, protection or  
19 sustainment of operations under unified com-  
20 mand.

21 “(iv) National security planning with other  
22 departments and agencies of the United States.

23 “(v) Combined operations with military  
24 forces of allied nations.

25 “(B) Acquisition matters conducted by members  
26 of the armed forces and covered under chapter 87 of

1        *this title involved in developing, testing, contracting,*  
2        *producing, or fielding of multi-service programs or*  
3        *systems.*

4            *“(C) Other matters designated in regulation by*  
5        *the Secretary of Defense in consultation with the*  
6        *Chairman of the Joint Chiefs of Staff.”.*

7        *(b) DEFINITION OF INTEGRATED FORCES.—Section*  
8        *668(a)(2) of title 10, United States Code, is amended in*  
9        *the matter preceding subparagraph (A)—*

10            *(1) by striking “integrated military forces” and*  
11            *inserting “integrated forces”; and*

12            *(2) by striking “the planning or execution (or*  
13            *both) of operations involving” and inserting “achiev-*  
14            *ing unified action with”.*

15        *(c) DEFINITION OF JOINT DUTY ASSIGNMENT.—Sec-*  
16        *tion 668(b)(1) of title 10, United States Code, is amended*  
17        *by striking subparagraph (A) and inserting the following*  
18        *new subparagraph:*

19            *“(A) shall be limited to assignments in which—*

20            *“(i) the preponderance of the duties of the*  
21            *officer involve joint matters and*

22            *“(ii) the officer gains significant experience*  
23            *in joint matters; and”.*

1       (d) *REPEAL OF DEFINITION OF CRITICAL OCCUPA-*  
2 *TIONAL SPECIALITY.*—Section 668 of title 10, United States  
3 *Code, is amended by striking subsection (d).*

4 **SEC. 914. INDEPENDENT ASSESSMENT OF COMBATANT**  
5 **COMMAND STRUCTURE.**

6       (a) *ASSESSMENT REQUIRED.*—Not later than 30 days  
7 *after the date of the enactment of this Act, the Secretary*  
8 *of Defense shall enter into a contract with an independent*  
9 *entity with appropriate expertise to conduct an assessment*  
10 *on combatant command structure, and to provide rec-*  
11 *ommendations for improving the overall effectiveness of*  
12 *combatant command structures.*

13       (b) *ELEMENTS.*—The assessment shall include an ex-  
14 *amination of the following:*

15           (1) *The evolution of combatant command re-*  
16 *quirements and resources over the last 15 years of*  
17 *conflict.*

18           (2) *The organization, composition, and size of*  
19 *combatant commands.*

20           (3) *The resources of combatant commands, in-*  
21 *cluding the degree to which combatant commands are*  
22 *adequately resourced and the degree to which combat-*  
23 *ant command requirements for forces are met.*

1           (4) *The benefits, drawbacks, and resource impli-*  
 2           *cations of eliminating, consolidating, or altering the*  
 3           *structure of combatant commands.*

4           (5) *A comparison of combatant command struc-*  
 5           *tures with alternative structures, including Joint*  
 6           *Task Force or task-organized forces below the combat-*  
 7           *ant command level.*

8           (c) *REPORT.*—*Not later than March 1, 2017, the Sec-*  
 9           *retary of Defense shall submit to the congressional defense*  
 10           *committees a report on the findings and recommendations*  
 11           *of the independent entity.*

## 12           **Subtitle B—Other Matters**

### 13           **SEC. 921. MODIFICATIONS TO CORROSION REPORT.**

14           (a) *MODIFICATIONS TO REPORT TO CONGRESS.*—*Sec-*  
 15           *tion 2228(e)(1) of title 10, United States Code, is amend-*  
 16           *ed—*

17                   (1) *in the matter preceding subparagraph (A),*  
 18                   *by inserting after “2009” the following: “and ending*  
 19                   *with the budget submitted on or before January 31,*  
 20                   *2021”;*

21                   (2) *by amending subparagraph (B) to read as*  
 22                   *follows:*

23                           “(B) *The estimated composite return on invest-*  
 24                           *ment achieved by implementing the strategy, and doc-*

1 *umented in the assessments by the Department of De-*  
2 *fense of completed corrosion projects and activities.”;*

3 *(3) by amending subparagraph (D) to read as*  
4 *follows:*

5 *“(D) If the full amount of funding requirements*  
6 *is not requested in the budget, the reasons for not in-*  
7 *cluding the full amount and a description of the im-*  
8 *act on readiness, logistics, and safety of not fully*  
9 *funding required corrosion prevention and mitigation*  
10 *activities”;* and

11 *(4) in subparagraph (F), by striking “pilot”.*

12 *(b) REPORT TO DIRECTOR OF CORROSION POLICY AND*  
13 *OVERSIGHT.—Section 2228(e)(2) of such title is amended—*

14 *(1) by inserting “(A)” before “Each report”;*

15 *(2) by striking “a copy of” and all that follows*  
16 *through the period and inserting “a summary of the*  
17 *most recent report required by subparagraph (B)”;*  
18 *and*

19 *(3) by adding at the end the following new sub-*  
20 *paragraph:*

21 *“(B) Not later than December 31 of each year, through*  
22 *December 31, 2020, the corrosion control and prevention ex-*  
23 *ecutive of a military department shall submit to the Direc-*  
24 *tor of Corrosion Policy and Oversight a report containing*  
25 *recommendations pertaining to the corrosion control and*

1 *prevention program of the military department. Such re-*  
2 *port shall include recommendations for the funding levels*  
3 *necessary for the executive to carry out the duties of the*  
4 *executive under this section. The report required under this*  
5 *subparagraph shall—*

6           “(i) *provide a summary of key accomplishments,*  
7           *goals, and objectives of the corrosion control and pre-*  
8           *vention program of the military department; and*

9           “(ii) *include the performance measures used to*  
10          *ensure that the corrosion control and prevention pro-*  
11          *gram achieved the goals and objectives described in*  
12          *clause (i).”.*

13          (c) *CONFORMING REPEAL.—Section 903(b) of Public*  
14 *Law 110–417 (10 U.S.C. 2228 note) is amended by striking*  
15 *paragraph (5).*

16 **SEC. 922. AUTHORITY TO EMPLOY CIVILIAN FACULTY MEM-**  
17                           **BERS AT JOINT SPECIAL OPERATIONS UNI-**  
18                           **VERSITY.**

19          Section 1595(c) of title 10, United States Code, is  
20 amended by adding at the end the following new paragraph:

21           “(5) *The Joint Special Operations University.”.*



1 **SEC. 923. GUIDELINES FOR CONVERSION OF FUNCTIONS**  
2 **PERFORMED BY CIVILIAN OR CONTRACTOR**  
3 **PERSONNEL TO PERFORMANCE BY MILITARY**  
4 **PERSONNEL.**

5 *Section 129a of title 10, United States Code, is amend-*  
6 *ed by adding at the end the following new subsection:*

7 *“(g) GUIDELINES FOR PERFORMANCE OF CERTAIN*  
8 *FUNCTIONS BY MILITARY PERSONNEL.—(1) Except as pro-*  
9 *vided in paragraph (2), no functions performed by civilian*  
10 *personnel or contractors may be converted to performance*  
11 *by military personnel unless—*

12 *“(A) there is a direct link between the functions*  
13 *to be performed and a military occupational spe-*  
14 *cialty; and*

15 *“(B) the conversion to performance by military*  
16 *personnel is cost effective, based on Department of De-*  
17 *fense instruction 7041.04 (or any successor adminis-*  
18 *trative regulation, directive, or policy).*

19 *“(2) Paragraph (1) shall not apply to the following*  
20 *functions:*

21 *“(A) Functions required by law or regulation to*  
22 *be performed by military personnel.*

23 *“(B) Functions related to—*

24 *“(i) missions involving operation risks and*  
25 *combatant status under the Law of War;*

1           “(ii) specialized collective and individual  
2           training requiring military-unique knowledge  
3           and skills based on recent operational experience;

4           “(iii) independent advice to senior civilian  
5           leadership in the Department of Defense requir-  
6           ing military-unique knowledge and skills based  
7           on recent operational experience; and

8           “(iv) command and control arrangements  
9           under chapter 47 of this title (the Uniform Code  
10          of Military Justice).”.

11 **SEC. 924. PUBLIC RELEASE BY INSPECTORS GENERAL OF**  
12 **REPORTS OF MISCONDUCT.**

13           (a) *RELEASE OF INSPECTOR GENERAL OF THE DE-*  
14 *PARTMENT OF DEFENSE ADMINISTRATIVE MISCONDUCT*  
15 *REPORTS.*—Section 141 of title 10, United States Code, is  
16 amended by adding at the end the following new subsection:

17           “(c) Within 60 days after issuing a final report, the  
18 Inspector General of the Department of Defense shall pub-  
19 licly release any reports of administrative investigations  
20 that confirm misconduct, including violations of Federal  
21 law and violations of policies of the Department of Defense,  
22 of members of the Senior Executive Service, individuals who  
23 are employed in positions of a confidential or policy-deter-  
24 mining character under schedule C of subpart C of part  
25 213 of title 5 of the Code of Federal Regulations, or commis-

1 sioned officers in the Armed Forces in pay grades O–6 pro-  
2 motable and above. In releasing the reports, the Inspector  
3 General shall ensure that information that would be pro-  
4 tected under section 552 of title 5 (commonly known as the  
5 ‘Freedom of Information Act’), section 552a of title 5 (com-  
6 monly known as the ‘Privacy Act of 1974’), or section 6103  
7 of the Internal Revenue Code of 1986 is not disclosed.”.

8 (b) *RELEASE OF INSPECTOR GENERAL OF THE ARMY*  
9 *ADMINISTRATIVE MISCONDUCT REPORTS.*—Section 3020 of  
10 such title is amended by adding at the end the following  
11 new subsection:

12 “(f) Within 60 days after issuing a final report, the  
13 Inspector General of the Army shall publicly release any  
14 reports of administrative investigations that confirm mis-  
15 conduct, including violations of Federal law and violations  
16 of policies of the Department of Defense, of members of the  
17 Senior Executive Service, individuals who are employed in  
18 positions of a confidential or policy-determining character  
19 under schedule C of subpart C of part 213 of title 5 of the  
20 Code of Federal Regulations, or commissioned officers in  
21 the Armed Forces in pay grades O–6 promotable and above.  
22 In releasing the reports, the Inspector General shall ensure  
23 that information that would be protected under section 552  
24 of title 5 (commonly known as the ‘Freedom of Information  
25 Act’), section 552a of title 5 (commonly known as the ‘Pri-

1 *vacy Act of 1974*), or section 6103 of the *Internal Revenue*  
2 *Code of 1986 is not disclosed.*”.

3       (c) *RELEASE OF NAVAL INSPECTOR GENERAL ADMIN-*  
4 *ISTRATIVE MISCONDUCT REPORTS.*—Section 5020 of such  
5 *title is amended by adding at the end the following new*  
6 *subsection:*

7       “(e) *Within 60 days after issuing a final report, the*  
8 *Naval Inspector General shall publicly release any reports*  
9 *of administrative investigations that confirm misconduct,*  
10 *including violations of Federal law and violations of poli-*  
11 *cies of the Department of Defense, of members of the Senior*  
12 *Executive Service, individuals who are employed in posi-*  
13 *tions of a confidential or policy-determining character*  
14 *under schedule C of subpart C of part 213 of title 5 of the*  
15 *Code of Federal Regulations, or commissioned officers in*  
16 *the Armed Forces in pay grades O–6 promotable and above.*  
17 *In releasing the reports, the Naval Inspector General shall*  
18 *ensure that information that would be protected under sec-*  
19 *tion 552 of title 5 (commonly known as the ‘Freedom of*  
20 *Information Act’), section 552a of title 5 (commonly known*  
21 *as the ‘Privacy Act of 1974’), or section 6103 of the Internal*  
22 *Revenue Code of 1986 is not disclosed.*”.

23       (d) *RELEASE OF INSPECTOR GENERAL OF THE AIR*  
24 *FORCE ADMINISTRATIVE MISCONDUCT REPORTS.*—Section

1 8020 of such title is amended by adding at the end the fol-  
 2 lowing new subsection:

3       “(f) Within 60 days after issuing a final report, the  
 4 Inspector General of the Air Force shall publicly release any  
 5 reports of administrative investigations that confirm mis-  
 6 conduct, including violations of Federal law and violations  
 7 of policies of the Department of Defense, of members of the  
 8 Senior Executive Service, individuals who are employed in  
 9 positions of a confidential or policy-determining character  
 10 under schedule C of subpart C of part 213 of title 5 of the  
 11 Code of Federal Regulations, or commissioned officers in  
 12 the Armed Forces in pay grades O–6 promotable and above.  
 13 In releasing the reports, the Inspector General shall ensure  
 14 that information that would be protected under section 552  
 15 of title 5 (commonly known as the ‘Freedom of Information  
 16 Act’), section 552a of title 5 (commonly known as the ‘Pri-  
 17 vacy Act of 1974’), or section 6103 of the Internal Revenue  
 18 Code of 1986 is not disclosed.”.

19 **SEC. 925. MODIFICATIONS TO REQUIREMENTS FOR AC-**  
 20 **COUNTING FOR MEMBERS OF THE ARMED**  
 21 **FORCES AND DEPARTMENT OF DEFENSE CI-**  
 22 **VILIAN EMPLOYEES LISTED AS MISSING.**

23       (a) *LIMITATION OF DEFENSE POW/MIA ACCOUNTING*  
 24 *AGENCY TO MISSING PERSONS FROM PAST CONFLICTS.—*

1 *Section 1501(a) of title 10, United States Code, is amend-*  
2 *ed—*

3           (1) *in paragraph (1)(A), by inserting “from past*  
4 *conflicts” after “matters relating to missing persons”;*

5           (2) *in paragraph (2)—*

6                 (A) *by striking subparagraph (A);*

7                 (B) *by redesignating subparagraphs (B),*  
8 *(C), (D), (E), and (F) as subparagraphs (A),*  
9 *(B), (C), (D), and (E), respectively; and*

10                (C) *by inserting “from past conflicts” after*  
11 *“missing persons” each place it appears;*

12           (3) *in paragraph (4)—*

13                 (A) *by striking “for personal recovery (in-*  
14 *cluding search, rescue, escape, and evasion)*  
15 *and”;* and

16                 (B) *by inserting “from past conflicts” after*  
17 *“missing persons”;* and

18           (4) *by striking paragraph (5).*

19           (b) *ACTION UPON DISCOVERY OR RECEIPT OF INFOR-*  
20 *MATION.—Section 1505(c) of such title is amended by strik-*  
21 *ing “designated Agency Director” in paragraphs (1), (2),*  
22 *and (3) and inserting “Secretary of Defense”.*

23           (c) *DEFINITION OF “ACCOUNTED FOR”.—Section*  
24 *1513(3)(B) of such title is amended by inserting “to the*  
25 *extent practicable” after “are recovered”.*

1 **SEC. 926. REFORM OF NATIONAL SECURITY COUNCIL.**

2 (a) *FINDINGS.*—Congress finds the following:

3 (1) *The National Security Council has increas-*  
4 *ingly micromanaged military operations and central-*  
5 *ized decisionmaking within the staff of the National*  
6 *Security Council. The size of the staff has contributed*  
7 *this problem.*

8 (2) *As stated by former Secretary of Defense*  
9 *Robert M. Gates, “It was the operational micro-*  
10 *management that drove me nuts of White House and*  
11 *[National Security Council] staffers calling senior*  
12 *commanders out in the field and asking them ques-*  
13 *tions, second guessing commanders”, and by another*  
14 *former Secretary of Defense Leon Panetta, “[B]ecause*  
15 *of that centralization of that authority at the White*  
16 *House, there are too few voices being heard in terms*  
17 *of the ability to make decisions and that includes*  
18 *members of the cabinet.”.*

19 (3) *Gates stated, “You have 25 people working*  
20 *on a single military problem... They are going to be*  
21 *doing things they shouldn’t be doing,” and Panetta*  
22 *noted, “The National Security Council has grown*  
23 *enormously, which means you have a lot more staff*  
24 *people running around at the White House on these*  
25 *foreign policy issues.”.*

1           (4) *Press reports indicate that National Security*  
2           *Council micromanagement has included selecting tar-*  
3           *gets in ongoing military operations, specifying de-*  
4           *tailed parameters and limitations on military oper-*  
5           *ations, and managing military planning and the exe-*  
6           *cution of plans.*

7           (5) *As stated in section 101(a) of the National*  
8           *Security Act of 1947 (50 U.S.C. 3021(a)), the “func-*  
9           *tion of the Council shall be to advise the President*  
10          *with respect to the integration of domestic, foreign,*  
11          *and military policies relating to the national security*  
12          *so as to enable the military services and the other de-*  
13          *partments and agencies of the Government to cooper-*  
14          *ate more effectively in matters involving the national*  
15          *security”.*

16          (6) *As stated in the November 1961 staff reports*  
17          *and recommendations on “Organizing for National*  
18          *Security” submitted to the Committee on Government*  
19          *Operations of the Senate by the Subcommittee on Na-*  
20          *tional Policy Machinery, “The Council is an inter-*  
21          *agency committee: It can inform, debate, review, ad-*  
22          *just, and validate... The Council is not a decision-*  
23          *making body; it does not itself make policy. It serves*  
24          *only in an advisory capacity to the President, helping*  
25          *him arrive at decisions which he alone can make.”.*



1           (7) *As noted in the 1987 Report of the Presi-*  
2 *dent's Special Review Board (commonly known as the*  
3 *"Tower Commission Report"), "As a general matter,*  
4 *the [National Security Council] staff should not en-*  
5 *gage in the implementation of policy or the conduct*  
6 *of operations. This compromises their oversight role*  
7 *and usurps the responsibilities of the departments and*  
8 *agencies."*

9           (8) *As noted in the "Addendum on Structure*  
10 *and Process Analyses: Volume II – Executive Office*  
11 *of the President," accompanying the February 2001*  
12 *U.S. Commission on National Security/21st Century*  
13 *(commonly known as the "Hart-Rudman Commis-*  
14 *sion"), "[T]he degree to which the [National Security*  
15 *Council] gets involved in operational issues raises a*  
16 *question of congressional oversight. Today there is*  
17 *limited congressional oversight of the [National Secu-*  
18 *rity Council]... Assigning the [National Security*  
19 *Council] greater operational responsibility would like-*  
20 *ly result in calls for more congressional oversight and*  
21 *legislative control..."*

22           (9) *According to analysis from the Brookings In-*  
23 *stitution's National Security Council Project, the size*  
24 *of the National Security Council staff from the early*  
25 *1960s to the mid-1990s remained consistently under*

1       60 personnel. Since then, it has grown significantly  
2       in size.

3           (10) As former National Security Advisor,  
4       Zbigniew Brzezinski, wrote in “The NSC’s Midlife  
5       Crisis” in *Foreign Policy*, Winter 1987–1988, “There  
6       is no magic number, but it would appear that for  
7       successful strategic planning and policy coordination  
8       30-40 senior staff members are probably adequate.  
9       However, to ensure effective supervision over policy  
10      implementation as well, the size of the staff should be  
11      somewhat larger. An optimal figure for the senior  
12      staff probably would be about 50 senior staff mem-  
13      bers.”.

14      (b) *SENSE OF CONGRESS.*—It is the sense of Congress  
15      that—

16           (1) the function of the National Security Coun-  
17      cil, consistent with the National Security Act of 1947  
18      (50 U.S.C. 3001 et seq.), is to advise the President as  
19      an independent honest broker on national security  
20      matters, to coordinate national security activities  
21      across departments and agencies, and to make rec-  
22      ommendations to the President regarding national se-  
23      curity objectives and policy, and the size of the staff  
24      of the National Security Council should be appro-  
25      priately aligned to this function;

1           (2) *the President is entitled to privacy in the Of-*  
2 *fice of the President and to a confidential relationship*  
3 *with the National Security Advisor and the National*  
4 *Security Council; and*

5           (3) *however, a National Security Council, en-*  
6 *abled by a large staff, that assumes a central policy-*  
7 *making or operational role is no longer advisory and*  
8 *should be publicly accountable to the American people*  
9 *through Senate confirmation of its leadership and the*  
10 *activities of the Council subject to direct oversight by*  
11 *Congress.*

12       (c) *AMENDMENTS TO NATIONAL SECURITY ACT OF*  
13 *1947.—Section 101 of the National Security Act of 1947*  
14 *(50 U.S.C. 3021), is amended—*

15           (1) *in subsection (a)—*

16               (A) *in paragraph (5), by striking “and”;*

17               (B) *in paragraph (6), by striking the period*  
18 *at the end and inserting “; and”;* and

19               (C) *by adding after paragraph (6) the fol-*  
20 *lowing new paragraph:*

21           “*(7) the Assistant to the President for National*  
22 *Security Affairs.”;*

23           (2) *in subsection (c), by striking “shall receive*  
24 *compensation at the rate of \$10,000 a year.” and in-*  
25 *serting “shall report to, and be under the general su-*

1        *pervision of, the Assistant to the President for Na-*  
2        *tional Security Affairs.”;*

3                *(3) by redesignating subsections (d) through (l)*  
4        *as subsections (e) through (m), respectively; and*

5                *(4) by inserting after subsection (c) the following*  
6        *new subsection:*

7                *“(d)(1)(A) Except as provided by subparagraph (B),*  
8        *the Assistant to the President for National Security Affairs*  
9        *shall be appointed by the President.*

10              *“(B) If the staff of the Council exceeds 100 covered em-*  
11        *ployees at any point during a term of the President, and*  
12        *for the duration of such term (without regard to any*  
13        *changes to the number of such covered employees), the As-*  
14        *stant to the President for National Security Affairs shall*  
15        *be appointed by the President, by and with the advice and*  
16        *consent of the Senate.*

17              *“(2)(A) Beginning on the date on which the staff of*  
18        *the Council exceeds 100 covered employees, the person ap-*  
19        *pointed as the Assistant under paragraph (1)(A), the person*  
20        *nominated by the President to be appointed the Assistant*  
21        *under paragraph (1)(B), or any other person designated by*  
22        *the President to serve as the Assistant in an acting capac-*  
23        *ity, may serve in an acting capacity for no longer than*  
24        *210 days.*

1       “(B) If the person nominated by the President to be  
2 appointed the Assistant under paragraph (1)(B) is rejected  
3 by the Senate, withdrawn, or returned to the President by  
4 the Senate, the President shall nominate another person  
5 and the person serving as the acting Assistant may continue  
6 to serve—

7               “(i) until the second nomination is confirmed; or  
8               “(ii) for no more than 210 days after the second  
9 nomination is rejected, withdrawn, or returned.

10       “(3) The President shall notify Congress in writing not  
11 more than seven days after the date on which the staff of  
12 the Council exceeds 100 covered employees.

13       “(4) In this subsection, the term ‘covered employees’  
14 means each of the following officers and employees (counted  
15 without regard to full-time equivalent basis):

16               “(A) Officers and employees occupying a posi-  
17 tion funded by the Executive Office of the President  
18 performing a function of the Council.

19               “(B) Officers, employees, and members of the  
20 Armed Forces from any department, agency, or inde-  
21 pendent establishment of the executive branch of the  
22 Government that are on detail to the Council per-  
23 forming a function of the Council.”.

24       (d) CONFORMING AMENDMENT.—Section 3(12) of the  
25 International Religious Freedom Act of 1998 (22 U.S.C.

1 6402(12)) is amended by striking “section 101(i)” and in-  
2 serting “section 101(l)”.

3 ***Subtitle C—Department of the Navy***  
4 ***and Marine Corps***

5 ***SEC. 931. REDESIGNATION OF THE DEPARTMENT OF THE***  
6 ***NAVY AS THE DEPARTMENT OF THE NAVY***  
7 ***AND MARINE CORPS.***

8 (a) *REDESIGNATION OF MILITARY DEPARTMENT.*—  
9 *The military department designated as the Department of*  
10 *the Navy is redesignated as the Department of the Navy*  
11 *and Marine Corps.*

12 (b) *REDESIGNATION OF SECRETARY AND OTHER*  
13 *STATUTORY OFFICES.*—

14 (1) *SECRETARY.*—*The position of the Secretary*  
15 *of the Navy is redesignated as the Secretary of the*  
16 *Navy and Marine Corps.*

17 (2) *OTHER STATUTORY OFFICES.*—*The positions*  
18 *of the Under Secretary of the Navy, the four Assistant*  
19 *Secretaries of the Navy, and the General Counsel of*  
20 *the Department of the Navy are redesignated as the*  
21 *Under Secretary of the Navy and Marine Corps, the*  
22 *Assistant Secretaries of the Navy and Marine Corps,*  
23 *and the General Counsel of the Department of the*  
24 *Navy and Marine Corps, respectively.*

1 **SEC. 932. CONFORMING AMENDMENTS TO TITLE 10, UNITED**  
2 **STATES CODE.**

3 (a) *DEFINITION OF “MILITARY DEPARTMENT”.*—  
4 *Paragraph (8) of section 101(a) of title 10, United States*  
5 *Code, is amended to read as follows:*

6 “(8) *The term ‘military department’ means the*  
7 *Department of the Army, the Department of the Navy*  
8 *and Marine Corps, and the Department of the Air*  
9 *Force.”.*

10 (b) *ORGANIZATION OF DEPARTMENT.*—*The text of sec-*  
11 *tion 5011 of such title is amended to read as follows: “The*  
12 *Department of the Navy and Marine Corps is separately*  
13 *organized under the Secretary of the Navy and Marine*  
14 *Corps.”.*

15 (c) *POSITION OF SECRETARY.*—*Section 5013(a)(1) of*  
16 *such title is amended by striking “There is a Secretary of*  
17 *the Navy” and inserting “There is a Secretary of the Navy*  
18 *and Marine Corps”.*

19 (d) *CHAPTER HEADINGS.*—

20 (1) *The heading of chapter 503 of such title is*  
21 *amended to read as follows:*

22 **“CHAPTER 503—DEPARTMENT OF THE**  
23 **NAVY AND MARINE CORPS”.**

24 (2) *The heading of chapter 507 of such title is*  
25 *amended to read as follows:*

1 **“CHAPTER 507—COMPOSITION OF THE DE-**  
2 **PARTMENT OF THE NAVY AND MARINE**  
3 **CORPS”.**

4 *(e) OTHER AMENDMENTS.—*

5 *(1) Title 10, United States Code, is amended by*  
6 *striking “Department of the Navy” and “Secretary of*  
7 *the Navy” each place they appear other than as speci-*  
8 *fied in subsections (a), (b), (c), and (d) (including in*  
9 *section headings, subsection captions, tables of chap-*  
10 *ters, and tables of sections) and inserting “Depart-*  
11 *ment of the Navy and Marine Corps” and “Secretary*  
12 *of the Navy and Marine Corps”, respectively, in each*  
13 *case with the matter inserted to be in the same type-*  
14 *face and typestyle as the matter stricken.*

15 *(2)(A) Sections 5013(f), 5014(b)(2), 5016(a),*  
16 *5017(2), 5032(a), and 5042(a) of such title are*  
17 *amended by striking “Assistant Secretaries of the*  
18 *Navy” and inserting “Assistant Secretaries of the*  
19 *Navy and Marine Corps”.*

20 *(B) The heading of section 5016 of such title,*  
21 *and the item relating to such section in the table of*  
22 *sections at the beginning of chapter 503 of such title,*  
23 *are each amended by inserting “and Marine Corps”*  
24 *after “of the Navy”, with the matter inserted in each*





1 **TITLE X—GENERAL PROVISIONS**

2 **Subtitle A—Financial Matters**

3 **SEC. 1001. GENERAL TRANSFER AUTHORITY.**

4 (a) *AUTHORITY TO TRANSFER AUTHORIZATIONS.*—

5 (1) *AUTHORITY.*—Upon determination by the  
6 Secretary of Defense that such action is necessary in  
7 the national interest, the Secretary may transfer  
8 amounts of authorizations made available to the De-  
9 partment of Defense in this division for fiscal year  
10 2017 between any such authorizations for that fiscal  
11 year (or any subdivisions thereof). Amounts of au-  
12 thorizations so transferred shall be merged with and  
13 be available for the same purposes as the authoriza-  
14 tion to which transferred.

15 (2) *LIMITATION.*—Except as provided in para-  
16 graph (3), the total amount of authorizations that the  
17 Secretary may transfer under the authority of this  
18 section may not exceed \$5,000,000,000.

19 (3) *EXCEPTION FOR TRANSFERS BETWEEN MILI-*  
20 *TARY PERSONNEL AUTHORIZATIONS.*—A transfer of  
21 funds between military personnel authorizations  
22 under title IV shall not be counted toward the dollar  
23 limitation in paragraph (2).

24 (b) *LIMITATIONS.*—The authority provided by sub-  
25 section (a) to transfer authorizations—



1       (b) *ADDITIONAL AUTHORITY.*—*The transfer authority*  
2 *provided by this section is in addition to any other transfer*  
3 *authority contained in this Act.*

4 **SEC. 1003. REPORT ON AUDITABLE FINANCIAL STATE-**  
5 **MENTS.**

6       *Not later than 30 days after the date of the enactment*  
7 *of this Act, the Secretary of Defense shall submit to the con-*  
8 *gressional defense committees a report ranking all military*  
9 *departments and Defense Agencies in order of how advanced*  
10 *they are in achieving auditable financial statements as re-*  
11 *quired by law. The report should not include information*  
12 *otherwise available in other reports to Congress.*

13 ***Subtitle B—Counter-Drug Activities***

14 **SEC. 1011. EXTENSION OF AUTHORITY TO PROVIDE ADDI-**  
15 **TIONAL SUPPORT FOR COUNTER-DRUG AC-**  
16 **TIVITIES OF FOREIGN GOVERNMENTS.**

17       *Section 1033(a)(2) of the National Defense Authoriza-*  
18 *tion Act for Fiscal Year 1998 (Public Law 105–85; 111*  
19 *Stat. 1881), as most recently amended by section 1012 of*  
20 *the National Defense Authorization Act for Fiscal Year*  
21 *2016 (Public Law 114–92; 129 Stat. 963), is further*  
22 *amended by striking “September 30, 2017” and inserting*  
23 *“September 30, 2019”.*

1 **SEC. 1012. SECRETARY OF DEFENSE REVIEW OF CURRICULA**  
2 **AND PROGRAM STRUCTURES OF NATIONAL**  
3 **GUARD COUNTERDRUG SCHOOLS.**

4 (a) *IN GENERAL.*—Section 901 of the Office of Na-  
5 tional Drug Control Policy Reauthorization Act of 2006  
6 (Public Law 109–469; 32 U.S.C. 112 note) is amended—

7 (1) by redesignating subsections (e) through (g)  
8 as subsections (f) through (h), respectively; and

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

11 “(e) *CURRICULUM REVIEW.*—The Secretary of Defense  
12 may review and approve the curriculum and program  
13 structure of each school established under this section.”.

14 (b) *TECHNICAL AMENDMENT.*—Subsection (d)(1) of  
15 such section is amended by striking “section 112(b) of that  
16 title 32” and inserting “section 112(b) of title 32”.

17 **SEC. 1013. EXTENSION OF AUTHORITY TO SUPPORT UNI-**  
18 **FIED COUNTERDRUG AND COUNTERTER-**  
19 **RORISM CAMPAIGN IN COLOMBIA.**

20 Section 1021 of the Ronald W. Reagan National De-  
21 fense Authorization Act for Fiscal Year 2005 (Public Law  
22 108–375; 118 Stat. 2042), as most recently amended by sec-  
23 tion 1011(a) of the National Defense Authorization Act for  
24 Fiscal Year 2016 (Public Law 114–92; 129 Stat. 962), is  
25 further amended—

1           (1) *in subsection (a), by striking “2017” and in-*  
2           *serting “2018”; and*

3           (2) *in subsection (c), by striking “2017” and in-*  
4           *serting “2018”.*

5 **SEC. 1014. UNMANNED AERIAL SYSTEMS TRAINING MIS-**  
6           **SIONS.**

7           *The Secretary of Defense shall coordinate unmanned*  
8           *aerial systems training missions along the southern border*  
9           *of the United States in order to support the Department*  
10          *of Homeland Security’s counter-narcotic trafficking efforts.*

11 **SEC. 1015. FUNDING FOR COUNTER NARCOTICS OPER-**  
12          **ATIONS.**

13          (a) *INCREASE.—Notwithstanding the amounts set*  
14          *forth in the funding tables in division D, the amount au-*  
15          *thorized to be appropriated for drug interdiction and*  
16          *counterdrug activities, Defense-wide, as specified in the cor-*  
17          *responding funding table in section 4501 is hereby in-*  
18          *creased by \$3,000,000.*

19          (b) *OFFSET.—Notwithstanding the amounts set forth*  
20          *in the funding tables in division D, the amount authorized*  
21          *to be appropriated for operation and maintenance, as speci-*  
22          *fied in the corresponding funding table in section 4301, for*  
23          *administration and servicewide activities, Defense Logistics*  
24          *Agency (Line 160) is hereby reduced by \$3,000,000.*

1 **SEC. 1016. REPORT ON EFFORTS OF UNITED STATES**  
2 **SOUTHERN COMMAND OPERATION TO DE-**  
3 **TECT AND MONITOR DRUG TRAFFICKING.**

4 *The Secretary of Defense shall submit to Congress a*  
5 *report on the effectiveness of the United States Southern*  
6 *Command Operation to limit threats to the national secu-*  
7 *rity of the United States by detecting and monitoring drug*  
8 *trafficking, specifically heroin and fentanyl.*

9 **Subtitle C—Naval Vessels and**  
10 **Shipyards**

11 **SEC. 1021. DEFINITION OF SHORT-TERM WORK WITH RE-**  
12 **SPECT TO OVERHAUL, REPAIR, OR MAINTE-**  
13 **NANCE OF NAVAL VESSELS.**

14 *Section 7299a(c)(4) of title 10, United States Code, is*  
15 *amended by striking “six months” and inserting “10*  
16 *months”.*

17 **SEC. 1022. WARRANTY REQUIREMENTS FOR SHIPBUILDING**  
18 **CONTRACTS.**

19 *(a) IN GENERAL.—Chapter 633 of title 10, United*  
20 *States Code, is amended by adding at the end the following*  
21 *new section:*

22 **“§ 7318. Warranty requirements for shipbuilding con-**  
23 **tracts**

24 *“(a) REQUIREMENT.—A contracting officer for a con-*  
25 *tract for which funds are expended from the Shipbuilding*  
26 *and Conversion, Navy account shall require, as a condition*

1 of the contract, that the work performed under the contract  
2 is covered by a warranty for a period of at least one year.

3 “(b) **WAIVER.**—If the contracting officer for a contract  
4 covered by the requirement under subsection (a) determines  
5 that a limited liability of warranted work is in the best  
6 interest of the Government, the contracting officer may  
7 agree to limit the liability of the work performed under the  
8 contract to a level that the contracting officer determines  
9 is sufficient to protect the interests of the Government and  
10 in keeping with historical levels of warranted work on simi-  
11 lar vessels.”.

12 (b) **CLERICAL AMENDMENT.**—The table of sections at  
13 the beginning of such chapter is amended by adding at the  
14 end the following new item:

“7318. Warranty requirements for shipbuilding contracts.”.

15 **SEC. 1023. NATIONAL SEA-BASED DETERRENCE FUND.**

16 (a) **TRANSFER AUTHORITY.**—Section 1022(b)(1) of the  
17 National Defense Authorization Act for Fiscal Year 2015  
18 (Public Law 113–291; 128 Stat. 3487), as amended by sec-  
19 tion 1022(b) of the National Defense Authorization Act for  
20 Fiscal Year 2016 (Public Law 114–92), is further amended  
21 by striking “or 2017” and inserting “2017, or 2018”.

22 (b) **AUTHORITY FOR MULTIYEAR PROCUREMENT OF**  
23 **CRITICAL COMPONENTS TO SUPPORT CONTINUOUS PRO-**  
24 **DUCTION.**—Section 2218a of title 10, United States Code,  
25 is amended—



1           (1) *by redesignating subsections (i) and (j) as*  
2           *subsections (j) and (k), respectively; and*

3           (2) *by inserting after subsection (h) the following*  
4           *new subsection (i):*

5           “(i) *AUTHORITY FOR MULTIYEAR PROCUREMENT OF*  
6           *CRITICAL COMPONENTS TO SUPPORT CONTINUOUS PRO-*  
7           *DUCTION.—(1) To implement the continuous production of*  
8           *critical components, the Secretary of the Navy may use*  
9           *funds deposited in the Fund, in conjunction with funds ap-*  
10          *propriated for the procurement of other nuclear-powered*  
11          *vessels, to enter into one or more multiyear contracts (in-*  
12          *cluding economic ordering quantity contracts), for the pro-*  
13          *curement of critical contractor-furnished and Government-*  
14          *furnished components for national sea-based deterrence ves-*  
15          *sels. The authority under this subsection extends to the pro-*  
16          *curement of equivalent critical parts, components, systems,*  
17          *and subsystems common with and required for other nu-*  
18          *clear-powered vessels.*

19          “(2) *Any contract entered into pursuant to paragraph*  
20          *(1) shall provide that any obligation of the United States*  
21          *to make a payment under the contract is subject to the*  
22          *availability of appropriations for that purpose and that the*  
23          *total liability to the Government for the termination of the*  
24          *contract shall be limited to the total amount of funding obli-*  
25          *gated for the contract as of the date of the termination.”.*

1       (c) *DEFINITION OF NATIONAL SEA-BASED DETER-*  
 2 *RENCE VESSEL.*—*Subsection (k)(2) of such section, as re-*  
 3 *designated by subsection (b), is amended—*

4           (1) *by striking “any vessel” and inserting “any*  
 5 *submersible vessel constructed or purchased after fis-*  
 6 *cal year 2016 that is”;* and

7           (2) *by inserting “and” before “that carries”.*

8 **SEC. 1024. AVAILABILITY OF FUNDS FOR RETIREMENT OR**  
 9 **INACTIVATION OF TICONDEROGA-CLASS**  
 10 **CRUISERS OR DOCK LANDING SHIPS.**

11       (a) *LIMITATION ON RETIREMENT OR INACTIVATION.*—  
 12 *None of the funds authorized to be appropriated by this Act*  
 13 *or otherwise made available for the Department of Defense*  
 14 *for fiscal year 2017 may be obligated or expended—*

15           (1) *to retire, prepare to retire, or inactivate a*  
 16 *cruiser or dock landing ship; or*

17           (2) *to place in a modernization status more than*  
 18 *six cruisers and one dock landing ship identified in*  
 19 *section 1026(a)(2) of the Carl Levin and Howard P.*  
 20 *“Buck” McKeon National Defense Authorization Act*  
 21 *for Fiscal Year 2015 (Public Law 113–291; 128 Stat.*  
 22 *3490).*

23       (b) *HULL, MECHANICAL, AND ELECTRICAL MOD-*  
 24 *ERNIZATION.*—*Not more than 75 percent of the funds made*  
 25 *available for the Office of the Secretary of Defense for fiscal*

1 *year 2017 may be obligated until the Secretary of the*  
2 *Navy—*

3 *(1) enters into a contract for the modernization*  
4 *industrial period associated with four cruisers and*  
5 *one dock landing ship referred to in section*  
6 *1026(a)(2) of the Carl Levin and Howard P. “Buck”*  
7 *McKeon National Defense Authorization Act for Fis-*  
8 *cal Year 2015 (Public Law 113–291; 128 Stat. 3490);*  
9 *and*

10 *(2) enters into a contract for the procurement of*  
11 *combat systems upgrades associated with six such*  
12 *cruisers and one such dock landing ship.*

13 **SEC. 1025. RESTRICTIONS ON THE OVERHAUL AND REPAIR**  
14 **OF VESSELS IN FOREIGN SHIPYARDS.**

15 *(a) IN GENERAL.—Section 7310(b)(1) of title 10,*  
16 *United States Code, is amended—*

17 *(1) by striking “In the case” and inserting “(A)*  
18 *Except as provided in subparagraph (B), in the*  
19 *case”;*

20 *(2) by striking “during the 15-month” and all*  
21 *that follows through “United States)”;*

22 *(3) by inserting before the period at the end the*  
23 *following: “, other than in the case of voyage repairs”;*  
24 *and*

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

3           “(B) The Secretary of the Navy may waive the appli-  
4           cation of subparagraph (A) to a contract award if the Sec-  
5           retary determines that the waiver is essential to the na-  
6           tional security interests of the United States.”.

7           (b) *EFFECTIVE DATE.*—The amendments made by sub-  
8           section (a) shall take effect on the later of the following  
9           dates:

10           (1) The date of the enactment of the National  
11           Defense Authorization Act for Fiscal Year 2018.

12           (2) October 1, 2017.

### 13           ***Subtitle D—Counterterrorism***

#### 14           ***SEC. 1031. FREQUENCY OF COUNTERTERRORISM OPER-*** 15           ***ATIONS BRIEFINGS.***

16           (a) *IN GENERAL.*—Subsection (a) of section 485 of title  
17           10, United States Code is amended by striking “quarterly”  
18           and inserting “monthly”.

19           (b) *SECTION HEADING.*—The section heading for such  
20           section is amended by striking “**Quarterly**” and insert-  
21           ing “**Monthly**”.

22           (c) *CLERICAL AMENDMENT.*—The table of sections at  
23           the beginning of chapter 23 of such title is amended by  
24           striking the item relating to section 485 and inserting the  
25           following new item:

“485. Monthly counterterrorism operations briefings.”.

1 **SEC. 1032. PROHIBITION ON USE OF FUNDS FOR TRANSFER**  
2 **OR RELEASE OF INDIVIDUALS DETAINED AT**  
3 **UNITED STATES NAVAL STATION, GUANTA-**  
4 **NAMO BAY, CUBA TO THE UNITED STATES.**

5 *No amounts authorized to be appropriated or otherwise*  
6 *made available for the Department of Defense may be used*  
7 *during the period beginning on the date of the enactment*  
8 *of this Act and ending on December 31, 2017, to transfer,*  
9 *release, or assist in the transfer or release to or within the*  
10 *United States, its territories, or possessions of Khalid*  
11 *Sheikh Mohammed or any other detainee who—*

12 *(1) is not a United States citizen or a member*  
13 *of the Armed Forces of the United States; and*

14 *(2) is or was held on or after January 20, 2009,*  
15 *at United States Naval Station, Guantanamo Bay,*  
16 *Cuba, by the Department of Defense.*

17 **SEC. 1033. PROHIBITION ON USE OF FUNDS TO CONSTRUCT**  
18 **OR MODIFY FACILITIES IN THE UNITED**  
19 **STATES TO HOUSE DETAINEES TRANS-**  
20 **FERRED FROM UNITED STATES NAVAL STA-**  
21 **TION, GUANTANAMO BAY, CUBA.**

22 *(a) IN GENERAL.—No amounts authorized to be ap-*  
23 *propriated or otherwise made available to the Department*  
24 *of Defense may be used during the period beginning on the*  
25 *date of the enactment of this Act and ending on December*  
26 *31, 2017, to construct or modify any facility in the United*

1 *States, its territories, or possessions to house any individual*  
 2 *detained at Guantanamo for the purposes of detention or*  
 3 *imprisonment in the custody or under the control of the*  
 4 *Department of Defense unless authorized by Congress.*

5 (b) *EXCEPTION.—The prohibition in subsection (a)*  
 6 *shall not apply to any modification of facilities at United*  
 7 *States Naval Station, Guantanamo Bay, Cuba.*

8 (c) *INDIVIDUAL DETAINED AT GUANTANAMO DE-*  
 9 *FINED.—In this section, the term “individual detained at*  
 10 *Guantanamo” has the meaning given that term in section*  
 11 *1034(f)(2) of the National Defense Authorization Act for*  
 12 *Fiscal Year 2016 (Public Law 114–92; 129 Stat. 971; 10*  
 13 *U.S. C. 801 note).*

14 **SEC. 1034. PROHIBITION ON USE OF FUNDS FOR TRANSFER**  
 15 **OR RELEASE TO CERTAIN COUNTRIES OF IN-**  
 16 **DIVIDUALS DETAINED AT UNITED STATES**  
 17 **NAVAL STATION, GUANTANAMO BAY, CUBA.**

18 *No amounts authorized to be appropriated or otherwise*  
 19 *made available for the Department of Defense may be used*  
 20 *during the period beginning on the date of the enactment*  
 21 *of this Act and ending on December 31, 2017, to transfer,*  
 22 *release, or assist in the transfer or release of any individual*  
 23 *detained in the custody or under the control of the Depart-*  
 24 *ment of Defense at United States Naval Station, Guanta-*

1 *namo Bay, Cuba, to the custody or control of any country,*  
2 *or any entity within such country, as follows:*

3 (1) *Libya.*

4 (2) *Somalia.*

5 (3) *Syria.*

6 (4) *Yemen.*

7 **SEC. 1035. PROHIBITION ON USE OF FUNDS FOR REALIGN-**  
8 **MENT OF FORCES AT OR CLOSURE OF**  
9 **UNITED STATES NAVAL STATION, GUANTA-**  
10 **NAMO BAY, CUBA.**

11 *No amounts authorized to be appropriated or otherwise*  
12 *made available for the Department of Defense for fiscal year*  
13 *2017 may be used—*

14 (1) *to close or abandon United States Naval Sta-*  
15 *tion, Guantanamo Bay, Cuba;*

16 (2) *to relinquish control of Guantanamo Bay to*  
17 *the Republic of Cuba; or*

18 (3) *to implement a material modification to the*  
19 *Treaty Between the United States of America and*  
20 *Cuba signed at Washington, D.C. on May 29, 1934,*  
21 *that constructively closes United States Naval Sta-*  
22 *tion, Guantanamo Bay.*

1 **SEC. 1036. MODIFICATION OF CONGRESSIONAL NOTIFICA-**  
2 **TION OF SENSITIVE MILITARY OPERATIONS.**

3 *Section 130f of title 10, United States Code, is amend-*  
4 *ed—*

5 *(1) in subsection (a)—*

6 *(A) in the first sentence, by inserting “no*  
7 *later than 48 hours” after “under this title”; and*

8 *(B) in the second sentence, by inserting*  
9 *“and the National Defense Authorization Act for*  
10 *Fiscal Year 2017” before the period at the end;*  
11 *and*

12 *(2) by striking subsection (d) and inserting the*  
13 *following:*

14 *“(d) SENSITIVE MILITARY OPERATION DEFINED.—In*  
15 *this section, the term ‘sensitive military operation’ means*  
16 *an operation—*

17 *“(1) conducted by the United States armed forces*  
18 *outside the United States, whether conducted by the*  
19 *United States acting alone or cooperatively;*

20 *“(2) conducted pursuant to—*

21 *“(A) the Authorization for the Use of Mili-*  
22 *tary Force (Public Law 107–40; 50 U.S.C.*  
23 *1541); or*

24 *“(B) any other authority except—*

25 *“(i) a declaration of war; or*



1                   “(ii) a specific statutory authorization  
2                   for the use of force other than the authoriza-  
3                   tion referred to in subparagraph (A);

4                   “(3) conducted outside a theater of major hos-  
5                   tilities; and

6                   “(4) that is either—

7                   “(A) a lethal operation;

8                   “(B) a capture operation; or

9                   “(C) an activity of self-defense, collective self  
10                  defense, or in defense of a foreign partner during  
11                  a cooperative operation.”.

12 **SEC. 1037. COMPREHENSIVE STRATEGY FOR DETENTION OF**  
13 **CERTAIN INDIVIDUALS.**

14           (a) *IN GENERAL.*—Not later than July 19, 2017, the  
15 Secretary of Defense shall, in consultation with the Attor-  
16 ney General and the Director of National Intelligence, sub-  
17 mit to the appropriate congressional committees a report  
18 setting forth the details of a comprehensive strategy for the  
19 detention of current and future individuals captured and  
20 held pursuant to the Authorization for Use of Military  
21 Force (Public Law 107–40) pending the end of hostilities.

22           (b) *COMPREHENSIVE STRATEGY.*—The comprehensive  
23 detention strategy required by subsection (a) shall contain  
24 the following:

1           (1) *A policy and plan applicable to individuals*  
2 *lawfully detained under the effective control of the*  
3 *United States.*

4           (2) *A description of how intelligence information*  
5 *is currently gathered from individuals captured in*  
6 *theaters of combat operation.*

7           (3) *A plan for the disposition of individuals cap-*  
8 *tured in the future.*

9           (4) *A description of how the United States will*  
10 *acquire intelligence information in the future.*

11           (5) *A plan for the disposition of individuals held*  
12 *pursuant to the Authorization for Use of Military*  
13 *Force who are currently detained at the United States*  
14 *Naval Base, Guantanamo Bay, Cuba.*

15       (c) *FORM.*—*The comprehensive detention strategy re-*  
16 *quired under subsection (b) shall be submitted in unclassi-*  
17 *fied form, but may include a classified annex.*

18       (d) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—*In*  
19 *this section, the term “appropriate congressional commit-*  
20 *tees” means—*

21           (1) *the congressional defense committees;*

22           (2) *the Permanent Select Committee on Intel-*  
23 *ligence of the House of Representatives and the Select*  
24 *Committee on Intelligence of the Senate; and*

1           (3) *the Committee on Foreign Affairs of the*  
2           *House of Representatives and the Committee on For-*  
3           *eign Relations of the Senate.*

4 **SEC. 1038. DECLASSIFICATION OF INFORMATION ON PAST**  
5           **TERRORIST ACTIVITIES OF DETAINEES**  
6           **TRANSFERRED FROM UNITED STATES NAVAL**  
7           **STATION, GUANTANAMO BAY, CUBA.**

8           (a) *IN GENERAL.*—*Not later than 120 days after the*  
9           *date of the enactment of this Act, the Director of National*  
10          *Intelligence shall—*

11           (1) *complete a declassification review of intel-*  
12          *ligence reports prepared by the National Counterter-*  
13          *rorism Center prior to Periodic Review Board ses-*  
14          *sions or detainee transfers on the past terrorist activi-*  
15          *ties of individuals detained at United States Naval*  
16          *Station, Guantanamo Bay, Cuba, who were trans-*  
17          *ferred or released from United States Naval Station,*  
18          *Guantanamo Bay;*

19           (2) *make available to the public any information*  
20          *declassified as a result of the declassification review;*  
21          *and*

22           (3) *submit to the appropriate congressional com-*  
23          *mittees, consistent with the protection of sources and*  
24          *methods, a report setting forth—*

1           (A) *the results of the declassification review;*  
2           *and*

3           (B) *if any information covered by the de-*  
4           *classification review was not declassified pursu-*  
5           *ant to the review, a justification for the deter-*  
6           *mination not to declassify such information.*

7           (b) *PAST TERRORIST ACTIVITIES.—For purposes of*  
8           *this section, the past terrorist activities of an individual*  
9           *shall include the terrorist activities conducted by the indi-*  
10          *vidual before the transfer of the individual to the detention*  
11          *facility at United States Naval Station, Guantanamo Bay,*  
12          *including, at a minimum, the following:*

13           (1) *The terrorist organization, if any, with*  
14           *which affiliated.*

15           (2) *The terrorist training, if any, received.*

16           (3) *The role in past terrorist attacks against the*  
17           *interests or allies of the United States.*

18           (4) *The direct responsibility, if any, for the*  
19           *death of citizens of the United States or members of*  
20           *the Armed Forces.*

21           (5) *Any admission of any matter specified in*  
22           *paragraphs (1) through (4).*

23           (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
24           *FINED.—In this section, the term “appropriate congress-*  
25           *sional committees” means—*

1           (1) *the congressional defense committees;*

2           (2) *the Committee on Foreign Affairs of the*  
3 *House of Representatives;*

4           (3) *the Committee on Foreign Relations of the*  
5 *Senate;*

6           (4) *the Permanent Committee on Intelligence of*  
7 *the House of Representatives; and*

8           (5) *the Select Committee on Intelligence of the*  
9 *Senate.*

10 **SEC. 1039. PROHIBITION ON ENFORCEMENT OF MILITARY**  
11 **COMMISSION RULINGS PREVENTING MEM-**  
12 **BERS OF THE ARMED FORCES FROM CAR-**  
13 **RYING OUT OTHERWISE LAWFUL DUTIES**  
14 **BASED ON MEMBER GENDER.**

15       (a) *PROHIBITION.*—*No order, ruling, finding, or other*  
16 *determination of a military commission may be construed*  
17 *or implemented to prohibit or restrict a member of the*  
18 *Armed Forces from carrying out duties otherwise lawfully*  
19 *assigned to such member to the extent that the basis for such*  
20 *prohibition or restriction is the gender of such member.*

21       (b) *APPLICABILITY TO PRIOR ORDERS, ETC.*—*In the*  
22 *case of an order, ruling, finding, or other determination de-*  
23 *scribed in subsection (a) that was issued before the date of*  
24 *the enactment of this Act in a military commission and*  
25 *is still effective as of the date of the enactment of this Act,*

1 *such order, ruling, finding, or determination shall be*  
 2 *deemed to be vacated and null and void only to the extent*  
 3 *of any prohibition or restriction on the duties of members*  
 4 *of the Armed Forces that is based on the gender of members.*

5 *(c) MILITARY COMMISSION DEFINED.—In this section,*  
 6 *the term “military commission” means a military commis-*  
 7 *sion established under chapter 47A of title 10, United States*  
 8 *Code, and any military commission otherwise established*  
 9 *or convened by law.*

10 ***Subtitle E—Miscellaneous***  
 11 ***Authorities and Limitations***

12 ***SEC. 1041. EXPANDED AUTHORITY FOR TRANSPORTATION***  
 13 ***BY THE DEPARTMENT OF DEFENSE OF NON-***  
 14 ***DEPARTMENT OF DEFENSE PERSONNEL AND***  
 15 ***CARGO.***

16 *(a) TRANSPORTATION OF ALLIED AND CIVILIAN PER-*  
 17 *SONNEL AND CARGO.—Subsection (c) of section 2649 of title*  
 18 *10, United States Code, is amended—*

19 *(1) in the subsection heading, by striking “PER-*  
 20 *SONNEL” and inserting “AND CIVILIAN PERSONNEL*  
 21 *AND CARGO”;*

22 *(2) by striking “Until January 6, 2016, when”*  
 23 *and inserting “When”; and*

24 *(3) by striking “allied forces or civilians”, and*  
 25 *inserting “allied and civilian personnel and cargo”.*

1       (b) *COMMERCIAL INSURANCE.*—*Such section is further*  
2 *amended by adding at the end the following new subsection:*

3       “(d) *COMMERCIAL INSURANCE.*—*The Secretary may*  
4 *enter into a contract or other arrangement with one or more*  
5 *commercial providers to make insurance products available*  
6 *to non-Department of Defense shippers using the Defense*  
7 *Transportation System to insure against the loss or damage*  
8 *of the shipper’s cargo. Any such contract or arrangement*  
9 *shall provide that—*

10               “(1) *any insurance premium is collected by the*  
11 *commercial provider;*

12               “(2) *any claim for loss or damage is processed*  
13 *and paid by the commercial provider;*

14               “(3) *the commercial provider agrees to hold the*  
15 *United States harmless and waive any recourse*  
16 *against the United States for amounts paid to an in-*  
17 *sured as a result of a claim; and*

18               “(4) *the contract between the commercial pro-*  
19 *vider and the insured shall contain a provision*  
20 *whereby the insured waives any claim against the*  
21 *United States for loss or damage that is within the*  
22 *scope of enumerated risks covered by the insurance*  
23 *product.”.*

24       (c) *CONFORMING CROSS-REFERENCE AMENDMENTS.*—  
25 *Subsection (b) of such section is amended by striking “this*

1 *section” both places it appears and inserting “subsection*  
2 *(a)”.*

3 **SEC. 1042. LIMITATION ON RETIREMENT, DEACTIVATION,**  
4 **OR DECOMMISSIONING OF MINE COUNTER-**  
5 **MEASURES SHIPS.**

6 *Section 1090 of the National Defense Authorization*  
7 *Act for Fiscal Year 2016 (Public Law 111–92; 129 Stat.*  
8 *1016) is amended by striking subsection (b) and inserting*  
9 *the following:*

10 *“(b) LIMITATION ON RETIREMENT OF MCM SHIPS.—*

11 *“(1) IN GENERAL.—None of the funds authorized*  
12 *to be appropriated by this Act or otherwise made*  
13 *available for the Department of the Navy for fiscal*  
14 *year 2017 may be obligated or expended to retire, de-*  
15 *activate, decommission, to prepare to retire, deacti-*  
16 *vate, decommission, or to place in storage backup in-*  
17 *ventory or reduced operating status any MCM-1 class*  
18 *ship.*

19 *“(2) WAIVER AUTHORITY.—*

20 *“(A) IN GENERAL.—The Secretary of the*  
21 *Navy may waive the limitation under paragraph*  
22 *(1) with respect to any MCM-1 class ship if the*  
23 *Secretary provides to the congressional defense*  
24 *committees certification that the operational test*  
25 *and evaluation for replacement capabilities for*



1           *the ship is complete and such capabilities are*  
2           *available in sufficient quantities to ensure suffi-*  
3           *cient mine countermeasures capacity is available*  
4           *to meet requirements as set forth in the Join*  
5           *Strategic Capabilities Plan, the campaign plans*  
6           *of the combatant commanders, and the Navy's*  
7           *Force Structure Assessment.*

8           “(B) *REPORT.*—*The first time the Secretary*  
9           *of the Navy exercises the waiver authority under*  
10           *subparagraph (A), the Secretary shall submit to*  
11           *the congressional defense committees a report*  
12           *that includes—*

13                   “(i) *the recommendations of the Sec-*  
14                   *retary regarding MCM force structure;*

15                   “(ii) *the recommendations of the Sec-*  
16                   *retary regarding how to ensure the oper-*  
17                   *ational effectiveness of the surface MCM*  
18                   *force through 2025 based on current capa-*  
19                   *bilities and capacity, replacement schedules,*  
20                   *and service life extensions or retirement*  
21                   *schedules;*

22                   “(iii) *an assessment of the MCM ves-*  
23                   *sels, including the decommissioned MCM-1*  
24                   *and MCM-2 ships and the potential of such*  
25                   *ships for reserve operating status; and*

1                   “(iv) an assessment of the Littoral  
2                   Combat Ship MCM mission package incre-  
3                   ment one performance against the initial  
4                   operational test and evaluation criteria.”.

5 **SEC. 1043. EXTENSION OF AUTHORITY OF SECRETARY OF**  
6                   **TRANSPORTATION TO ISSUE NON-PREMIUM**  
7                   **AVIATION INSURANCE.**

8                   Section 44310(b) of title 49, United States Code, is  
9                   amended by striking “December 31, 2018” and inserting  
10                  “December 31, 2019”.

11 **SEC. 1044. EVALUATION OF NAVY ALTERNATE COMBINA-**  
12                  **TION COVER AND UNISEX COMBINATION**  
13                  **COVER.**

14                  (a) **MANDATORY POSSESSION OR WEAR DATE.**—The  
15                  Secretary of the Navy shall change the mandatory posses-  
16                  sion or wear date of the alternate combination cover or the  
17                  unisex combination cover from October 31, 2016, to October  
18                  31, 2020.

19                  (b) **EVALUATION AND REPORT.**—The Secretary of the  
20                  Navy may not implement or enforce any change to Navy  
21                  female service dress uniforms until the Secretary submits  
22                  to the Committees on Armed Services of the Senate and  
23                  House of Representatives a report on the evaluation of the  
24                  Navy female service dress uniforms. Such evaluation shall  
25                  include each of the following:

1           (1) *An identification of the operational need ad-*  
 2           *ressed by the alternate combination cover or the uni-*  
 3           *sex combination cover.*

4           (2) *An assessment of the individual cost of serv-*  
 5           *ice dress uniform items to members of the Armed*  
 6           *Forces as a percentage of their monthly pay.*

7           (3) *The composition of each uniform item’s wear*  
 8           *test group.*

9           (4) *An identification of the costs to the Navy and*  
 10          *to individual members of the Armed Forces for uni-*  
 11          *form changes identified in the Navy administrative*  
 12          *message 236/15 dated October 9, 2015.*

13          (5) *The opinions of female members of the Navy*  
 14          *active and reserve components.*

15 **SEC. 1045. PROTECTION OF CERTAIN FEDERAL SPECTRUM**  
 16 **OPERATIONS.**

17          *Section 1004 of the Bipartisan Budget Act of 2015*  
 18          *(Public Law 114–74; 47 U.S.C. 921 note) is amended by*  
 19          *adding at the end the following:*

20          “(d) **PROTECTION OF CERTAIN FEDERAL SPECTRUM**  
 21          **OPERATIONS.**—*If the report required by subsection (a) de-*  
 22          *termines that reallocation and auction of the spectrum de-*  
 23          *scribed in the report would harm national security by im-*  
 24          *pacting existing terrestrial Federal spectrum operations at*  
 25          *the Nevada Test and Training Range, the Commission, in*

1 *coordination with the Secretary shall, prior to the auction*  
 2 *described in subsection (c)(1)(B), establish rules for licensees*  
 3 *in such spectrum sufficient to mitigate harmful interference*  
 4 *to such operations.*

5 “(e) *RULE OF CONSTRUCTION.*—*Nothing in this sec-*  
 6 *tion shall be construed to affect any requirement under sec-*  
 7 *tion 1062(b) of the National Defense Authorization Act for*  
 8 *Fiscal Year 2000 (47 U.S.C. 921 note; Public Law 106–*  
 9 *65).”.*

10 **SEC. 1046. TRANSPORTATION ON MILITARY AIRCRAFT ON A**  
 11 **SPACE-AVAILABLE BASIS FOR MEMBERS AND**  
 12 **FORMER MEMBERS OF THE ARMED FORCES**  
 13 **WITH DISABILITIES RATED AS TOTAL.**

14 (a) *AVAILABILITY OF TRANSPORTATION.*—*Section*  
 15 *2641b of title 10, United States Code, is amended—*

16 (1) *by redesignating subsection (f) as subsection*  
 17 *(g); and*

18 (2) *by inserting after subsection (e) the following*  
 19 *new subsection (f):*

20 “(f) *SPECIAL PRIORITY FOR CERTAIN DISABLED VET-*  
 21 *ERANS.*—(1) *The Secretary of Defense shall provide trans-*  
 22 *portation on scheduled and unscheduled military flights*  
 23 *within the continental United States and on scheduled over-*  
 24 *seas flights operated by the Air Mobility Command on a*  
 25 *space-available basis for any member or former member of*

1 *the armed forces with a disability rated as total on the same*  
2 *basis as such transportation is provided to members of the*  
3 *armed forces entitled to retired or retainer pay.*

4       “(2) *The transportation priority required by para-*  
5 *graph (1) for veterans described in such paragraph applies*  
6 *whether or not the Secretary establishes the travel program*  
7 *authorized by this section.*

8       “(3) *In this subsection, the term ‘disability rated as*  
9 *total’ has the meanings given that term in section*  
10 *1414(e)(3) of this title.”.*

11       **(b) EFFECTIVE DATE.**—*Subsection (f) of section 2641b*  
12 *of title 10, United States Code, as added by subsection (a),*  
13 *shall take effect at the end of the 90-day period beginning*  
14 *on the date of the enactment of this Act.*

15 **SEC. 1047. NATIONAL GUARD FLYOVERS OF PUBLIC**  
16 **EVENTS.**

17       **(a) STATEMENT OF POLICY.**—*It shall be the policy of*  
18 *the Department of Defense that flyovers of public events in*  
19 *support of community relations activities may only be*  
20 *flown as part of an approved training mission at no addi-*  
21 *tional expense to the Federal Government.*

22       **(b) NATIONAL GUARD FLYOVER APPROVAL PROC-**  
23 **ESS.**—*The Adjutant General of a State in which an Army*  
24 *National Guard or Air National Guard unit is based will*  
25 *be the approval authority for all Air National Guard and*

1 *Army National Guard flyovers in that State, including any*  
2 *request for a flyover in any civilian domain at a nonavia-*  
3 *tion related event.*

4 *(c) FLYOVER RECORD MAINTENANCE; REPORT.—*

5 *(1) RECORD MAINTENANCE.—The Secretary of*  
6 *Defense shall keep and maintain records of flyover re-*  
7 *quests, approvals, and the total costs of all flyover*  
8 *missions, including the costs of fuel, maintenance,*  
9 *and manpower, in a publicly accessible database that*  
10 *is updated annually.*

11 *(2) GAO REPORT.—Not later than one year after*  
12 *the date of the enactment of this Act, the Comptroller*  
13 *General of the United States shall submit to the Com-*  
14 *mittee on Armed Services of the House of Representa-*  
15 *tives and the Committee on Armed Services of the*  
16 *Senate a report on flyovers and the process whereby*  
17 *flyover requests are made and evaluated, including—*

18 *(A) whether there is any cost to taxpayers*  
19 *associated with flyovers;*

20 *(B) whether there is any appreciable public*  
21 *relations or recruitment value that comes from*  
22 *flyovers; and*

23 *(C) the impact flyovers have to aviator*  
24 *training and readiness.*

1       (d) *FLYOVER DEFINED.*—*In this section, the term “fly-*  
2 *over” means aviation support—*

3           (1) *in which a straight and level flight limited*  
4 *to one pass by a single military aircraft, or by a sin-*  
5 *gle formation of four or fewer military aircraft of the*  
6 *same type, from the same military department over*  
7 *a predetermined point on the ground at a specific*  
8 *time;*

9           (2) *that does not involve aerobatics or dem-*  
10 *onstrations; and*

11           (3) *uses bank angles of up to 90 degrees if re-*  
12 *quired to improve the spectator visibility of the air-*  
13 *craft.*

14       (e) *STATE DEFINED.*—*In this section, the term “State”*  
15 *includes the District of Columbia, the Commonwealth of*  
16 *Puerto Rico, Guam, the Commonwealth of the Northern*  
17 *Mariana Islands, and any territory or possession of the*  
18 *United States.*

19 **SEC. 1048. APPLICATION OF THE FREEDOM OF INFORMA-**  
20 **TION ACT TO THE NATIONAL SECURITY**  
21 **COUNCIL.**

22       (a) *IN GENERAL.*—*Section 552(f)(1) of title 5, United*  
23 *States Code (commonly referred to as the Freedom of Infor-*  
24 *mation Act), is amended by inserting “and the National*

1 *Security Council*” after “*the Executive Office of the Presi-*  
2 *dent*”.

3 (b) *EFFECTIVE DATE; APPLICATION.*—

4 (1) *EFFECTIVE DATE.*—*The amendment made by*  
5 *subsection (a) shall take effect on the date on which*  
6 *the first Assistant to the President for National Secu-*  
7 *rity Affairs is appointed by the President, by and*  
8 *with the advice and consent of the Senate, pursuant*  
9 *to section 101(d)(1)(B) of the National Security Act*  
10 *of 1947 (50 U.S.C. 3021(d)(1)(B)), as added by title*  
11 *IX of this Act.*

12 (2) *APPLICATION.*—*The amendment made by*  
13 *subsection (a) shall apply with respect to any record*  
14 *created by the National Security Council on or after*  
15 *the date specified in paragraph (1).*

16 **SEC. 1049. REQUIREMENT RELATING TO TRANSFER OF EX-**  
17 **CESS DEPARTMENT OF DEFENSE EQUIPMENT**  
18 **TO FEDERAL AND STATE AGENCIES.**

19 *Section 2576a of title 10, United States Code, is*  
20 *amended by adding at the end the following new subsection:*

21 “(g) *PREFERENCE FOR BORDER SECURITY PUR-*  
22 *POSES.*—(1) *In transferring the personal property described*  
23 *in paragraph (2) under this section, the Secretary of De-*  
24 *fense may give first preference to the Department of Home-*  
25 *land Security and then to Federal and State agencies that*



1 agree to use the property primarily for the purpose of  
 2 strengthening border security along the southern border of  
 3 the United States.

4 “(2) The personal property described in this section  
 5 is—

6 “(A) unmanned aerial vehicles;

7 “(B) the Aerostat radar system;

8 “(C) night-vision goggles; and

9 “(D) high mobility multi-purpose wheel vehicles  
 10 (commonly known as ‘humvees’).”

## 11 ***Subtitle F—Studies and Reports***

### 12 **SEC. 1061. TEMPORARY CONTINUATION OF CERTAIN DE-** 13 **PARTMENT OF DEFENSE REPORTING RE-** 14 **QUIREMENTS.**

15 (a) *EXCEPTIONS TO REPORTS TERMINATION PROVI-*  
 16 *SION.—Section 1080 of the National Defense Authorization*  
 17 *Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.*  
 18 *1000; 10 U.S.C. 111 note) does not apply to any report*  
 19 *required to be submitted to Congress by the Department of*  
 20 *Defense, or by any officer, official, component, or element*  
 21 *of the Department, pursuant to a provision of law specified*  
 22 *in this section, notwithstanding the enactment of the report-*  
 23 *ing requirement by an annual national defense authoriza-*  
 24 *tion Act or the inclusion of the report in the list of reports*

1 *prepared by the Secretary of Defense pursuant to subsection*  
2 *(c) of such section 1080.*

3 *(b) FINAL TERMINATION DATE FOR SUBMITTAL OF*  
4 *EXEMPTED REPORTS.—*

5 *(1) IN GENERAL.—Except as provided in para-*  
6 *graph (2), each report required pursuant to a provi-*  
7 *sion of law specified in this section that is still re-*  
8 *quired to be submitted to Congress as of January 31,*  
9 *2021, shall no longer be required to be submitted to*  
10 *Congress after that date.*

11 *(2) REPORTS EXEMPTED FROM TERMINATION.—*  
12 *The termination dates specified in paragraph (1) and*  
13 *section 1080 of the National Defense Authorization*  
14 *Act for Fiscal Year 2016 do not apply to the fol-*  
15 *lowing:*

16 *(A) The submission of the reports on the*  
17 *National Military Strategy and Risk Assessment*  
18 *under section 153(b)(3) of title 10, United States*  
19 *Code.*

20 *(B) The submission of the future-years de-*  
21 *fense program (including associated annexes)*  
22 *under section 221 of title 10, United States Code.*

23 *(C) The submission of the future-years mis-*  
24 *sion budget for the military programs of the De-*

1            *partment of Defense under section 221 of such*  
2            *title.*

3            *(D) The submission of audits of contracting*  
4            *compliance by the Inspector General of the De-*  
5            *partment of Defense under section 1601(b) of the*  
6            *National Defense Authorization Act for Fiscal*  
7            *Year 2014 (Public Law 113–66; 10 U.S.C. 2533a*  
8            *note).*

9            *(c) REPORTS REQUIRED BY TITLE 10, UNITED*  
10          *STATES CODE.—Subject to subsection (b), subsection (a)*  
11          *applies to reporting requirements contained in the following*  
12          *sections of title 10, United States Code:*

13                  *(1) Section 127b(f), relating to a report on the*  
14                  *administration of Department of Defense rewards*  
15                  *program against international terrorism.*

16                  *(2) Section 127d(d), relating to a report on pro-*  
17                  *vision of logistic support, supplies, and services to al-*  
18                  *lied forces participating in combined operations.*

19                  *(3) Section 139(h), relating to a report on oper-*  
20                  *ational test and evaluation activities of the Depart-*  
21                  *ment of Defense, including the report component re-*  
22                  *quired by section 2399(g) on operational test and*  
23                  *evaluation of defense acquisition programs.*

1           (4) *Section 139b(d), relating to a report on ac-*  
2           *tivities of the Deputy Assistant Secretary of Defense*  
3           *for Developmental Test and Evaluation.*

4           (5) *Sections 153(c), relating to a report on the*  
5           *requirements of the combatant commands.*

6           (6) *Section 179(f), relating to reports and assess-*  
7           *ments regarding nuclear stockpile and stockpile stew-*  
8           *ardship program.*

9           (7) *Section 196(d), relating to a report on the*  
10          *strategic plan reflecting the needs of the Department*  
11          *of Defense with respect to test and evaluation facili-*  
12          *ties and resources.*

13          (8) *Section 229, relating to submission of budget*  
14          *information regarding Department of Defense pro-*  
15          *grams for combating terrorism.*

16          (9) *Section 231, relating to submission of naval*  
17          *vessel construction plan and related certification.*

18          (10) *Section 238, relating to submission of a*  
19          *budget justification display regarding cyber mission*  
20          *forces.*

21          (11) *Section 401(d), relating to a report on the*  
22          *provision of humanitarian and civic assistance in*  
23          *conjunction with military operations.*

24          (12) *Section 494(b), relating to a report on the*  
25          *nuclear weapons stockpile of the United States.*

1           (13) *Section 526(j), relating to a report on gen-*  
2           *eral officer and flag officer numbers.*

3           (14) *Section 981(c), relating to a report on en-*  
4           *listed aide numbers.*

5           (15) *Section 1557(e), relating to a report on any*  
6           *failure to achieve timeliness standard for disposition*  
7           *of applications before Corrections Boards.*

8           (16) *Section 2011(e), relating to a report on*  
9           *training of special operations forces with friendly for-*  
10          *ign forces.*

11          (17) *Section 2166(i), relating to a report on the*  
12          *activities of the Western Hemisphere Institute for Se-*  
13          *curity Cooperation.*

14          (18) *Section 2218(h), relating to submission of*  
15          *budget requests for the National Defense Sealift Fund.*

16          (19) *Section 2228(e), relating to a report on the*  
17          *long-term strategy and related matters regarding re-*  
18          *ducing corrosion and its effects on military equip-*  
19          *ment and infrastructure.*

20          (20) *Section 2229a, relating to a report on the*  
21          *status of materiel in the prepositioned stocks.*

22          (21) *Section 2249c(c), relating to a report on the*  
23          *administration of the Regional Defense Combating*  
24          *Terrorism Fellowship Program.*

1           (22) *Section 2275, relating to reports on major*  
2 *satellite acquisition programs, including report up-*  
3 *dates under subsection (f) of such section.*

4           (23) *Section 2276(e), relating to a report on the*  
5 *funds, services, and equipment accepted and used in*  
6 *connection with commercial space launch cooperation.*

7           (24) *Section 2445b, relating to submission of*  
8 *budget justification documents regarding major auto-*  
9 *mated information system programs and other major*  
10 *information technology investment programs.*

11           (25) *Section 2464(d), relating to a report on core*  
12 *depot-level maintenance and repair capabilities.*

13           (26) *Section 2466(d), relating to a report on ex-*  
14 *penditures for performance of depot-level maintenance*  
15 *and repair workloads.*

16           (27) *Section 2561(c), relating to a report on the*  
17 *use of humanitarian assistance for providing trans-*  
18 *portation of humanitarian relief and for other hu-*  
19 *manitarian purposes.*

20           (28) *Section 2684a(g), relating to a report on*  
21 *projects undertaken under agreements to limit en-*  
22 *croachments and other constraints on military train-*  
23 *ing, testing, and operations.*

24           (29) *Section 2687a, relating to reports on the*  
25 *status of overseas closures and realignments and mas-*

1 *ter plans, expenditures from the Department of De-*  
2 *fense Overseas Facility Investment Recovery Account,*  
3 *and agreement of settlement with host countries re-*  
4 *garding the release of facility improvements made by*  
5 *the United States.*

6 (30) *Section 2711, relating to a report on defense*  
7 *environmental programs.*

8 (31) *Sections 2831(e) and 2884(b)(4), relating to*  
9 *reports on quarters for general or flag officers.*

10 (32) *Sections 2884(b) and (c), relating to reports*  
11 *on the Department of Defense Housing Funds, provi-*  
12 *sion of a basic allowance for housing to members of*  
13 *the Armed Forces living in military privatized hous-*  
14 *ing, plans for housing privatization activities, and*  
15 *the status of oversight and accountability measures*  
16 *for military housing privatization projects.*

17 (33) *Section 2912(d), relating to a statement of*  
18 *the energy cost savings available for obligation.*

19 (34) *Section 2925, relating to reports on Depart-*  
20 *ment of Defense energy management and operational*  
21 *energy.*

22 (35) *Section 4721(e), relating to submission of a*  
23 *budget request and related materials regarding Army*  
24 *National Military Cemeteries.*

1           (36) Section 7310(c), relating to a report on re-  
2           pairs and maintenance performed on certain naval  
3           vessels in a foreign shipyard.

4           (37) Section 10541, relating to a report on  
5           equipment of the National Guard and other reserve  
6           components.

7           (38) Section 10543, relating to a component of  
8           the future-years defense program regarding National  
9           Guard and other reserve components equipment pro-  
10          curement and military construction funding and as-  
11          sociated annexes and report.

12          (d) *REPORTS REQUIRED BY NATIONAL DEFENSE AU-*  
13          *THORIZATION ACT FOR FISCAL YEAR 2015.*—Subject to  
14          subsection (b), subsection (a) applies to reporting require-  
15          ments contained in the following sections of the Carl Levin  
16          and Howard P. “Buck” McKeon National Defense Author-  
17          ization Act for Fiscal Year 2015 (Public Law 113–291):

18           (1) Section 232(e) (10 U.S.C. 2358 note), relat-  
19           ing to a report on the pilot program on assignment  
20           to the Defense Advanced Research Projects Agency of  
21           certain private sector personnel.

22           (2) Section 546(d) (10 U.S.C. 1561 note), relat-  
23           ing to a report on activities of the Defense Advisory  
24           Committee on Investigation, Prosecution, and Defense  
25           of Sexual Assault in the Armed Forces.



1           (3) *Section 1003 (10 U.S.C. 221 note), relating*  
2 *to reporting of balances carried forward by the De-*  
3 *partment of Defense at the end of each fiscal year.*

4           (4) *Section 1026(d) (128 Stat. 3490), relating to*  
5 *a report on the status of the modernization of Ticon-*  
6 *deroga-class cruisers and dock landing ships.*

7           (5) *Section 1055 (128 Stat. 3498), relating to a*  
8 *report on the Air Force response to the recommenda-*  
9 *tions of the National Commission on the Structure of*  
10 *the Air Force.*

11           (6) *Section 1204(b) (10 U.S.C. 2249e note), re-*  
12 *lating to a report on administration of section 2249e*  
13 *of title 10, United States Code.*

14           (7) *Section 1205(e) (128 Stat. 3537), relating to*  
15 *a report on the assessment of programs carried out*  
16 *under section 2282(f) of title 10, United States Code.*

17           (8) *Section 1206(e) (10 U.S.C. 2282 note), relat-*  
18 *ing to a report on the training of security forces and*  
19 *associated security ministries of foreign countries to*  
20 *promote respect for the rule of law and human rights.*

21           (9) *Section 1207(d) (10 U.S.C. 2342 note), relat-*  
22 *ing to a report on loan of personnel protection and*  
23 *personnel survivability equipment to military forces*  
24 *of foreign nations.*

1           (10) *Section 1211 (128 Stat. 3544), relating to*  
2           *a report on programs carried out by the Department*  
3           *of Defense to provide training, equipment, or other*  
4           *assistance or reimbursement to foreign security forces.*

5           (11) *Section 1225 (128 Stat. 3550), relating to*  
6           *a report on enhancing security and stability in Af-*  
7           *ghanistan.*

8           (12) *Section 1245 (128 Stat. 3566), relating to*  
9           *a report on military and security developments in-*  
10          *volving the Russian Federation.*

11          (13) *Section 2821(a)(3) (10 U.S.C. 2687 note),*  
12          *relating to notice of any adjustment to the funding*  
13          *limitation on implementation of the Record of Deci-*  
14          *sion for the relocation of Marine Corps forces to*  
15          *Guam.*

16          (e) *REPORTS REQUIRED BY NATIONAL DEFENSE AU-*  
17          *THORIZATION ACT FOR FISCAL YEAR 2014.—Subject to*  
18          *subsection (b), subsection (a) applies to reporting require-*  
19          *ments contained in the following sections of the National*  
20          *Defense Authorization Act for Fiscal Year 2014 (Public*  
21          *Law 113–66):*

22               (1) *Section 704(e) (10 U.S.C. 1074 note), relat-*  
23               *ing to a report on the pilot program on investiga-*  
24               *tional treatment of members of the Armed Forces for*

1        *traumatic brain injury and post-traumatic stress dis-*  
2        *order.*

3            (2) *Sections 713(f), (g), and (h) (10 U.S.C. 1071*  
4        *note), relating to providing a financial summary of*  
5        *efforts to develop interoperable electronic health*  
6        *records, updates on the progress of data sharing, and*  
7        *information on executive committee activities.*

8            (f) *REPORTS REQUIRED BY NATIONAL DEFENSE AU-*  
9        *THORIZATION ACT FOR FISCAL YEAR 2013.—Subject to*  
10       *subsection (b), subsection (a) applies to reporting require-*  
11       *ments contained in the following sections of the National*  
12       *Defense Authorization Act for Fiscal Year 2013 (Public*  
13       *Law 112–239):*

14            (1) *Section 1009 (126 Stat. 1906), relating to a*  
15        *report on the use of funds in the Drug Interdiction*  
16        *and Counter-Drug Activities, Defense-wide account.*

17            (2) *Section 1023 (126 Stat. 1911), relating to a*  
18        *report on recidivism of individuals who have been de-*  
19        *tained at United States Naval Station, Guantanamo*  
20        *Bay, Cuba.*

21            (g) *REPORTS REQUIRED BY NATIONAL DEFENSE AU-*  
22        *THORIZATION ACT FOR FISCAL YEAR 2011.—Subject to*  
23        *subsection (b), subsection (a) applies to reporting require-*  
24        *ments contained in the following sections of the Ike Skelton*

1 *National Defense Authorization Act for Fiscal Year 2011*  
2 *(Public Law 111–383):*

3           (1) *Section 123 (10 U.S.C. 167 note), relating to*  
4           *a report on use of combat mission requirements funds.*

5           (2) *Section 1631(d) (10 U.S.C. 1561 note), relat-*  
6           *ing to a report on sexual assaults involving members*  
7           *of the Armed Forces and improvement to sexual as-*  
8           *sault prevention and response program.*

9           (h) *REPORTS REQUIRED BY NATIONAL DEFENSE AU-*  
10 *THORIZATION ACT FOR FISCAL YEAR 2010.—Subject to*  
11 *subsection (b), subsection (a) applies to reporting require-*  
12 *ments contained in the following sections of the National*  
13 *Defense Authorization Act for Fiscal Year 2010 (Public*  
14 *Law 111–84):*

15           (1) *Section 711(d) (10 U.S.C. 1071 note), relat-*  
16           *ing to a report on the comprehensive policy on pain*  
17           *management by the Military Health Care System.*

18           (2) *Section 1003(b) (10 U.S.C. 2222 note), relat-*  
19           *ing to a report on implementation by the Department*  
20           *of Defense of the Financial Improvement and Audit*  
21           *Readiness Plan.*

22           (3) *Section 1245 (123 Stat. 2542), relating to a*  
23           *report on military power of Iran.*

1       (i) *REPORTS REQUIRED BY OTHER LAWS.*—Subject to  
2 subsection (b), subsection (a) applies to reporting require-  
3 ments contained in the following provisions of law:

4           (1) Section 717(c) of the National Defense Au-  
5 thorization Act for Fiscal Year 1996 (Public Law  
6 104–106; 10 U.S.C. 1073 note), relating to a report  
7 on TRICARE Program effectiveness.

8           (2) Section 1202 of the National Defense Author-  
9 ization Act for Fiscal Year 2000 (Public Law 106–  
10 65; 10 U.S.C. 113 note), relating to a report on mili-  
11 tary and security developments involving the People’s  
12 Republic of China.

13           (3) Section 1208(f) of the Ronald W. Reagan Na-  
14 tional Defense Authorization Act for Fiscal Year 2005  
15 (Public Law 108–375; 118 Stat. 2086), relating to a  
16 report on the provision of support for special oper-  
17 ations to combat terrorism.

18           (4) Section 1405(d) of the National Defense Au-  
19 thorization Act for Fiscal Year 2006 (Public Law  
20 109–163; 10 U.S.C. 801 note), relating to a report on  
21 any modification made to the procedures for status  
22 review of detainees outside the United States.

23           (5) Section 1017(e) of the John Warner National  
24 Defense Authorization Act for Fiscal Year 2007 (Pub-  
25 lic Law 109–364; 10 U.S.C. 2631 note), relating to a

1 *report regarding overhaul, repair, and maintenance*  
2 *performed on certain vessels in the United States.*

3 (6) *Section 1034(d) of the National Defense Au-*  
4 *thorization Act for Fiscal Year 2008 (Public Law*  
5 *110–181; 122 Stat. 309), relating to a report on the*  
6 *provision of support for non-Federal development and*  
7 *testing of material for chemical agent defense.*

8 (7) *Section 1236 of the National Defense Author-*  
9 *ization Act for Fiscal Year 2012 (Public Law 112–*  
10 *81; 125 Stat. 1641), relating to a report on military*  
11 *and security developments involving the Democratic*  
12 *People’s Republic of Korea.*

13 (8) *Section 103A(b)(3) of the Sikes Act (16*  
14 *U.S.C. 670c–1(b)(3)), relating to a report on the dis-*  
15 *position of certain appropriated funds provided under*  
16 *cooperative and interagency agreements for land*  
17 *management on installations.*

18 (9) *Section 1511(h) of the Armed Forces Retire-*  
19 *ment Home Act of 1991 (24 U.S.C. 411(h)), relating*  
20 *to a report on the financial and other affairs of the*  
21 *Armed Forces Retirement Home.*

22 (10) *Section 901(f) of the Office of National*  
23 *Drug Control Policy Reauthorization Act of 2006*  
24 *(Public Law 109–469; 32 U.S.C. 112 note), as added*  
25 *by section 1008 of the National Defense Authorization*

1 *Act for Fiscal Year 2013 (Public Law 112–239), re-*  
2 *lating to a report on the activities of the National*  
3 *Guard counterdrug schools.*

4 (11) *Section 14 of the Strategic and Critical Ma-*  
5 *terials Stock Piling Act (50 U.S.C. 98h–5), relating*  
6 *to a report on the requirements of the National De-*  
7 *fense Stockpile.*

8 (12) *Sections 1412(i) and (j) of the National De-*  
9 *fense Authorization Act, 1986 (50 U.S.C. 1521), as*  
10 *amended by section 1421 of the Ike Skelton National*  
11 *Defense Authorization Act for Fiscal Year 2011 (Pub-*  
12 *lic Law 111–383), relating to reports on destruction*  
13 *of existing stockpile of lethal chemical agents and mu-*  
14 *nitions, including implementation by the United*  
15 *States of its chemical weapons destruction obligations*  
16 *under the Chemical Weapons Convention.*

17 (13) *Section 1703 of the National Defense Au-*  
18 *thorization Act for Fiscal Year 1994 (50 U.S.C.*  
19 *1523), relating to a report on chemical and biological*  
20 *warfare defense.*

21 (14) *Section 234 of the National Defense Author-*  
22 *ization Act for Fiscal Year 1998 (50 U.S.C. 2367), re-*  
23 *lating to a report on acquisition of technology relat-*  
24 *ing to weapons of mass destruction and their threat.*

1           (15) *Section 105A(b) of the Uniformed and*  
 2           *Overseas Citizens Absentee Voting Act (52 U.S.C.*  
 3           *20308(b)), as added by section 586 of the National*  
 4           *Defense Authorization Act for Fiscal Year 2010 (Pub-*  
 5           *lic Law 111–84), relating to a report on effectiveness*  
 6           *of activities and utilization of certain procedures*  
 7           *under Federal Voting Assistance Program.*

8           (j) *CONFORMING AMENDMENT.—Section 1080(a) of the*  
 9           *National Defense Authorization Act for Fiscal Year 2016*  
 10           *(Public Law 114–92; 129 Stat. 1000; 10 U.S.C. 111 note)*  
 11           *is amended—*

12           (1) *by striking “on the date that is two years*  
 13           *after the date of the enactment of this Act” and in-*  
 14           *serting “November 25, 2017”; and*

15           (2) *by striking “effective”.*

16           **SEC. 1062. MATTERS FOR INCLUSION IN REPORT ON DES-**  
 17                                   **IGNATION OF COUNTRIES FOR WHICH RE-**  
 18                                   **WARDS MAY BE PAID UNDER DEPARTMENT**  
 19                                   **OF DEFENSE REWARDS PROGRAM.**

20           *Section 127b(h) of title 10, United States Code, is*  
 21           *amended—*

22           (1) *in paragraph (2), by inserting “and jus-*  
 23           *tification” after “reason”; and*

24           (2) *by amending paragraph (3) to read as fol-*  
 25           *lows:*



1           “(3) *An estimate of the amount or value of the*  
2           *rewards to be paid as monetary payment or pay-*  
3           *ment-in-kind under this section.*”.

4   **SEC. 1063. CONGRESSIONAL NOTIFICATION OF BIOLOGICAL**  
5                   **SELECT AGENT AND TOXIN THEFT, LOSS, OR**  
6                   **RELEASE INVOLVING THE DEPARTMENT OF**  
7                   **DEFENSE.**

8           (a) *NOTIFICATION REQUIREMENT.*—*Not later than 15*  
9           *days after notice of any theft, loss, or release of a biological*  
10           *select agent or toxin involving the Department of Defense*  
11           *is provided to the Centers for Disease Control and Preven-*  
12           *tion or the Animal and Plant Health Inspection Service,*  
13           *as specified by section 331.19 of part 7 of the Code of Fed-*  
14           *eral Regulations, the Secretary of Defense shall provide to*  
15           *the congressional defense committees notice of such theft,*  
16           *loss, or release.*

17           (b) *ELEMENTS.*—*Notice of a theft, loss, or release of*  
18           *a biological select agent or toxin under subsection (a) shall*  
19           *include each of the following:*

20                   (1) *The name of the agent or toxin and any*  
21                   *identifying information, including the strain or other*  
22                   *relevant characterization information.*

23                   (2) *An estimate of the quantity of the agent or*  
24                   *toxin stolen, lost, or released.*

1           (3) *The location or facility from which the theft,*  
2           *loss, or release occurred.*

3           (4) *In the case of a release, any hazards posed*  
4           *by the release and the number of individuals poten-*  
5           *tially exposed to the agent or toxin.*

6           (5) *Actions taken to respond to the theft, loss, or*  
7           *release.*

8   **SEC. 1064. REPORT ON SERVICE-PROVIDED SUPPORT TO**  
9                   **UNITED STATES SPECIAL OPERATIONS**  
10                   **FORCES.**

11       (a) *REPORT REQUIRED.*—*Not later than 180 days*  
12       *after the date of the enactment of this Act, the Secretary*  
13       *of Defense shall submit to the congressional defense commit-*  
14       *tees a written report on common service support contributed*  
15       *from each of the military services toward special operations*  
16       *forces. Such report shall include—*

17           (1) *detailed information about the resources allo-*  
18           *cated by each military service for combat support,*  
19           *combat service support, and base operating support*  
20           *for special operations forces; and*

21           (2) *an assessment of the specific effects that fu-*  
22           *ture manpower and force structure changes are likely*  
23           *to have on the capability of each of the military serv-*  
24           *ices to provide common service support to special op-*  
25           *erations forces.*

1           (b) *ANNUAL UPDATES.*—*For each of fiscal years 2018*  
2 *through 2020, the Secretary of Defense shall submit to the*  
3 *congressional defense committees an update to the report*  
4 *required under subsection (a).*

5           (c) *FORM OF REPORT.*—*The report required under*  
6 *subsection (a) and each update provided under subsection*  
7 *(b) shall be submitted in unclassified form, but may contain*  
8 *a classified annex.*

9   **SEC. 1065. REPORT ON CITIZEN SECURITY RESPONSIBILITIES**  
10                           **IN THE NORTHERN TRIANGLE OF CEN-**  
11                           **TRAL AMERICA.**

12           (a) *IN GENERAL.*—*Not later than 180 days after the*  
13 *date of the enactment of this Act, the Secretary of Defense*  
14 *and the Secretary of State shall jointly prepare and submit*  
15 *to the appropriate congressional committees a report on*  
16 *military units that have been assigned to policing or citizen*  
17 *security responsibilities in Guatemala, Honduras, and El*  
18 *Salvador.*

19           (b) *MATTERS TO BE INCLUDED.*—*The report required*  
20 *by subsection (a) shall include each of the following:*

21                   (1) *The following information, as of the date of*  
22 *the enactment of this Act, with respect to military*  
23 *units assigned to policing or citizen security respon-*  
24 *sibilities in each of Guatemala, Honduras, and El*  
25 *Salvador:*

1           (A) *The proportion of individuals in each*  
2 *such country's military who participate in polic-*  
3 *ing or citizen security activities relative to the*  
4 *total number of individuals in that country's*  
5 *military.*

6           (B) *Of the military units assigned to polic-*  
7 *ing or citizen security responsibilities, the types*  
8 *of units conducting police activities.*

9           (C) *The role of the Department of Defense*  
10 *and the Department of State in training indi-*  
11 *viduals for purposes of participation in such*  
12 *military units.*

13           (D) *The number of individuals who partici-*  
14 *ated in such military units who received train-*  
15 *ing by the Department of Defense, and the types*  
16 *of training they received.*

17           (2) *Any other information that the Secretary of*  
18 *Defense or the Secretary of State determines to be nec-*  
19 *essary to help better understand the relationships of*  
20 *the militaries of Guatemala, Honduras, and El Sal-*  
21 *vador to public security in such countries.*

22           (3) *A description of the plan of the United States*  
23 *to assist the militaries of Guatemala, Honduras, and*  
24 *El Salvador to carry out their responsibilities in a*  
25 *manner that adheres to democratic principles.*

1       (c) *FORM.*—*The report required by subsection (a) shall*  
2 *be submitted in unclassified form, but may contain a classi-*  
3 *fied annex.*

4       (d) *PUBLIC AVAILABILITY.*—*The unclassified matter of*  
5 *the report required by subsection (a) shall be posted on a*  
6 *publicly available Internet website of the Department of De-*  
7 *fense and a publicly available Internet website of the De-*  
8 *partment of State.*

9       (e) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—*In*  
10 *this section, the term “appropriate congressional commit-*  
11 *tees” means the Committee on Armed Services and the Com-*  
12 *mittee on Foreign Affairs of the House of Representatives*  
13 *and the Committee on Armed Services and the Committee*  
14 *on Foreign Relations of the Senate.*

15 **SEC. 1066. REPORT ON COUNTERPROLIFERATION ACTIVI-**  
16 **TIES AND PROGRAMS.**

17       (a) *IN GENERAL.*—*The Secretary of Defense shall sub-*  
18 *mit to the congressional defense committees a biennial re-*  
19 *port on the counterproliferation activities and programs of*  
20 *the Department of Defense. The Secretary shall submit the*  
21 *first such report by not later than May 1, 2017.*

22       (b) *MATTERS INCLUDED.*—*Each report required under*  
23 *subsection (a) shall include each of the following:*

24               (1) *A complete list and assessment of existing*  
25 *and proposed capabilities and technologies for sup-*

1 *port of United States nonproliferation policy and*  
2 *counterproliferation policy, with regard to—*

3 *(A) interdiction;*

4 *(B) elimination;*

5 *(C) threat reduction cooperation;*

6 *(D) passive defenses;*

7 *(E) security cooperation and partner activi-*  
8 *ties;*

9 *(F) offensive operations;*

10 *(G) active defenses; and*

11 *(H) weapons of mass destruction con-*  
12 *sequence management.*

13 *(2) For the existing and proposed capabilities*  
14 *and technologies identified under paragraph (1), an*  
15 *identification of goals, a description of ongoing ef-*  
16 *forts, and recommendations for further enhancements.*

17 *(3) A complete description of requirements and*  
18 *priorities for the development and deployment of*  
19 *highly effective capabilities and technologies, includ-*  
20 *ing identifying areas for capability enhancement and*  
21 *deficiencies in existing capabilities and technologies.*

22 *(4) A comprehensive discussion of the near-term,*  
23 *mid-term, and long-term programmatic options for*  
24 *meeting requirements and eliminating deficiencies,*

1       including the annual funding requirements and com-  
2       pletion dates established for each such option.

3               (5) *An outline of interagency activities and ini-*  
4       *tiatives.*

5               (6) *Any other matters the Secretary considers*  
6       *appropriate.*

7       (c) *FORMS OF REPORT.*—*Each report under subsection*  
8       (a) *shall be submitted in unclassified form, but may contain*  
9       *a classified annex.*

10       (d) *TERMINATION OF REQUIREMENT.*—*No report shall*  
11       *be required to be submitted under this section after January*  
12       *31, 2021.*

13       ***SEC. 1067. INCLUSION OF BALLISTIC MISSILE DEFENSE IN-***  
14                       ***FORMATION IN ANNUAL REPORT ON RE-***  
15                       ***QUIREMENTS OF COMBATANT COMMANDS.***

16       (a) *IN GENERAL.*—*Paragraph (2)(A) of section 153(c)*  
17       *of title 10, United States Code, is amended by inserting*  
18       *before the period the following: “, including the integrated*  
19       *priorities list requirements for ballistic missile defense by*  
20       *the geographic combatant commands and the prioritized ca-*  
21       *pabilities list for ballistic missile defense developed by the*  
22       *Commander of the United States Strategic Command”.*

23       (b) *REPORT DURATION.*—*Paragraph (1) of such sec-*  
24       *tion is amended by striking “At or about” and inserting*

1 “During the period preceding January 31, 2021, at or  
2 about”.

3 **SEC. 1068. REVIEWS BY DEPARTMENT OF DEFENSE CON-**  
4 **CERNING NATIONAL SECURITY USE OF SPEC-**  
5 **TRUM.**

6 (a) *REVIEW AND REPORT TO THE CONGRESSIONAL*  
7 *DEFENSE COMMITTEES.*—Not later than one year after the  
8 date of the enactment of this Act, and every two years there-  
9 after until January 31, 2021, the Secretary of Defense and  
10 the Chairman of the Joint Chiefs of Staff shall submit to  
11 the congressional defense committees a report containing the  
12 results of a comprehensive review conducted by the Sec-  
13 retary and the Chairman of all uses by the Department of  
14 Defense of spectrum. Such review shall include the use of  
15 spectrum in military plans, training, test, and in military  
16 capabilities that are in development or have been fielded  
17 for any known or potential impacts of sharing or  
18 repurposing of spectrum used or allocated to be used by the  
19 Department of Defense that may be reallocated or shared  
20 pursuant to a spectrum auction, sharing arrangement, or  
21 other arrangement, or that is otherwise identified as part  
22 of the 10-year plan developed by the National Telecommuni-  
23 cations and Information Administration, and whether there  
24 are known or possible mitigations in the event of realloca-  
25 tion or sharing that they recommend, including exclusion



1 zones, equipment modifications, development or procure-  
2 ment of new technology, or any other mitigation they believe  
3 will protect Department of Defense use of such spectrum,  
4 including projected or estimated potential costs of the same,  
5 and whether such costs will be borne out of Defense of De-  
6 fense total obligation authority.

7 (b) *CERTIFICATION.*—At the time of the submission of  
8 the report required under subsection (a), the Secretary and  
9 the Chairman shall both certify that they understand any  
10 potential impacts to Department of Defense use of spectrum  
11 that could result from a spectrum auction, reallocation, or  
12 sharing arrangement as of that date, and submit such cer-  
13 tification to the congressional defense committees.

14 (c) *REPORT OF NON-CONCURRENCE OR VETO.*—The  
15 Secretary of Defense shall notify the congressional defense  
16 committees as to whether the Secretary has not concurred  
17 with or otherwise objected to the most recent version of the  
18 10-year plan developed by the National Telecommuni-  
19 cations and Information Administration not later than 30  
20 days after the date of such non-concurrence or other objec-  
21 tion.

22 (d) *FUNDING WITHHELD.*—The Secretary of Defense  
23 and the Chairman of the Joint Chiefs of Staff may not obli-  
24 gate more than 95 percent of the funding authorized to be  
25 appropriated to the Department of Defense for fiscal year

1 2017 for operation and maintenance for headquarters oper-  
 2 ations before the date that is 30 days after the date on which  
 3 the report required by subsection (a) and the certification  
 4 required under subsection (b) are submitted to the congres-  
 5 sional defense committees.

6 **SEC. 1069. ANNUAL REPORT ON PERSONNEL, TRAINING,**  
 7 **AND EQUIPMENT REQUIREMENTS FOR THE**  
 8 **NON-FEDERALIZED NATIONAL GUARD TO**  
 9 **SUPPORT CIVILIAN AUTHORITIES IN PREVEN-**  
 10 **TION AND RESPONSE TO DOMESTIC DISAS-**  
 11 **TERS.**

12 (a) *ANNUAL REPORT REQUIRED.*—Section 10504 of  
 13 title 10, United States Code, is amended—

14 (1) in subsection (a), by striking “REPORT.—”  
 15 and inserting “REPORT ON STATE OF THE NATIONAL  
 16 GUARD.—(1)”;

17 (2) by striking “(b) SUBMISSION OF REPORT TO  
 18 CONGRESS.—” and inserting “(2)”;

19 (3) by striking “annual report of the Chief of the  
 20 National Guard Bureau” and inserting “annual re-  
 21 port required by paragraph (1)”;

22 (4) by adding at the end the following new sub-  
 23 section (b):

24 “(b) *ANNUAL REPORT ON NON-FEDERALIZED SERVICE*  
 25 *NATIONAL GUARD PERSONNEL, TRAINING, AND EQUIPMENT*

1 *REQUIREMENTS.—(1) Not later than January 31 of each*  
2 *of calendar years 2017 through 2021, the Chief of the Na-*  
3 *tional Guard Bureau shall submit to the congressional de-*  
4 *fense committees and the officials specified in paragraph*  
5 *(5) a report setting forth the personnel, training, and equip-*  
6 *ment required by the National Guard during the next fiscal*  
7 *year to carry out its mission, while not Federalized, to pro-*  
8 *vide prevention, protection mitigation, response, and recov-*  
9 *ery activities in support of civilian authorities in connec-*  
10 *tion with natural and man-made disasters.*

11       *“(2) To determine the annual personnel, training, and*  
12 *equipment requirements of the National Guard referred to*  
13 *in paragraph (1), the Chief of the National Guard Bureau*  
14 *shall take into account, at a minimum, the following:*

15             *“(A) Core civilian capabilities gaps for the pre-*  
16 *vention, protection, mitigation, response, and recovery*  
17 *activities in connection with natural and man-made*  
18 *disasters, as collected by the Department of Homeland*  
19 *Security from the States.*

20             *“(B) Threat and hazard identifications and risk*  
21 *assessments of the Department of Defense, the Depart-*  
22 *ment of Homeland Security, and the States.*

23       *“(3) Personnel, training, and equipment requirements*  
24 *shall be collected from the States, validated by the Chief of*

1 *the National Guard Bureau, and be categorized in the re-*  
2 *port required by paragraph (1) by each of the following:*

3           “(A) *Emergency support functions of the Na-*  
4 *tional Response Framework.*”

5           “(B) *Federal Emergency Management Agency re-*  
6 *gions.*”

7           “(4) *The annual report required by paragraph (1)*  
8 *shall be prepared in consultation with the chief executive*  
9 *of each State, other appropriate civilian authorities, and*  
10 *the Council of Governors.*”

11           “(5) *In addition to the congressional defense commit-*  
12 *tees, the annual report required by paragraph (1) shall be*  
13 *submitted to the following officials:*

14           “(A) *The Secretary of Defense.*”

15           “(B) *The Secretary of Homeland Security.*”

16           “(C) *The Council of Governors.*”

17           “(D) *The Secretary of the Army.*”

18           “(E) *The Secretary of the Air Force.*”

19           “(F) *The Commander of the United States*  
20 *Northern Command.*”

21           “(G) *The Commander of the United States Cyber*  
22 *Command.*”.

23           (b) *CLERICAL AMENDMENTS.*—

24           (1) *SECTION HEADING.*—*The heading of such sec-*  
25 *tion is amended to read as follows:*

1 **“§ 10504. Chief of the National Guard Bureau: annual**  
 2 **reports”.**

3 (2) *TABLE OF CONTENTS.*—*The table of sections*  
 4 *at the beginning of chapter 1011 of title 10, United*  
 5 *States Code, is amended by striking the item relating*  
 6 *to section 10504 and inserting the following new sec-*  
 7 *tion:*

*“10504. Chief of the National Guard Bureau: annual reports.”.*

8 **SEC. 1070. BRIEFING ON CRITERIA FOR DETERMINING LO-**  
 9 **CATIONS OF AIR FORCE INSTALLATION AND**  
 10 **MISSION SUPPORT CENTER HEADQUARTERS.**

11 (a) *BRIEFING.*—*Not later than 180 days after the date*  
 12 *of the enactment of this Act, the Secretary of the Air Force*  
 13 *shall provide a briefing to the Committee on Armed Services*  
 14 *of the House of Representatives on the Department of the*  
 15 *Air Force’s process and reasoning for using proximity to*  
 16 *primary medium commercial hub airports as part of the*  
 17 *mission criteria for the Air Force Installation and Mission*  
 18 *Support Center headquarters strategic basing process.*

19 (b) *CONTENTS OF BRIEFING.*—*The briefing under sub-*  
 20 *section (a) will specifically address the rationale behind the*  
 21 *distance categories used to allocate points under this mis-*  
 22 *sion criteria referred to in subsection (a), and shall provide*  
 23 *references to any existing government guidance that sup-*  
 24 *ports use of these distance categories. In addition, the brief-*  
 25 *ing shall include an analysis regarding the reasons why*

1 *the Department did not consider commuting times as a*  
2 *more equitable way of determining proximity to commer-*  
3 *cial hub airports that would account for the impact of dif-*  
4 *ferent traffic conditions across the candidate locations.*

5 **SEC. 1071. REPORT ON TESTING AND INTEGRATION OF**  
6 **MINEHUNTING SONAR SYSTEMS TO IMPROVE**  
7 **LITTORAL COMBAT SHIP MINEHUNTING CA-**  
8 **PABILITIES.**

9 (a) *REPORT TO CONGRESS.*—*Not later than April 1,*  
10 *2018, the Secretary of the Navy shall submit to the congres-*  
11 *sional defense committees a report that contains the find-*  
12 *ings of an assessment of all operational minehunting Syn-*  
13 *thetic Aperture Sonar (hereinafter referred to as “SAS”)*  
14 *technologies suitable to meet the requirements for use on the*  
15 *Littoral Combat Ship Mine Countermeasures Mission Pack-*  
16 *age.*

17 (b) *ELEMENTS.*—*The report required by subsection (a)*  
18 *shall include—*

19 (1) *an explanation of the future acquisition*  
20 *strategy for the minehunting mission package;*

21 (2) *specific details regarding the capabilities of*  
22 *all in-production SAS systems available for integra-*  
23 *tion into the Littoral Combat Ship Mine Counter-*  
24 *measure Mission Package;*



1 **SEC. 1073. QUARTERLY REPORTS ON PARACHUTE JUMPS**  
2 **CONDUCTED AT FORT BRAGG AND POPE**  
3 **ARMY AIRFIELD AND AIR FORCE SUPPORT**  
4 **FOR SUCH JUMPS.**

5 (a) *REPORT REQUIRED.*—Until January 31, 2020, the  
6 Secretary of the Air Force and the Secretary of the Army  
7 shall submit to the Committees on Armed Services of the  
8 House of Representatives and the Senate quarterly re-  
9 ports—

10 (1) *specifying the number of parachute jumps*  
11 *conducted at Fort Bragg and Pope Army Airfield,*  
12 *North Carolina, during the three-month period cov-*  
13 *ered by the report; and*

14 (2) *describing and evaluating the level of air*  
15 *support provided by the Air Force for those jumps.*

16 (b) *JOINT AIRBORNE AIR TRANSPORTABILITY TRAIN-*  
17 *ING CONTRACTS.*—As part of each report submitted under  
18 subsection (a), the Secretaries shall specifically provide the  
19 following:

20 (1) *The number of Joint Airborne Air Trans-*  
21 *portability Training contracts requested during the*  
22 *three-month period covered by the report by all units*  
23 *located at Fort Bragg and Pope Army Airfield.*

24 (2) *The number of Joint Airborne Air Trans-*  
25 *portability Training contracts validated during the*



1        *three-month period covered by the report for units lo-*  
2        *cated at Fort Bragg and Pope Army Airfield.*

3            (3) *The number of Joint Airborne Air Trans-*  
4        *portability Training contracts not validated during*  
5        *the three-month period covered by the report for units*  
6        *located at Fort Bragg and Pope Army Airfield.*

7            (4) *In the case of each Joint Airborne Air Trans-*  
8        *portability Training contract identified pursuant to*  
9        *paragraph (3), the reason the contract was not vali-*  
10       *dated.*

11    **SEC. 1074. BRIEFING ON REAL PROPERTY INVENTORY.**

12        (a) *BRIEFING REQUIRED.*—*Not later than 180 days*  
13       *after the date of the enactment of this Act, the Secretary*  
14       *of Defense shall brief the Committee on Armed Services of*  
15       *the House of Representatives on the status of the Installa-*  
16       *tion Geospatial Information and Services of the Depart-*  
17       *ment of Defense as it relates to the real property inventory*  
18       *of the Department, and the extent to which the Department*  
19       *has made use of the cadastral geographic information sys-*  
20       *tems-based real property inventory.*

21        (b) *MATTERS COVERED.*—*The briefing required by*  
22       *subsection (a) shall, at a minimum, cover the following:*

23            (1) *The status of current policies of the Depart-*  
24        *ment governing real property inventories and the use*  
25        *of geospatial information systems, the status of real*

1 *property inventory in relation to the financial im-*  
2 *provement and audit readiness efforts of the Depart-*  
3 *ment, and the status of implementation of Depart-*  
4 *ment of Defense Instruction 8130.01, Installation*  
5 *Geospatial Information and Services (IGI&S).*

6 (2) *The extent to which the Department is co-*  
7 *ordinating with the Federal Geographic Data Com-*  
8 *mittee, other Federal agencies, and State and local*  
9 *governments, and how existing Department standards*  
10 *and common protocols ensure that the interoperability*  
11 *of geospatial information complies with section 216 of*  
12 *the E-Government Act of 2002 (Public Law 107–347;*  
13 *44 U.S.C. 3501 note) and Executive Orders 12906*  
14 *and 13327.*

15 (3) *The existing real property inventories sys-*  
16 *tems or any components of any cadastre currently au-*  
17 *thorized by law or conducted by the Department of*  
18 *Defense, the statutory authorization for such inven-*  
19 *tories or components, and the amount expended by the*  
20 *Federal Government for each such activity in fiscal*  
21 *year 2015.*

22 (4) *A discussion of the Department’s ability to*  
23 *make this information publicly available on the Inter-*  
24 *net in a graphically geo-enabled and searchable for-*  
25 *mat, and how the Department plans to prevent the*

1        *disclosure of any parcel or parcels of land, any build-*  
2        *ings or facilities on any such parcel, or any informa-*  
3        *tion related to any such parcel, building, or facility,*  
4        *if such disclosure would impair or jeopardize the na-*  
5        *tional security or homeland defense of the United*  
6        *States.*

7                *(5) Any additional topics identified by the Sec-*  
8        *retary.*

9        **SEC. 1075. REPORT ON ADJUSTMENT AND DIVERSIFICA-**  
10                **TION ASSISTANCE.**

11        *Not later than 90 days after the date of the enactment*  
12        *of this Act, the Secretary of Defense shall provide to the*  
13        *Committee on Armed Services of the House of Representa-*  
14        *tives a briefing on the adjustment and diversification assist-*  
15        *ance authorized by subsections (b) and (c) of section 2391*  
16        *of title 10, United States Code. Such briefing shall include*  
17        *each of the following:*

18                *(1) A description of the activities and programs*  
19        *currently being conducted under subsections (b)(1)*  
20        *and (c) of such section, including a list of the recipi-*  
21        *ents of grants, and amount received by each recipient,*  
22        *of such activities and programs in each of the five*  
23        *most recent fiscal years.*

24                *(2) For each of the five fiscal years preceding the*  
25        *fiscal year during which the briefing is conducted,*

1       *separate estimates of the funding the Department of*  
2       *Defense has directed to activities under each of clauses*  
3       *(A) through (E) of paragraph (1) of subsection (b)*  
4       *and under subsection (c) of such section and the re-*  
5       *ipients of such funding.*

6       **SEC. 1076. BRIEFING ON THE PROTECTION OF PERSONALLY**  
7                   **IDENTIFYING INFORMATION OF MEMBERS OF**  
8                   **THE ARMED FORCES.**

9       *Not later than 90 days after the date of the enactment*  
10      *of this Act, the Secretary of Defense shall provide to the*  
11      *congressional defense committees a briefing on the efforts*  
12      *of the Department of Defense to protect the personally iden-*  
13      *tifiable information of members of the Armed Forces and*  
14      *their families, and of employees of the Department of De-*  
15      *fense, which shall include—*

16           (1) *current and planned initiatives to protect the*  
17           *personally identifying information of members of the*  
18           *Armed Forces and their families, and employees of*  
19           *the Department of Defense;*

20           (2) *the challenges encountered in carrying out*  
21           *the activities described in paragraph (1); and*

22           (3) *any trends related to fraudulent activity that*  
23           *targets the personally identifying information of*  
24           *members of the Armed Forces or their families, or em-*  
25           *ployees of the Department of Defense.*

1           **Subtitle G—Other Matters**

2   **SEC. 1081. TECHNICAL AND CLERICAL AMENDMENTS.**

3           (a) *TITLE 10, UNITED STATES CODE.*—*Title 10,*  
4 *United States Code, is amended as follows:*

5           (1) *Section 130h is amended by striking “sub-*  
6 *section (a) and (b)” both places it appears and insert-*  
7 *ing “subsections (a) and (b)”.*

8           (2) *Section 187(a)(2)(C) is amended by striking*  
9 *“Acquisition, Logistics, and Technology” and insert-*  
10 *ing “Acquisition, Technology, and Logistics”.*

11           (3) *Section 196(c)(1)(A)(ii) is amended by strik-*  
12 *ing “section 139(i)” and inserting “section 139(j)”.*

13           (4) *Subsection (b)(1)(B) of section 1415, to be*  
14 *added by section 633(a)(1) of the National Defense*  
15 *Authorization Act for Fiscal Year 2016 (Public Law*  
16 *114–92; 129 Stat. 848), is amended by adding a pe-*  
17 *riod at the end of clause (ii).*

18           (5) *Section 1705(g)(1) is amended by striking*  
19 *“of of” and inserting “of”.*

20           (6) *Section 2222 is amended—*

21           (A) *in subsection (d)(1)(B), by inserting*  
22 *“to” before “eliminate”;*

23           (B) *in subsection (g)(1)(E) by inserting*  
24 *“the system” before “is in compliance”; and*

1           (C) in subsection (i)(5), by striking “PRO-  
2           GRAM” in the heading.

3           (b) AMENDMENTS RELATED TO ELIMINATION OF  
4 TITLE 50 APPENDIX.—

5           (1) MILITARY SELECTIVE SERVICE ACT CITATION  
6 CHANGES.—

7           (A) TITLE 10, UNITED STATES CODE.—Title  
8 10, United States Code, is amended as follows:

9           (i) Section 101(d)(6)(B)(v) is amended  
10 by striking “(50 U.S.C. App. 460(b)(2))”  
11 and inserting “(50 U.S.C. 3809(b)(2))”.

12           (ii) Section 513(c) is amended—

13           (I) by striking “(50 U.S.C. App.  
14 451 et seq.)” and inserting “(50 U.S.C.  
15 3801 et seq.)”; and

16           (II) by inserting “(50 U.S.C.  
17 3806(c)(2)(A))” after “of that Act”.

18           (iii) Section 523(b)(7) is amended by  
19 striking “(50 U.S.C. App. 460(b)(2))” and  
20 inserting “(50 U.S.C. 3809(b)(2))”.

21           (iv) Section 651(a) is amended by  
22 striking “(50 U.S.C. App. 456(d)(1))” and  
23 inserting “(50 U.S.C. 3806(d)(1))”.

1           (v) Section 671(c)(1) is amended by  
2 striking “(50 U.S.C. App. 454(a))” and in-  
3 serting “(50 U.S.C. 3803(a))”.

4           (vi) Section 1475(a)(5)(B) is amended  
5 by striking “(50 U.S.C. App. 451 et seq.)”  
6 and inserting “(50 U.S.C. 3801 et seq.)”.

7           (vii) Section 12103 is amended—

8                 (I) in subsections (b) and (d), by  
9 striking “(50 U.S.C. App. 451 et seq.)”  
10 both places it appears and inserting  
11 “(50 U.S.C. 3801 et seq.)”; and

12                 (II) in subsection (d), by striking  
13 “section 6(c)(2)(A)(ii) and (iii) of such  
14 Act” and inserting “clauses (ii) and  
15 (iii) of section 6(c)(2)(A) of such Act  
16 (50 U.S.C. 3806(c)(2)(A))”.

17           (viii) Section 12104(a) is amended by  
18 striking “(50 U.S.C. App. 451 et seq.)” both  
19 places it appears and inserting “(50 U.S.C.  
20 3801 et seq.)”.

21           (ix) Section 12208(a) is amended by  
22 striking “(50 U.S.C. App. 451 et seq.)” both  
23 places it appears and inserting “(50 U.S.C.  
24 3801 et seq.)”.

1           (B) *TITLE 37, UNITED STATES CODE.*—*Sec-*  
2           *tion 209(a)(1) of title 37, United States Code is*  
3           *amended by striking “(50 U.S.C. App.*  
4           *456(d)(1))” and inserting “(50 U.S.C.*  
5           *3806(d)(1))”.*

6           (2) *SERVICEMEMBERS CIVIL RELIEF ACT CITA-*  
7           *TION CHANGES.*—*Title 10, United States Code, is*  
8           *amended as follows:*

9           (A) *Section 987 is amended—*

10           (i) *in subsection (e)(2), by inserting*  
11           *“(50 U.S.C. 3901 et seq.)” before the semi-*  
12           *colon; and*

13           (ii) *in subsection (g), by striking “(50*  
14           *U.S.C. App. 527)” and inserting “(50*  
15           *U.S.C. 3937)”.*

16           (B) *Section 1408(b)(1)(D) is amended by*  
17           *striking “(50 U.S.C. App. 501 et seq.)” and in-*  
18           *serting “(50 U.S.C. 3901 et seq.)”.*

19           (3) *EXPORT ADMINISTRATION ACT OF 1979 CITA-*  
20           *TION CHANGES.*—*Title 10, United States Code, is*  
21           *amended as follows:*

22           (A) *Section 130(a) is amended by striking*  
23           *“(50 U.S.C. App. 2401–2420)” and inserting*  
24           *“(50 U.S.C. 4601 et seq.)”.*



1           (B) Section 2249a(a)(1) is amended by  
2 striking “(50 U.S.C. App. 2405(j)(1)(A))” and  
3 inserting “(50 U.S.C. 4605(j)(1)(A))”.

4           (C) Section 2327 is amended—

5           (i) in subsection (a), by striking “(50  
6 U.S.C. App. 2405(j)(1)(A))” and inserting  
7 “(50 U.S.C. 4605(j)(1)(A))”; and

8           (ii) in subsection (b)(2), by striking  
9 “(50 U.S.C. App. 2405(j)(1)(A))” and in-  
10 sserting “(50 U.S.C. 4605(j)(1)(A))”.

11           (D) Section 2410i(a) is amended by strik-  
12 ing “(50 U.S.C. App. 2402(5)(A))” and insert-  
13 ing “(50 U.S.C. 4602(5)(A))”.

14           (E) Section 7430(e) is amended by striking  
15 “(50 U.S.C. App. 2401 et seq.)” and inserting  
16 “(50 U.S.C. 4601 et seq.)”.

17           (4) *DEFENSE PRODUCTION ACT OF 1950 CITATION*  
18 *CHANGES.—Title 10, United States Code, is amended*  
19 *as follows:*

20           (A) Section 139c of title 10, United States  
21 Code, is amended—

22           (i) in subsection (b)—

23           (I) in paragraph (11), by striking  
24 “(50 U.S.C. App. 2171)” and inserting  
25 “(50 U.S.C. 4567)”; and

1 (II) in paragraph (12)—

2 (aa) by striking “(50 U.S.C.  
3 App. 2062(b))” and inserting  
4 “(50 U.S.C. 4502(b))”; and

5 (bb) by striking “(50 U.S.C.  
6 App. 2061 et seq.)” and inserting  
7 “(50 U.S.C. 4501 et seq.)”; and

8 (ii) in subsection (c), by striking “(50  
9 U.S.C. App. 2170(k))” and inserting “(50  
10 U.S.C. 4565(k))”.

11 (B) Section 2537(c) is amended by striking  
12 “(50 U.S.C. App. 2170(a))” and inserting “(50  
13 U.S.C. 4565(a))”.

14 (C) Section 9511(6) is amended by striking  
15 “(50 U.S.C. App. 2071)” and inserting “(50  
16 U.S.C. 4511)”.

17 (D) Section 9513(e) is amended by striking  
18 “(50 U.S.C. App. 2071)” and inserting “(50  
19 U.S.C. 4511)”.

20 (5) *MERCHANT SHIP SALES ACT OF 1946 CITA-*  
21 *TION CHANGES.*—Section 2218 of title 10, *United*  
22 *States Code*, is amended—

23 (A) in subsection (c)(1)(E), by striking “(50  
24 U.S.C. App. 1744)” and inserting “(50 U.S.C.  
25 4405)”; and

1                   (B) in subsection (k)(3)(B), by striking “(50  
2                   U.S.C. App. 1744)” and inserting “(50 U.S.C.  
3                   4405)”.

4           (c) NATIONAL DEFENSE AUTHORIZATION ACT FOR  
5 FISCAL YEAR 2016.—Effective as of November 25, 2015,  
6 and as if included therein as enacted, the National Defense  
7 Authorization Act for Fiscal Year 2016 (Public Law 114–  
8 92) is amended as follows:

9                   (1) Section 563(a) is amended by striking “Sec-  
10                  tion 5(c)(5)” and inserting “Section 5(c)(2)”.

11                  (2) Section 883(a)(2) (129 Stat. 947) is amended  
12                  by striking “such chapter” and inserting “chapter  
13                  131 of such title”.

14                  (3) Section 883 (129 Stat. 942) is amended by  
15                  adding at the end the following new subsection:

16                  “(f) CONFORMING AMENDMENTS.—

17                         “(1) Effective on the effective date specified in  
18                         subsection (a)(1) of section 901 of the Carl Levin and  
19                         Howard P. ‘Buck’ McKeon National Defense Author-  
20                         ization Act for Fiscal Year 2015 (Public Law 113–  
21                         291; 128 Stat. 3462; 10 U.S.C. 132a note), section  
22                         2222 of title 10, United States Code, is amended—

23                                 “(A) by striking ‘Deputy Chief Management  
24                                 Officer of the Department of Defense’ each place  
25                                 it appears in subsections (c)(2), (e)(1), (g)(2)(A),

1           (g)(2)(B)(ii), and (i)(5)(B) and inserting ‘Under  
2           Secretary of Defense for Business Management  
3           and Information’; and

4           “(B) by striking ‘Deputy Chief Management  
5           Officer’ in subsection (f)(1) and inserting ‘Under  
6           Secretary of Defense for Business Management  
7           and Information’.

8           “(2) The second paragraph (3) of section 901(k)  
9           of such Act (Public Law 113–291; 128 Stat. 3468; 10  
10          U.S.C. 2222 note) is repealed.”.

11          (4) Section 1079(a) is amended to read as fol-  
12          lows:

13          “(a) ANNUAL REPORT ON PRIZES FOR ADVANCED  
14          TECHNOLOGY ACHIEVEMENTS.—Section 2374a of title 10,  
15          United States Code, is amended—

16                 “(1) by striking subsection (f); and

17                 “(2) by redesignating subsection (g) as subsection  
18                 (f).”.

19          (5) Section 1086(f)(11)(A) is amended by strik-  
20          ing “Not later than one year” and inserting “Not  
21          later than one year”.

22          (d) COORDINATION WITH OTHER AMENDMENTS MADE  
23          BY THIS ACT.—For purposes of applying amendments  
24          made by provisions of this Act other than this section, the  
25          amendments made by this section shall be treated as having

1 *been enacted immediately before any such amendments by*  
2 *other provisions of this Act.*

3 **SEC. 1082. MODIFICATION TO SUPPORT FOR NON-FEDERAL**  
4 **DEVELOPMENT AND TESTING OF MATERIAL**  
5 **FOR CHEMICAL AGENT DEFENSE.**

6 *Section 1034 of the National Defense Authorization*  
7 *Act for Fiscal Year 2008 (Public Law 110–181) is amend-*  
8 *ed—*

9 *(1) in subsection (d)—*

10 *(A) by striking “report on the use of the au-*  
11 *thority under subsection (a)” and all that follows*  
12 *and inserting “report that includes—”*

13 *“(A) a description of—*

14 *“(i) each use of the authority under*  
15 *subsection (a); and*

16 *“(ii) for each such use, the specific ma-*  
17 *terial made available and to whom it was*  
18 *made available; and*

19 *“(B) a description of—*

20 *“(i) any instance in which the Depart-*  
21 *ment of Defense made available to a State,*  
22 *a unit of local government, or a private en-*  
23 *tity any biological select agent or toxin for*  
24 *the development or testing of any biodefense*  
25 *technology; and*

1                   “(ii) for each such instance, the spe-  
2                   cific material made available and to whom  
3                   it was made available.”; and

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

6                   “(3) The requirement to submit a report under  
7                   paragraph (1) shall terminate on January 31,  
8                   2021.”; and

9                   (2) in subsection (e), by striking “this section”  
10                  and all that follows and inserting “this section:”

11                  “(1) The terms ‘precursor’, ‘protective purposes’,  
12                  and ‘toxic chemical’ have the meanings given those  
13                  terms in the convention referred to in subsection (c),  
14                  in paragraph 2, paragraph 9(b), and paragraph 1,  
15                  respectively, of article II of that convention.

16                  “(2) The term ‘biological select agent or toxin’  
17                  means any agent or toxin identified under any of the  
18                  following:

19                         “(A) Section 331.3 of title 7, Code of Fed-  
20                         eral Regulations.

21                         “(B) Section 121.3 or section 121.4 of title  
22                         9, Code of Federal Regulations.

23                         “(C) Section 73.3 or section 73.4 of title 42,  
24                         Code of Federal Regulations.”.

1 **SEC. 1083. INCREASE IN MAXIMUM AMOUNT AVAILABLE FOR**  
2 **EQUIPMENT, SERVICES, AND SUPPLIES PRO-**  
3 **VIDED FOR HUMANITARIAN DEMINING AS-**  
4 **SISTANCE.**

5 *Section 407(c)(3) of title 10, United States Code, is*  
6 *amended by striking “\$10,000,000” and inserting*  
7 *“\$15,000,000”.*

8 **SEC. 1084. LIQUIDATION OF UNPAID CREDITS ACCRUED AS**  
9 **A RESULT OF TRANSACTIONS UNDER A**  
10 **CROSS-SERVICING AGREEMENT.**

11 *(a) LIQUIDATION OF UNPAID CREDITS.—Section 2345*  
12 *of title 10, United States Code, is amended by adding at*  
13 *the end the following new subsection:*

14 *“(c)(1) Any credits of the United States accrued as a*  
15 *result of the provision of logistic support, supplies, and*  
16 *services under the authority of this subchapter that remain*  
17 *unliquidated more than 18 months after the date of delivery*  
18 *of the logistic support, supplies, or services may, at the op-*  
19 *tion of the Secretary of Defense, with the concurrence of*  
20 *the Secretary of State, be liquidated by offsetting the credits*  
21 *against any amount owed by the Department of Defense,*  
22 *pursuant to a transaction or transactions concluded under*  
23 *the authority of this subchapter, to the government or inter-*  
24 *national organization to which the logistic support, sup-*  
25 *plies, or services were provided by the United States.*

1       “(2) *The amount of any credits offset pursuant to*  
 2 *paragraph (1) shall be credited as specified in section 2346*  
 3 *of this title as if it were a receipt of the United States.*”.

4       **(b) EFFECTIVE DATE.**—*Subsection (c) of section 2345*  
 5 *of title 10, United States Code, as added by subsection (a),*  
 6 *shall apply with respect to credits accrued by the United*  
 7 *States that—*

8           (1) *were accrued prior to, and remain unpaid as*  
 9 *of, the date of the enactment of this Act; or*

10          (2) *are accrued after the date of the enactment*  
 11 *of this Act.*

12 **SEC. 1085. CLARIFICATION OF CONTRACTS COVERED BY**  
 13 **AIRLIFT SERVICE PROVISION.**

14       *Section 9516 of title 10, United States Code, is amend-*  
 15 *ed by adding at the end the following new subsection:*

16       **“(f) CONTRACT FOR AIRLIFT SERVICE DEFINED.**—*In*  
 17 *this section, the term ‘contract for airlift service’ means—*

18           (1) *a contract with the Department of Defense*  
 19 *for airlift service;*

20           (2) *any contract with the Department of De-*  
 21 *fense other than a contract described in paragraph*  
 22 *(1), if transportation services are used in the perform-*  
 23 *ance of the contract; or*

24           (3) *any subcontract (at any tier) under a con-*  
 25 *tract described in paragraph (1) or (2) if the sub-*



1        *contract is for airlift service or if transportation serv-*  
2        *ices are used in the performance of the subcontract.”.*

3        **SEC. 1086. NATIONAL BIODEFENSE STRATEGY.**

4        (a) *STRATEGY AND IMPLEMENTATION PLAN RE-*  
5        *QUIRED.—The Secretary of Defense, the Secretary of Health*  
6        *and Human Services, the Secretary of Homeland Security,*  
7        *and the Secretary of Agriculture shall jointly develop a na-*  
8        *tional biodefense strategy and associated implementation*  
9        *plan, which shall include a review and assessment of bio-*  
10       *defense policies, practices, programs and initiatives. Such*  
11       *Secretaries shall review and, as appropriate, revise the*  
12       *strategy biennially.*

13       (b) *ELEMENTS.—The strategy and associated imple-*  
14       *mentation plan required under subsection (a) shall include*  
15       *each of the following:*

16            (1) *An inventory and assessment of all existing*  
17        *strategies, plans, policies, laws, and interagency*  
18        *agreements related to biodefense, including preven-*  
19        *tion, deterrence, preparedness, detection, response, at-*  
20        *tribution, recovery, and mitigation.*

21            (2) *A description of the biological threats, in-*  
22        *cluding biological warfare, bioterrorism, naturally oc-*  
23        *curring infectious diseases, and accidental exposures.*

24            (3) *A description of the current programs, ef-*  
25        *forts, or activities of the United States Government*

1 *with respect to preventing the acquisition, prolifera-*  
2 *tion, and use of a biological weapon, preventing an*  
3 *accidental or naturally occurring biological outbreak,*  
4 *and mitigating the effects of a biological epidemic.*

5 *(4) A description of the roles and responsibilities*  
6 *of the Executive Agencies, including internal and ex-*  
7 *ternal coordination procedures, in identifying and*  
8 *sharing information related to, warning of, and pro-*  
9 *tection against, acts of terrorism using biological*  
10 *agents and weapons and accidental or naturally oc-*  
11 *curring biological outbreaks.*

12 *(5) An articulation of related or required inter-*  
13 *agency capabilities and whole-of-Government activi-*  
14 *ties required to support the national biodefense strat-*  
15 *egy.*

16 *(6) Recommendations for strengthening and im-*  
17 *proving the current biodefense capabilities, authori-*  
18 *ties, and command structures of the United States*  
19 *Government.*

20 *(7) Recommendations for improving and for-*  
21 *malizing interagency coordination and support mech-*  
22 *anisms with respect to providing a robust national*  
23 *biodefense.*

24 *(8) Any other matters the Secretary of Defense,*  
25 *the Secretary of Health and Human Services, the Sec-*

1        *retary of Homeland Security, and the Secretary of*  
2        *Agriculture determine necessary.*

3        (c) *SUBMITTAL TO CONGRESS.*—Not later than 275  
4        *days after the date of the enactment of this Act, the Sec-*  
5        *retary of Defense, the Secretary of Health and Human*  
6        *Services, the Secretary of Homeland Security, and the Sec-*  
7        *retary of Agriculture shall submit to the appropriate con-*  
8        *gressional committees the strategy and associated imple-*  
9        *mentation plan required by subsection (a). The strategy and*  
10       *implementation plan shall be submitted in unclassified*  
11       *form, but may include a classified annex.*

12       (d) *BRIEFINGS.*—Not later than March 1, 2017, and  
13       *annually thereafter until March 1, 2019, the Secretary of*  
14       *Defense, the Secretary of Health and Human Services, the*  
15       *Secretary of Homeland Security, and the Secretary of Agri-*  
16       *culture shall provide to the Committee on Armed Services*  
17       *of the House of Representatives, the Committee on Energy*  
18       *and Commerce of the House of Representatives, the Com-*  
19       *mittee on Homeland Security of the House of Representa-*  
20       *tives, and the Committee on Agriculture of the House of*  
21       *Representatives a joint briefing on the strategy developed*  
22       *under subsection (a) and the status of the implementation*  
23       *of such strategy.*

24       (e) *GAO REVIEW.*—Not later than 180 days after the  
25       *date of the submittal of the strategy and implementation*

1 *plan under subsection (c), the Comptroller General of the*  
2 *United States shall conduct a review of the strategy and*  
3 *implementation plan to analyze gaps and resources mapped*  
4 *against the requirements of the National Biodefense Strat-*  
5 *egy and existing United States biodefense policy documents.*

6 (f) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
7 *FINED.*—*In this section, the term “appropriate congres-*  
8 *sional committees” means the following:*

9 (1) *The congressional defense committees.*

10 (2) *The Committee on Energy and Commerce of*  
11 *the House of Representatives and the Committee on*  
12 *Health, Education, Labor, and Pensions of the Sen-*  
13 *ate.*

14 (3) *The Committee on Homeland Security of the*  
15 *House of Representatives and the Committee on*  
16 *Homeland Security and Governmental Affairs of the*  
17 *Senate.*

18 (4) *The Committee on Agriculture of the House*  
19 *of Representatives and the Committee on Agriculture,*  
20 *Nutrition, and Forestry of the Senate.*

21 **SEC. 1087. GLOBAL CULTURAL KNOWLEDGE NETWORK.**

22 (a) *PROGRAM AUTHORIZED.*—*The Secretary of the*  
23 *Army shall carry out a program to support the socio-cul-*  
24 *tural understanding needs of the Department of the Army,*  
25 *to be known as the Global Cultural Knowledge Network.*

1       **(b) GOALS.**—*The Global Cultural Knowledge Network*  
2 *shall support the following goals:*

3           (1) *Provide socio-cultural analysis support to*  
4 *any unit deployed, or preparing to deploy, to an exer-*  
5 *cise or operation in the assigned region of responsi-*  
6 *bility of the unit being supported.*

7           (2) *Make recommendations or support policy de-*  
8 *velopment to increase the social science expertise of*  
9 *military and civilian personnel of the Department of*  
10 *the Army.*

11          (3) *Provide reimbursable support to other mili-*  
12 *tary departments or Federal agencies if requested*  
13 *through an operational needs request process.*

14       **(c) ELEMENTS OF THE PROGRAM.**—*The Global Cul-*  
15 *tural Knowledge Network shall include the following ele-*  
16 *ments:*

17           (1) *A center in the continental United States (re-*  
18 *ferred to in this section as a “reach-back center”) to*  
19 *support requests for information and analysis.*

20           (2) *Outreach to academic institutions and other*  
21 *Federal agencies involved in social science research to*  
22 *increase the network of resources for the reach-back*  
23 *center.*

1           (3) *Training with operational units during an-*  
2           *nuual training exercises or during pre-deployment*  
3           *training.*

4           (4) *The training, contracting, and human re-*  
5           *sources capacity to rapidly respond to contingencies*  
6           *in which social science expertise is requested by oper-*  
7           *ational commanders through an operational needs re-*  
8           *quest process.*

9           (d) *DIRECTIVE REQUIRED.—The Secretary of the*  
10          *Army shall issue a directive within one year after the date*  
11          *of the enactment of this Act for the governance of the Global*  
12          *Cultural Knowledge Network, including oversight and proc-*  
13          *ess controls for auditing the activities of personnel of the*  
14          *Network, the employment of the Global Cultural Knowledge*  
15          *Network by operation forces, and processes for requesting*  
16          *support by operational Army units and other Department*  
17          *of Defense and Federal entities.*

18          (e) *PROHIBITION ON DEPLOYMENTS UNDER GLOBAL*  
19          *CULTURAL KNOWLEDGE NETWORK.—*

20                 (1) *PROHIBITION.—The Secretary of the Army*  
21                 *may not deploy social scientists in a conflict zone.*

22                 (2) *WAIVER.—The Secretary of the Army may*  
23                 *wave the prohibition in paragraph (1) if the Sec-*  
24                 *retary submits, at least 10 days before the deploy-*

1 *ment, to the Committees on Armed Services of the*  
 2 *House of Representatives and the Senate—*

3 *(A) notice of the waiver; and*

4 *(B) a certification that there is a compel-*  
 5 *ling national security interest for the deployment*  
 6 *or there will be a benefit to the safety and wel-*  
 7 *fare of members of the Armed Forces from the de-*  
 8 *ployment.*

9 *(3) ELEMENTS OF WAIVER NOTICE.—A waiver*  
 10 *notice under this subsection also shall include the fol-*  
 11 *lowing:*

12 *(A) The operational unit, or units, request-*  
 13 *ing support, including the location or locations*  
 14 *where the social scientists are to be deployed.*

15 *(B) The number of Global Cultural Knowl-*  
 16 *edge Network personnel to be deployed and the*  
 17 *anticipated duration of such deployments.*

18 *(C) The anticipated resource needs for such*  
 19 *deployment.*

20 **SEC. 1088. MODIFICATION OF REQUIREMENTS RELATING**  
 21 **TO MANAGEMENT OF MILITARY TECHNI-**  
 22 **CIANS.**

23 *(a) CONVERSION OF CERTAIN MILITARY TECHNICIAN*  
 24 *(DUAL STATUS) POSITIONS.—Subsection (a) of section 1053*  
 25 *of the National Defense Authorization Act for Fiscal Year*

1 2016 (Public Law 114–92; 129 Stat. 981; 10 U.S.C. 10216  
2 note) is amended—

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

5 “(1) *IN GENERAL.*—By not later than October 1,  
6 2017, the Secretary of Defense shall convert not fewer  
7 than 20 percent of all military technician positions  
8 to positions filled by individuals who are employed  
9 under section 3101 of title 5, United States Code, or  
10 section 1601 of title 10, United States Code, or serv-  
11 ing under section 328 of title 32, United States Code,  
12 and are not military technicians. The positions to be  
13 converted are described in paragraph (2).”;

14 (2) in paragraph (2), by striking “in the report”  
15 and all that follows and inserting “by the Army Re-  
16 serve, the Air Force Reserve, the National Guard Bu-  
17 reau, and the State adjutants general in the course of  
18 reviewing all military technician positions for pur-  
19 poses of implementing this section.”; and

20 (3) in paragraph (3), by striking “may fill” and  
21 inserting “shall fill”.

22 (b) *CONVERSION OF ARMY RESERVE, AIR FORCE RE-*  
23 *SERVE, AND NATIONAL GUARD NON-DUAL STATUS POSI-*  
24 *TIONS.*—Subsection (e) of section 10217 of title 10, United  
25 States Code, is amended is amended to read as follows:



1       “(e) *CONVERSION OF POSITIONS.—(1) No individual*  
2 *may be newly hired or employed, or rehired or reemployed,*  
3 *as a non-dual status technician for purposes of this section*  
4 *after September 30, 2017.*

5       “(2) *On October 1, 2017, the Secretary of Defense shall*  
6 *convert all non-dual status technicians to positions filled*  
7 *by individuals who are employed under section 3101 of title*  
8 *5 or section 1601 of this title and are not military techni-*  
9 *cians.*

10       “(3) *In the case of a position converted under para-*  
11 *graph (2) for which there is an incumbent employee on Oc-*  
12 *tober 1, 2017, the Secretary shall fill that position, as con-*  
13 *verted, with the incumbent employee without regard to any*  
14 *requirement concerning competition or competitive hiring*  
15 *procedures.*

16       “(4) *Any individual newly hired or employed, or re-*  
17 *hired or employed, to a position required to be filled by*  
18 *reason of paragraph (1) shall an individual employed in*  
19 *such position under section 3101 of title 5 or section 1601*  
20 *of this title.”.*

21       (c) *REPORT ON CONVERSION OF MILITARY TECHN-*  
22 *ICIAN POSITIONS TO PERSONNEL PERFORMING ACTIVE*  
23 *GUARD AND RESERVE DUTY.—*

24               (1) *IN GENERAL.—Not later than March 1, 2017,*  
25 *the Secretary of Defense, shall in consultation with*

1        *the Chief of the National Guard Bureau, submit to*  
2        *the Committees on Armed Services of the Senate and*  
3        *the House of Representatives a report on the feasi-*  
4        *bility and advisability of converting any remaining*  
5        *military technicians (dual status) to personnel per-*  
6        *forming active Guard and Reserve duty under section*  
7        *328 of title 32, United States Code, or other applica-*  
8        *ble provisions of law. The report shall include the fol-*  
9        *lowing:*

10                *(A) An analysis of the fully-burdened costs*  
11                *of the conversion taking into account the new*  
12                *modernized military retirement system.*

13                *(B) An assessment of the ratio of members*  
14                *of the Armed Forces performing active Guard*  
15                *and Reserve duty and civilian employees of the*  
16                *Department of Defense under title 5, United*  
17                *States Code, required to best contribute to the*  
18                *readiness of the National Guard and the Re-*  
19                *serves.*

20                *(2) ACTIVE GUARD AND RESERVE DUTY DE-*  
21                *FINED.—In this subsection, the term “active Guard*  
22                *and Reserve duty” has the meaning given that term*  
23                *in section 101(d)(6) of title 10, United States Code.*

1 **SEC. 1089. SENSE OF CONGRESS REGARDING CONNECTI-**  
2 **CUT'S SUBMARINE CENTURY.**

3 (a) *FINDINGS.*—Congress makes the following findings:

4 (1) *On March 2, 1867, Congress enacted a naval*  
5 *appropriations Act that authorized the Secretary of*  
6 *the Navy to “receive and accept a deed of gift, when*  
7 *offered by the State of Connecticut, of a tract of land*  
8 *with not less than one mile of shore front on the*  
9 *Thames River near New London, Connecticut, to be*  
10 *held by the United States for naval purposes”.*

11 (2) *The people of Connecticut and the towns and*  
12 *cities in the southeastern region of Connecticut subse-*  
13 *quently gifted land to establish a military installation*  
14 *to fulfil the Nation’s need for a naval facility on the*  
15 *Atlantic coast.*

16 (3) *On April 11, 1868, the Navy accepted the*  
17 *deed of gift of land from Connecticut to establish a*  
18 *naval yard and storage depot along the eastern shore*  
19 *of the Thames River in Groton, Connecticut.*

20 (4) *Between 1868 and 1912, the New London*  
21 *Navy Yard supported a diverse range of missions, in-*  
22 *cluding berthing inactive Civil War era ironclad war-*  
23 *ships and serving as a coaling station for refueling*  
24 *naval ships traveling in New England waters.*

25 (5) *Congress rejected the Navy’s proposal to close*  
26 *New London Navy Yard in 1912, following an impas-*

1       sioned effort by Congressman Edwin W. Higgins, who  
2       stated that “this action proposed is not only unjust  
3       but unreasonable and unsound as a military propo-  
4       sition”.

5               (6) *The outbreak of World War I and the enemy*  
6       *use of submarines to sink allied military and civilian*  
7       *ships in the Atlantic sparked a new focus on devel-*  
8       *oping submarine capabilities in the United States.*

9               (7) *October 18, 1915, marked the arrival at the*  
10       *New London Navy Yard of the submarines G-1, G-*  
11       *2, and G-4 under the care of the tender U.S.S.*  
12       *OZARK, soon followed by the arrival of submarines*  
13       *E-1, D-1, and D-3 under the care of the tender*  
14       *U.S.S. TONOPAH, and on November 1, 1915, the ar-*  
15       *ival of the first ship built as a submarine tender, the*  
16       *U.S.S. FULTON (AS-1).*

17              (8) *On June 21, 1916, Commander Yeates Stir-*  
18       *ling assumed the command of the newly designated*  
19       *Naval Submarine Base New London, the New London*  
20       *Submarine Flotilla, and the Submarine School.*

21              (9) *In the 100 years since the arrival of the first*  
22       *submarines to the base, Naval Submarine Base New*  
23       *London has grown to occupy more than 680 acres*  
24       *along the east side of the Thames River, with more*  
25       *than 160 major facilities, 15 nuclear submarines, and*

1        *more than 70 tenant commands and activities, in-*  
2        *cluding the Submarine Learning Center, Naval Sub-*  
3        *marine School, the Naval Submarine Medical Re-*  
4        *search Laboratory, the Naval Undersea Medical Insti-*  
5        *tute, and the newly established Undersea Warfighting*  
6        *Development Center.*

7            (10) *In addition to being the site of the first sub-*  
8        *marine base in the United States, Connecticut was*  
9        *home to the foremost submarine manufacturers of the*  
10       *time, the Lake Torpedo Boat Company in Bridgeport*  
11       *and the Electric Boat Company in Groton, which*  
12       *later became General Dynamics Electric Boat.*

13           (11) *General Dynamics Electric Boat, its tal-*  
14       *ented workforce, and its Connecticut-based and na-*  
15       *tionwide network of suppliers have delivered more*  
16       *than 200 submarines from its current location in*  
17       *Groton, Connecticut, including the first nuclear-pow-*  
18       *ered submarine, the U.S.S. NAUTILUS (SSN 571),*  
19       *and nearly half of the nuclear submarines ever built*  
20       *by the United States.*

21           (12) *The Submarine Force Library and Museum,*  
22       *located adjacent to Naval Submarine Base New Lon-*  
23       *don in Groton, Connecticut, is the only submarine*  
24       *museum operated by the United States Navy and*  
25       *today serves as the primary repository for artifacts,*

1        *documents, and photographs relating to the bold and*  
2        *courageous history of the Submarine Force and high-*  
3        *lights as its core exhibit the Historic Ship NAU-*  
4        *TILUS (SSN 571) following her retirement from*  
5        *service.*

6            *(13) Reflecting the close ties between Connecticut*  
7        *and the Navy that began with the gift of land that*  
8        *established the base, the State of Connecticut has set*  
9        *aside \$40,000,000 in funding for critical infrastruc-*  
10       *ture investments to support the mission of the base,*  
11       *including construction of a new dive locker building,*  
12       *expansion of the Submarine Learning Center, and*  
13       *modernization of energy infrastructure.*

14           *(14) On September 29, 2015, Connecticut Gov-*  
15       *ernor Dannel Malloy designated October 2015 through*  
16       *October 2016 as Connecticut’s Submarine Century, a*  
17       *year-long observance that celebrates 100 years of sub-*  
18       *marine activity in Connecticut, including the Town*  
19       *of Groton’s distinction as the Submarine Capital of*  
20       *the World, to coincide with the centennial anniver-*  
21       *sary of the establishment of Naval Submarine Base*  
22       *New London and the Naval Submarine School.*

23           *(15) Whereas Naval Submarine Base New Lon-*  
24       *don still proudly proclaims its motto of “The First*  
25       *and Finest”.*

1           (16) *Congressman Higgins’ statement before*  
2           *Congress in 1912 that “Connecticut stands ready, as*  
3           *she always has, to bear her part of the burdens of the*  
4           *national defense” remains true today.*

5           **(b) SENSE OF CONGRESS.—Congress—**

6           (1) *commends the longstanding dedication and*  
7           *contribution to the Navy and submarine force by the*  
8           *people of Connecticut, both through the initial deed of*  
9           *gift that established what would become Naval Sub-*  
10          *marine Base New London and through their ongoing*  
11          *commitment to support the mission of the base and*  
12          *the Navy personnel assigned to it;*

13          (2) *honors the submariners who have trained*  
14          *and served at Naval Submarine Base New London*  
15          *throughout its history in support of the Nation’s secu-*  
16          *rity and undersea superiority;*

17          (3) *recognizes the contribution of the industry*  
18          *and workforce of Connecticut in designing, building,*  
19          *and sustaining the Navy’s submarine fleet; and*

20          (4) *encourages the recognition of Connecticut’s*  
21          *Submarine Century by Congress, the Navy, and the*  
22          *American people by honoring the contribution of the*  
23          *people of Connecticut to the defense of the United*  
24          *States and the important role of the submarine force*

1        *in safeguarding the security of the United States for*  
2        *more than a century.*

3    **SEC. 1090. LNG PERMITTING CERTAINTY AND TRANS-**  
4                                    **PARENCY.**

5        *(a) ACTION ON APPLICATIONS.—*

6                    *(1) DECISION DEADLINE.—For proposals that*  
7        *must also obtain authorization from the Federal En-*  
8        *ergy Regulatory Commission or the United States*  
9        *Maritime Administration to site, construct, expand,*  
10       *or operate LNG export facilities, the Department of*  
11       *Energy shall issue a final decision on any applica-*  
12       *tion for the authorization to export natural gas under*  
13       *section 3 of the Natural Gas Act (15 U.S.C. 717b) not*  
14       *later than 30 days after the later of—*

15                    *(A) the conclusion of the review to site, con-*  
16                    *struct, expand, or operate the LNG facilities re-*  
17                    *quired by the National Environmental Policy*  
18                    *Act of 1969 (42 U.S.C. 4321 et seq.); or*

19                    *(B) the date of enactment of this Act.*

20                    *(2) CONCLUSION OF REVIEW.—For purposes of*  
21        *paragraph (1), review required by the National Envi-*  
22        *ronmental Policy Act of 1969 shall be considered con-*  
23        *cluded—*

24                    *(A) for a project requiring an Environ-*  
25                    *mental Impact Statement, 30 days after publica-*



1            *tion of a Final Environmental Impact State-*  
2            *ment;*

3            *(B) for a project for which an Environ-*  
4            *mental Assessment has been prepared, 30 days*  
5            *after publication by the Department of Energy of*  
6            *a Finding of No Significant Impact; and*

7            *(C) upon a determination by the lead agen-*  
8            *cy that an application is eligible for a categor-*  
9            *ical exclusion pursuant National Environmental*  
10           *Policy Act of 1969 implementing regulations.*

11           *(3) JUDICIAL ACTION.—(A) The United States*  
12           *Court of Appeals for the circuit in which the export*  
13           *facility will be located pursuant to an application de-*  
14           *scribed in paragraph (1) shall have original jurisdic-*  
15           *tion over any civil action for the review of—*

16           *(i) an order issued by the Department of*  
17           *Energy with respect to such application; or*

18           *(ii) the Department of Energy's failure to*  
19           *issue a final decision on such application.*

20           *(B) If the Court in a civil action described in*  
21           *subparagraph (A) finds that the Department of En-*  
22           *ergy has failed to issue a final decision on the appli-*  
23           *cation as required under paragraph (1), the Court*  
24           *shall order the Department of Energy to issue such*

1       *final decision not later than 30 days after the Court's*  
2       *order.*

3               (C) *The Court shall set any civil action brought*  
4       *under this paragraph for expedited consideration and*  
5       *shall set the matter on the docket as soon as practical*  
6       *after the filing date of the initial pleading.*

7       (b) *PUBLIC DISCLOSURE OF EXPORT DESTINA-*  
8       *TIONS.—Section 3 of the Natural Gas Act (15 U.S.C. 717b)*  
9       *is amended by adding at the end the following:*

10           “(g) *PUBLIC DISCLOSURE OF LNG EXPORT DESTINA-*  
11       *TIONS.—As a condition for approval of any authorization*  
12       *to export LNG, the Secretary of Energy shall require the*  
13       *applicant to publicly disclose the specific destination or des-*  
14       *tinations of any such authorized LNG exports.”.*

15       **SEC. 1091. SENSE OF CONGRESS REGARDING THE REPORT-**  
16                       **ING OF THE MV-22 MISHAP IN MARANA, ARI-**  
17                       **ZONA, ON APRIL 8, 2000.**

18       *It is the sense of Congress that—*

19               (1) *in the report accompanying H.R. 1735 of the*  
20       *114th Congress (House Report 114-102), the Com-*  
21       *mittee on Armed Services of the House of Representa-*  
22       *tives encouraged the Secretary of Defense to “publicly*  
23       *clarify the causes of the MV-22 mishap at Marana*  
24       *Northwest Regional Airport, Arizona, in a way con-*

1        *sistent with the results of all investigations as soon as*  
2        *possible”;*

3                *(2) the Deputy Secretary of Defense Robert O.*  
4        *Work did an excellent job reviewing the investigations*  
5        *of such mishap and concluded that there was a mis-*  
6        *representation of facts by the media which incorrectly*  
7        *identified pilot error as the cause of the mishap which*  
8        *the Deputy Secretary publicly made known in March*  
9        *2016; and*

10               *(3) Congress is grateful for the successful conclu-*  
11        *sion to this tragic situation.*

12        **SEC. 1092. TRANSFER OF SURPLUS FIREARMS TO CORPORA-**  
13                                **TION FOR THE PROMOTION OF RIFLE PRAC-**  
14                                **TICE AND FIREARMS SAFETY.**

15               *(a) IN GENERAL.—Section 40728(h) of title 36, United*  
16        *States Code, is amended—*

17               *(1) by striking “(1) Subject to paragraph (2),*  
18        *the Secretary may transfer” and inserting “The Sec-*  
19        *retary shall transfer”;*

20               *(2) by striking “The Secretary shall determine a*  
21        *reasonable schedule for the transfer of such surplus*  
22        *pistols.”; and*

23               *(3) by striking paragraph (2).*

1           (b) *PILOT PROGRAM*.—Section 1087 of National De-  
2 *fense Authorization Act for Fiscal Year 2016 (Public Law*  
3 *114–92; 129 Stat. 1012)* is amended—

4           (1) in subsection (b)(1)—

5                 (A) by striking “may” each place it appears  
6                 and inserting “shall”; and

7                 (B) by striking “not more than 10,000”;  
8                 and

9           (2) by striking subsection (c).

10 **SEC. 1093. SENSE OF CONGRESS REGARDING THE IMPOR-**  
11 **TANCE OF PANAMA CITY, FLORIDA, TO THE**  
12 **HISTORY AND FUTURE OF THE ARMED**  
13 **FORCES.**

14           (a) *FINDINGS*.—Congress makes the following findings:

15                 (1) *On December 6, 1941—one day before the at-*  
16 *tack on Pearl Harbor—the War Department estab-*  
17 *lished Tyndall Field as an Army Air Force gunnery*  
18 *school in Panama City, Florida.*

19                 (2) *Tyndall Field was named in honor of native*  
20 *Floridian Lieutenant Francis B. Tyndall, who re-*  
21 *ceived the U.S. Air Force flying ace designation for*  
22 *his service in the First World War.*

23                 (3) *Tyndall Field became an important center*  
24 *for aerial gunnery training during the Second World*  
25 *War, hosting training missions using aircraft includ-*

1        *ing A-33, O-47, AT-6, Martin B-26 Marauders, and*  
2        *B-17 bombers.*

3            (4) *On January 13, 1948, Tyndall Field became*  
4        *Tyndall Air Force Base and was an active site for air*  
5        *training and defense throughout the Cold War.*

6            (5) *Tyndall AFB is now home to the First Air*  
7        *Force as well as the 325th Fighter Wing Head-*  
8        *quarters and their F-22 Raptors.*

9            (6) *The 325th Fighter Wing has been instru-*  
10       *mental to national security at such crucial junctures*  
11       *as the Cuban Missile Crisis, throughout the Cold War,*  
12       *and more recently in intercepting unidentified air-*  
13       *craft and supporting anti-smuggling efforts.*

14           (7) *On July 20, 1945, the Navy Mine Counter-*  
15       *measure Station was established in Panama City.*

16           (8) *The Navy Mine Countermeasure Station de-*  
17       *veloped into the Naval Support Activity Panama*  
18       *City (NSAPC), which has faithfully carried out its*  
19       *mission since its inception and continues to support*  
20       *the crucial efforts and important research of tenant*  
21       *command organizations such as the Naval Surface*  
22       *Warfare Center: Panama City Division (NSWC*  
23       *PCD) and the Navy Experimental Diving Unit*  
24       *(NEDU).*

1           (9) *Research performed at NSWC PCD has been*  
2           *integral to equipping the Navy with the personnel*  
3           *and technology necessary to maintaining its status as*  
4           *the world's greatest and most technologically ad-*  
5           *vanced.*

6           (10) *NSWC PCD's newest facility, the Littoral*  
7           *Warfare Research Facility, is one of the Navy's major*  
8           *research, development, test, and evaluation labora-*  
9           *tories and where standards for weapons integration*  
10          *on Littoral Combat Ships are often developed.*

11          (11) *NEDU is a global hub of research, develop-*  
12          *ment, and testing for undersea operations.*

13          (12) *During the Second World War, the Wain-*  
14          *wright Shipyard in Panama City built over 100 ves-*  
15          *sels for the war effort and employed over 15,000 peo-*  
16          *ple.*

17          (13) *Panama City's shipbuilding legacy con-*  
18          *tinues as home to one of today's most prolific domes-*  
19          *tic shipbuilders, Eastern Shipbuilding.*

20          (14) *The Department of Defense is the largest*  
21          *employer in Panama City, where many of the resi-*  
22          *dents and their relatives have proudly served in the*  
23          *Armed Forces for generations.*

24          (b) *SENSE OF CONGRESS.—Congress—*

1           (1) commends the longstanding dedication and  
2           contribution to the Armed Forces by the people of  
3           Panama City, both through the legacy of naval ship-  
4           building and through their ongoing commitment to  
5           support the mission of Panama City's military in-  
6           stallations and the personnel assigned to them;

7           (2) honors the members of the Armed Forces who  
8           have trained and served at the several military instal-  
9           lations in and around Panama City;

10          (3) recognizes the contribution of the industry  
11          and workforce of Panama City to naval shipbuilding;  
12          and

13          (4) encourages the recognition of the importance  
14          of Panama City to the history of the Armed Forces  
15          by Congress, the Air Force, the Navy, and the Amer-  
16          ican people by honoring the contribution of the people  
17          of Panama City to the defense of the United States.

18 **SEC. 1094. PROTECTIONS RELATING TO CIVIL RIGHTS AND**

19                                   **DISABILITIES.**

20          Any branch or agency of the Federal Government shall,  
21          with respect to any religious corporation, religious associa-  
22          tion, religious educational institution, or religious society  
23          that is a recipient of or offeror for a Federal Government  
24          contract, subcontract, grant, purchase order, or cooperative  
25          agreement, provide protections and exemptions consistent

1 *with sections 702(a) and 703(e)(2) of the Civil Rights Act*  
 2 *of 1964 (42 U.S.C. 2000e-1(a) and 42 U.S.C. 2000e-2(e)(2))*  
 3 *and section 103(d) of the Americans with Disabilities Act*  
 4 *of 1990 (42 U.S.C. 12113(d)).*

5 **SEC. 1095. NONAPPLICABILITY OF CERTAIN EXECUTIVE**  
 6 **ORDER TO DEPARTMENT OF DEFENSE AND**  
 7 **NATIONAL NUCLEAR SECURITY ADMINISTRA-**  
 8 **TION.**

9 *The provisions of Executive Order 13673 and any im-*  
 10 *plementing rules or regulations shall not apply to the acqui-*  
 11 *sition, contracting, contract administration, source selec-*  
 12 *tion, or any other activities of the Department of Defense*  
 13 *or the National Nuclear Security Administration. The Sec-*  
 14 *retary of Defense and the Administrator for Nuclear Secu-*  
 15 *rity may not issue, or be required to comply with, any pol-*  
 16 *icy, guidance, or rules to carry out such executive order or*  
 17 *otherwise implement any provision of such executive order*  
 18 *or any related implementation rules or regulations.*

19 **SEC. 1096. DETERMINATION AND DISCLOSURE OF TRANS-**  
 20 **PORTATION COSTS INCURRED BY SECRETARY**  
 21 **OF DEFENSE FOR CONGRESSIONAL TRIPS**  
 22 **OUTSIDE THE UNITED STATES.**

23 *(a) DETERMINATION AND DISCLOSURE OF COSTS BY*  
 24 *SECRETARY.—In the case of a trip taken by a Member, offi-*  
 25 *cer, or employee of the House of Representatives or Senate*



1 *in carrying out official duties outside the United States for*  
2 *which the Department of Defense provides transportation,*  
3 *the Secretary of Defense shall—*

4           (1) *determine the cost of the transportation pro-*  
5 *vided with respect to the Member, officer, or employee;*  
6 *and*

7           (2) *provide the Member, officer, or employee with*  
8 *a written statement of the cost not later than 10 days*  
9 *after completion of the trip involved.*

10       (b) *INCLUSION OF INFORMATION IN TRAVEL RE-*  
11 *PORTS.—Any Member, officer, or employee of the House of*  
12 *Representatives or Senate who takes a trip to which sub-*  
13 *section (a) applies shall include the information contained*  
14 *in the written statement provided to the Member, officer,*  
15 *or employee under subsection (a)(2) with respect to the trip*  
16 *in any report that the Member, officer, or employee is re-*  
17 *quired to file with respect to the trip under any provision*  
18 *of law and under any provision of the Rules of the House*  
19 *of Representatives or the Standing Rules of the Senate (as*  
20 *the case may be).*

21       (c) *EXCEPTIONS.—This section does not apply with re-*  
22 *spect to any trip the sole purpose of which is to visit one*  
23 *or more United States military installations or to visit*  
24 *United States military personnel in a war zone (or both).*

25       (d) *DEFINITIONS.—In this section:*

1           (1) *MEMBER*.—The term “Member”, with respect  
2           to the House of Representatives, includes a Delegate  
3           or Resident Commissioner to the Congress.

4           (2) *UNITED STATES*.—The term “United States”  
5           means the several States, the District of Columbia, the  
6           Commonwealth of Puerto Rico, the Commonwealth of  
7           the Northern Mariana Islands, the Virgin Islands,  
8           Guam, American Samoa, and any other territory or  
9           possession of the United States.

10          (e) *EFFECTIVE DATE*.—This section shall apply with  
11         respect to trips taken on or after the date of the enactment  
12         of this Act, except that this section does not apply with re-  
13         spect to any trip which began prior to such date.

14         **SEC. 1097. WAIVER OF CERTAIN POLYGRAPH EXAMINATION**  
15                                 **REQUIREMENTS.**

16         The Secretary of Homeland Security, acting through  
17         the Commissioner of U.S. Customs and Border Protection,  
18         may waive the polygraph examination requirement under  
19         section 3 of the Anti-Border Corruption Act of 2010 (Public  
20         Law 111–376) for any applicant who—

21           (1) the Commissioner determines is suitable for  
22           employment;

23           (2) holds a current, active Top Secret clearance  
24           and is able to access sensitive compartmented infor-  
25           mation;

1           (3) *has a current single scope background inves-*  
2           *tigation;*

3           (4) *was not granted any waivers to obtain the*  
4           *clearance; and*

5           (5) *is a veteran (as such term is defined in sec-*  
6           *tion 2108 or 2109a of title 5, United States Code).*

7   **SEC. 1098. USE OF TRANSPORTATION WORKER IDENTIFICA-**  
8                   **TION CREDENTIAL TO GAIN ACCESS AT DE-**  
9                   **PARTMENT OF DEFENSE INSTALLATIONS.**

10          (a) *ACCESS TO INSTALLATIONS FOR CREDENTIALLED*  
11          *TRANSPORTATION WORKERS.—During the period that the*  
12          *Secretary is developing and fielding physical access stand-*  
13          *ards, capabilities, processes, and electronic access control*  
14          *systems, the Secretary shall, to the maximum extent prac-*  
15          *ticable, ensure that the Transportation Worker Identifica-*  
16          *tion Credential (TWIC) shall be accepted as a valid creden-*  
17          *tial for unescorted access to Department of Defense installa-*  
18          *tions by transportation workers.*

19          (b) *CREDENTIALLED TRANSPORTATION WORKERS WITH*  
20          *SECRET CLEARANCE.—TWIC-carrying transportation*  
21          *workers who also have a current Secret Level Clearance*  
22          *issued by the Department of Defense shall be considered ex-*  
23          *empt from further vetting when seeking unescorted access*  
24          *at Department of Defense facilities. Access security per-*  
25          *sonnel shall verify such person's security clearance in a*

1 *timely manner and provide them with unescorted access to*  
2 *complete their freight service.*

3       (c) *REPORT ON CREDENTIALLED PERSONS DENIED AC-*  
4 *CESS TO DEPARTMENT OF DEFENSE INSTALLATIONS.—Not*  
5 *later than 90 days after the date of enactment of this Act,*  
6 *the Secretary of Defense shall begin documenting each in-*  
7 *stance when a credentialed transportation worker is denied*  
8 *unescorted access to a military facility in the Continental*  
9 *United States, Hawaii, Alaska, Guam, or Native American*  
10 *lands. The report shall include, but not be limited to, the*  
11 *reasons for such denial, and the amount of time the*  
12 *credentialed party denied entrance waited to obtain access.*  
13 *The report shall be submitted to the Armed Services Com-*  
14 *mittees of the House and Senate no later than the first day*  
15 *of February of each year until complete fielding of Identity*  
16 *Management Enterprise Services Architecture and elec-*  
17 *tronic access control systems are achieved.*

18 **SEC. 1098A. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
19                   **DESTRUCTION OF CERTAIN LANDMINES AND**  
20                   **REPORT ON DEVELOPMENT OF REPLACE-**  
21                   **MENT ANTI-PERSONNEL LANDMINE MUNI-**  
22                   **TIONS.**

23       (a) *LIMITATION.—Except as provided in subsection*  
24 *(b), none of the funds authorized to be appropriated by this*  
25 *Act or otherwise made available for fiscal year 2017 for the*

1 *Department of Defense may be obligated or expended for*  
2 *the destruction of anti-personnel landmine munitions before*  
3 *the date on which the Secretary of Defense submits the re-*  
4 *port required by subsection (c).*

5       **(b) EXCEPTION FOR SAFETY.**—*Subsection (a) shall not*  
6 *apply to any anti-personnel landmine munitions that the*  
7 *Secretary determines are unsafe or could pose a safety risk*  
8 *if not demilitarized or destroyed.*

9       **(c) REPORT REQUIRED.**—

10           **(1) IN GENERAL.**—*Not later than 180 days after*  
11 *the date of the enactment of this Act, the Secretary of*  
12 *Defense shall submit to the Congress a report that in-*  
13 *cludes the following:*

14                   **(A)** *An assessment of the current state of re-*  
15 *search into operational alternatives to anti-per-*  
16 *sonnel landmines.*

17                   **(B)** *Any other matter that the Secretary de-*  
18 *termines should be included in the report.*

19           **(2) FORM OF REPORT.**—*The report required by*  
20 *paragraph (1) shall be submitted in unclassified form,*  
21 *but may include a classified annex.*

22       **(d) ANTI-PERSONNEL LANDMINE MUNITIONS DE-**  
23 **FINED.**—*In this section, the term “anti-personnel landmine*  
24 *munitions” includes anti-personnel landmines and sub-mu-*  
25 *nitions as defined by the Convention on the Prohibition of*

1 *the Use, Stockpiling, Production and Transfer of Anti-Per-*  
2 *sonnel Mines and on their Destruction, as determined by*  
3 *the Secretary.*

4 **SEC. 1098B. REQUIREMENT FOR MEMORANDUM OF UNDER-**  
5 **STANDING REGARDING TRANSFER OF DE-**  
6 **TAINÉES.**

7 *Section 1034(b) of the National Defense Authorization*  
8 *Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.*  
9 *969; 10 U.S.C. 801 note) is amended—*

10 *(1) by striking “and” at the end of paragraph*

11 *(3);*

12 *(2) by striking the period and inserting “; and”*  
13 *at the end of paragraph (4); and*

14 *(3) by adding at the end the following new para-*  
15 *graph:*

16 *“(5) the United States Government and the gov-*  
17 *ernment of the foreign country have entered into a*  
18 *written memorandum of understanding regarding the*  
19 *transfer of the individual and such memorandum of*  
20 *understanding has previously been transmitted to the*  
21 *appropriate committees of Congress.”.*

22 **SEC. 1098C. SENSE OF CONGRESS REGARDING AMERICAN**  
23 **VETERANS DISABLED FOR LIFE.**

24 *(a) FINDINGS.—Congress finds the following:*

1           (1) *There are at least 3,600,000 veterans cur-*  
2 *rently living with service-connected disabilities.*

3           (2) *As a result of their service, many veterans*  
4 *are permanently disabled throughout their lives and*  
5 *in many cases must rely on the support of their fami-*  
6 *lies and friends when these visible and invisible bur-*  
7 *dens become too much to bear alone.*

8           (3) *October 5, which is the anniversary of the*  
9 *dedication of the American Veterans Disabled for Life*  
10 *Memorial, has been recognized as an appropriate day*  
11 *on which to honor American veterans disabled for life*  
12 *each year.*

13       (b) *SENSE OF CONGRESS.—Congress—*

14           (1) *expresses its appreciation to the men and*  
15 *women left permanently wounded, ill, or injured as a*  
16 *result of their service in the Armed Forces;*

17           (2) *supports the annual recognition of American*  
18 *veterans disabled for life each year; and*

19           (3) *encourages the American people to honor*  
20 *American veterans disabled for life each year with ap-*  
21 *propriate programs and activities.*

22 **SEC. 1098D. STUDY ON MILITARY HELICOPTER NOISE.**

23       (a) *IN GENERAL.—The Secretary of Defense, in coordi-*  
24 *nation with the Administrator of the Federal Aviation Ad-*  
25 *ministration, shall—*

1           (1) *conduct a study on the effects of military hel-*  
2           *icopter noise on National Capital Region commu-*  
3           *nities and individuals; and*

4           (2) *develop recommendations for the reduction of*  
5           *the effects of military helicopter noise on individuals,*  
6           *structures, and property values in the National Cap-*  
7           *ital Region.*

8           (b) *FOCUS.*—*In conducting the study under subsection*  
9           *(a), the Secretary and the Administrator shall focus on air*  
10           *traffic control, airspace design, airspace management, and*  
11           *types of aircraft, to address helicopter noise problems and*  
12           *shall take into account the needs of law enforcement, emer-*  
13           *gency, and military operations.*

14           (c) *CONSIDERATION OF VIEWS.*—*In conducting the*  
15           *study under subsection (a), the Secretary shall consider the*  
16           *views of representatives of—*

17                   (1) *members of the Armed Forces;*

18                   (2) *law enforcement agencies;*

19                   (3) *community stakeholders, including residents*  
20                   *and local government officials; and*

21                   (4) *organizations with an interest in reducing*  
22                   *military helicopter noise.*

23           (d) *REPORT.*—

24                   (1) *IN GENERAL.*—*Not later than 90 days after*  
25                   *the date of the enactment of this Act, the Secretary*



1       *shall submit to Congress a report on the results of the*  
2       *study conducted under subsection (a).*

3               (2) *AVAILABILITY TO THE PUBLIC.*—*The Sec-*  
4       *retary shall make the report required under para-*  
5       *graph (1) publicly available.*

6 **SEC. 1098E. MARITIME OCCUPATIONAL SAFETY AND**  
7               **HEALTH ADVISORY COMMITTEE.**

8       (a) *SHORT TITLE.*—*This section may be cited as the*  
9       *“Maritime Occupational Safety and Health Advisory Com-*  
10      *mittee Act”.*

11       (b) *MARITIME OCCUPATIONAL SAFETY AND HEALTH*  
12      *ADVISORY COMMITTEE.*—*Section 7 of the Occupational*  
13      *Safety and Health Act of 1970 (29 U.S.C. 656) is amended*  
14      *by adding at the end the following:*

15       “(d) *There is established a Maritime Occupational*  
16      *Safety and Health Advisory Committee, which shall be a*  
17      *continuing body and shall provide advice to the Secretary*  
18      *in formulating maritime industry standards and regarding*  
19      *matters pertaining to the administration of this Act related*  
20      *to the maritime industry. The composition of this advisory*  
21      *committee shall be consistent with the advisory committees*  
22      *established under subsection (b), provided that a member*  
23      *of this committee who is otherwise qualified may continue*  
24      *to serve until a successor is appointed. The Secretary may*

1 *promulgate or amend regulations as necessary to implement*  
2 *this subsection.”.*

3 **SEC. 1098F. SENSE OF CONGRESS REGARDING UNITED**  
4 **STATES NORTHERN COMMAND PREPARED-**  
5 **NESS.**

6 *It is the sense of the Congress that—*

7 *(1) the United States Northern Command plays*  
8 *a crucial role in providing additional response capa-*  
9 *bility to State and local governments in domestic dis-*  
10 *aster relief and consequence management operations;*

11 *(2) the United States Northern Command must*  
12 *continue to build upon its current efforts to develop*  
13 *command strategies, leadership training, and re-*  
14 *sponse plans to effectively work with civil authorities*  
15 *when acting as the lead agency or a supporting agen-*  
16 *cy; and*

17 *(3) the United States Northern Command should*  
18 *leverage whenever possible training and management*  
19 *expertise that resides within the Department of De-*  
20 *fense, other Federal agencies, State and local govern-*  
21 *ments, and private sector businesses and academic in-*  
22 *stitutions to enhance—*

23 *(A) its defense support to civil authorities*  
24 *and incidence management missions;*

1                   (B) relationships with other entities in-  
2                   volved in disaster response; and

3                   (C) its ability to respond to unforeseen  
4                   events.

5 **SEC. 1098G. COST OF WARS.**

6           The Secretary of Defense, in consultation with the  
7 Commissioner of the Internal Revenue Service and the Di-  
8 rector of the Bureau of Economic Analysis, shall post on  
9 the public Web site of the Department of Defense the costs,  
10 including the relevant legacy costs, to each American tax-  
11 payer of each of the wars in Afghanistan, Iraq, and Syria.

12 **SEC. 1098H. WORKFORCE ISSUES FOR RELOCATION OF MA-**  
13 **RINES TO GUAM.**

14           (a) *IN GENERAL.*—Section 6(b) of the Joint Resolution  
15 entitled “A Joint Resolution to approve the ‘Covenant To  
16 Establish a Commonwealth of the Northern Mariana Is-  
17 lands in Political Union With the United States of Amer-  
18 ica’, and for other purposes”, approved March 24, 1976 (48  
19 U.S.C. 1806(b)) is amended to read as follows:

20           “(b) *NUMERICAL LIMITATIONS FOR NONIMMIGRANT*  
21 *WORKERS.*—An alien, if otherwise qualified, may seek ad-  
22 mission to Guam or to the Commonwealth during the tran-  
23 sition program as a nonimmigrant worker under section  
24 101(a)(15)(H) of the Immigration and Nationality Act (8  
25 U.S.C. 1101(a)(15)(H)) without counting against the nu-

1 *merical limitations set forth in section 214(g) of such Act*  
2 *(8 U.S.C. 1184(g)). An alien, if otherwise qualified, may,*  
3 *before October 1, 2028, be admitted under section*  
4 *101(a)(15)(H)(ii)(b) of such Act for a period of up to 3*  
5 *years (which may be extended by the Secretary of Home-*  
6 *land Security before October 1, 2028, for an additional pe-*  
7 *riod or periods not to exceed 3 years each) to perform serv-*  
8 *ices or labor on Guam pursuant to any agreement entered*  
9 *into by a prime contractor or subcontractor calling for serv-*  
10 *ices or labor required for performance of the contract or*  
11 *subcontract in direct support of all military-funded con-*  
12 *struction, repairs, renovation, and facilities services, or to*  
13 *perform services or labor on Guam as a health-care worker,*  
14 *notwithstanding the requirement of such section that the*  
15 *service or labor be temporary. This subsection does not*  
16 *apply to any employment to be performed outside of Guam*  
17 *or the Commonwealth.”.*

18 *(b) EFFECTIVE DATE.—The amendment made by sub-*  
19 *section (a) shall take effect on the date that is 120 days*  
20 *after the date of the enactment of this Act.*

21 **SEC. 1098I. REVIEW OF DEPARTMENT OF DEFENSE DEBT**  
22 **COLLECTION REGULATIONS.**

23 *Not later than 180 days after the date of the enactment*  
24 *of this Act, the Secretary of Defense shall review and update*  
25 *Department of Defense regulations to ensure such regula-*

1 tions comply with Federal consumer protection law with  
2 respect to the collection of debt.

3 **SEC. 1098J. IMPORTANCE OF ROLE PLAYED BY WOMEN IN**  
4 **WORLD WAR II.**

5 (a) *FINDINGS.*—Congress finds the following:

6 (1) *National Rosie the Riveter Day is a collective*  
7 *national effort to raise awareness of the 16 million*  
8 *women working during World War II.*

9 (2) *Americans have chosen to honor female work-*  
10 *ers who contributed on the home front during World*  
11 *War II.*

12 (3) *These women left their homes to work or vol-*  
13 *unteer full-time in factories, farms, shipyards, air-*  
14 *plane factories, banks, and other institutions in sup-*  
15 *port of the military overseas.*

16 (4) *These women worked with the USO and Red*  
17 *Cross, drove trucks, riveted airplane parts, collected*  
18 *critical materials, rolled bandages, and served on ra-*  
19 *tioning boards.*

20 (5) *It is fitting and proper to recognize and pre-*  
21 *serve the history and legacy of working women, in-*  
22 *cluding volunteer women, during World War II to*  
23 *promote cooperation and fellowship among such*  
24 *women and their descendants.*

1           (6) *These women and their descendants wish to*  
 2           *further the advancement of patriotic ideas, excellence*  
 3           *in the workplace, and loyalty to the United States of*  
 4           *America.*

5           (b) *SENSE OF CONGRESS.—Congress acknowledges the*  
 6           *important role played by women in World War II.*

7           **SEC. 1098K. RECOVERY OF EXCESS RIFLES, AMMUNITION,**  
 8                           **AND PARTS GRANTED TO FOREIGN COUN-**  
 9                           **TRIES AND TRANSFER TO CERTAIN PERSONS.**

10          (a) *RECOVERY.—Subchapter II of chapter 407 of title*  
 11          *36, United States Code, is amended by inserting after sec-*  
 12          *tion 40728A the following new section:*

13          **“§40728B. Recovery of excess rifles, ammunition, and**  
 14                           **parts granted to foreign countries and**  
 15                           **transfer to certain persons**

16          “(a) *AUTHORITY TO RECOVER.—(1) Subject to para-*  
 17          *graph (2) and subsection (b), the Secretary of the Army*  
 18          *may acquire from any person any rifle, ammunition, re-*  
 19          *pair parts, or other supplies described in section 40731(a)*  
 20          *of this title which were—*

21                    “(A) *provided to any country on a grant basis*  
 22                    *under the conditions imposed by section 505 of the*  
 23                    *Foreign Assistance Act of 1961 (22 U.S.C. 2314) that*  
 24                    *became excess to the needs of such country; and*

25                    “(B) *lawfully acquired by such person.*

1       “(2) *The Secretary of the Army may not acquire any-*  
2 *thing under paragraph (1) except for transfer to a person*  
3 *in the United States under subsection (c).*

4       “(3) *The Secretary of the Army may accept rifles, am-*  
5 *munition, repair parts, or other supplies under paragraph*  
6 *(1) notwithstanding section 1342 of title 31.*

7       “(b) *COST OF RECOVERY.*—*The Secretary of the Army*  
8 *may not acquire anything under subsection (a) if the*  
9 *United States would incur any cost for such acquisition.*

10       “(c) *AVAILABILITY FOR TRANSFER.*—*Any rifles, am-*  
11 *munition, repair parts, or supplies acquired under sub-*  
12 *section (a) shall be available for transfer in the United*  
13 *States to the person from whom acquired if such person—*

14               “(1) *is licensed as a manufacturer, importer, or*  
15 *dealer pursuant to section 923(a) of title 18; and*

16               “(2) *uses an ammunition depot of the Army that*  
17 *is an eligible facility for receipt of any rifles, ammu-*  
18 *nition, repair parts, or supplies under this para-*  
19 *graph.*

20       “(d) *CONTRACTS.*—*Notwithstanding subsection (k) of*  
21 *section 2304 of title 10, the Secretary may enter into such*  
22 *contracts or cooperative agreements on a sole source basis*  
23 *pursuant to paragraphs (4) and (5) of subsection (c) of such*  
24 *section to carry out this section.*

1       “(e) *AECA*.—*Transfers authorized under this section*  
2 *may only be made in accordance with applicable provisions*  
3 *of the Arms Export Control Act (22 U.S.C. 2778).*

4       “(f) *RIFLE DEFINED*.—*In this section, the term ‘rifle’*  
5 *has the meaning given such term in section 921 of title 18.”.*

6       (b) *SALE*.—*Section 40732 of such title is amended—*

7             (1) *by adding at the end the following new sub-*  
8 *section:*

9       “(d) *SALES BY OTHER PERSONS*.—*A person who re-*  
10 *ceives a rifle or any ammunition, repair parts, or supplies*  
11 *under section 40728B(c) of this title may sell, at fair mar-*  
12 *ket value, such rifle, ammunition, repair parts, or supplies.*  
13 *With respect to rifles other than caliber .22 rimfire and cal-*  
14 *iber .30 rifles, the seller shall obtain a license as a dealer*  
15 *in rifles and abide by all requirements imposed on persons*  
16 *licensed under chapter 44 of title 18, including maintaining*  
17 *acquisition and disposition records, and conducting back-*  
18 *ground checks.”; and*

19             (2) *in subsection (c), in the heading, by inserting*

20       “*BY THE CORPORATION*” *after “LIMITATION ON*  
21 *SALES”.*

22       (c) *CLERICAL AMENDMENT*.—*The table of sections at*  
23 *the beginning of chapter 407 of such title is amended by*  
24 *inserting after the item relating to section 40728A the fol-*  
25 *lowing new item:*



*“40728B. Recovery of excess rifles, ammunition, and parts granted to foreign countries and transfer to certain persons.”.*

1 **SEC. 1098L. PROJECT MANAGEMENT.**

2 *(a) DEPUTY DIRECTOR FOR MANAGEMENT.—*

3 *(1) ADDITIONAL FUNCTIONS.—Section 503 of*  
4 *title 31, United States Code, is amended by adding*  
5 *at the end the following:*

6 *“(c) PROGRAM AND PROJECT MANAGEMENT.—*

7 *“(1) REQUIREMENT.—Subject to the direction*  
8 *and approval of the Director, the Deputy Director for*  
9 *Management or a designee shall—*

10 *“(A) adopt governmentwide standards, poli-*  
11 *cies, and guidelines for program and project*  
12 *management for executive agencies;*

13 *“(B) oversee implementation of program*  
14 *and project management for the standards, poli-*  
15 *cies, and guidelines established under subpara-*  
16 *graph (A);*

17 *“(C) chair the Program Management Policy*  
18 *Council established under section 1126(b);*

19 *“(D) establish standards and policies for ex-*  
20 *ecutive agencies, consistent with widely accepted*  
21 *standards for program and project management*  
22 *planning and delivery;*

23 *“(E) engage with the private sector to iden-*  
24 *tify best practices in program and project man-*

1            *agement that would improve Federal program*  
2            *and project management;*

3            *“(F) conduct portfolio reviews to address*  
4            *programs identified as high risk by the Govern-*  
5            *ment Accountability Office;*

6            *“(G) not less than annually, conduct port-*  
7            *folio reviews of agency programs in coordination*  
8            *with Project Management Improvement Officers*  
9            *designated under section 1126(a)(1) to assess the*  
10           *quality and effectiveness of program manage-*  
11           *ment; and*

12           *“(H) establish a 5-year strategic plan for*  
13           *program and project management.*

14           *“(2) APPLICATION TO DEPARTMENT OF DE-*  
15           *FENSE.—Paragraph (1) shall not apply to the De-*  
16           *partment of Defense to the extent that the provisions*  
17           *of that paragraph are substantially similar to or du-*  
18           *plicative of—*

19           *“(A) the provisions of chapter 87 of title 10;*

20           *or*

21           *“(B) policy, guidance, or instruction of the*  
22           *Department related to program management.”.*

23           *(2) DEADLINE FOR STANDARDS, POLICIES, AND*  
24           *GUIDELINES.—Not later than 1 year after the date of*  
25           *enactment of this Act, the Deputy Director for Man-*

1        *agement of the Office of Management and Budget*  
 2        *shall issue the standards, policies, and guidelines re-*  
 3        *quired under section 503(c) of title 31, United States*  
 4        *Code, as added by paragraph (1).*

5            *(3) REGULATIONS.—Not later than 90 days after*  
 6        *the date on which the standards, policies, and guide-*  
 7        *lines are issued under paragraph (2), the Deputy Di-*  
 8        *rector for Management of the Office of Management*  
 9        *and Budget, in consultation with the Program Man-*  
 10       *agement Policy Council established under section*  
 11       *1126(b) of title 31, United States Code, as added by*  
 12       *subsection (b)(1), and the Director of the Office of*  
 13       *Management and Budget, shall issue any regulations*  
 14       *as are necessary to implement the requirements of sec-*  
 15       *tion 503(c) of title 31, United States Code, as added*  
 16       *by paragraph (1).*

17        *(b) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS*  
 18       *AND PROGRAM MANAGEMENT POLICY COUNCIL.—*

19            *(1) AMENDMENT.—Chapter 11 of title 31, United*  
 20        *States Code, is amended by adding at the end the fol-*  
 21        *lowing:*

22        **“§ 1126. Program Management Improvement Officers**  
 23                            **and Program Management Policy Council**

24        *“(a) PROGRAM MANAGEMENT IMPROVEMENT OFFI-*  
 25        *CERS.—*

1           “(1) *DESIGNATION.*—*The head of each agency de-*  
2           *scribed in section 901(b) shall designate a senior exec-*  
3           *utive of the agency as the Program Management Im-*  
4           *provement Officer of the agency.*

5           “(2) *FUNCTIONS.*—*The Program Management*  
6           *Improvement Officer of an agency designated under*  
7           *paragraph (1) shall—*

8                   “(A) *implement program management poli-*  
9                   *cies established by the agency under section*  
10                  *503(c); and*

11                  “(B) *develop a strategy for enhancing the*  
12                  *role of program managers within the agency that*  
13                  *includes the following:*

14                          “(i) *Enhanced training and edu-*  
15                          *cational opportunities for program man-*  
16                          *agers that shall include—*

17                                  “(I) *training in the relevant com-*  
18                                  *petencies encompassed with program*  
19                                  *and project manager within the pri-*  
20                                  *vate sector for program managers; and*

21                                  “(II) *training that emphasizes*  
22                                  *cost containment for large projects and*  
23                                  *programs.*

24                          “(ii) *Mentoring of current and future*  
25                          *program managers by experienced senior*

1           *executives and program managers within*  
2           *the agency.*

3           “(iii) *Improved career paths and ca-*  
4           *reer opportunities for program managers.*

5           “(iv) *A plan to encourage the recruit-*  
6           *ment and retention of highly qualified indi-*  
7           *viduals to serve as program managers.*

8           “(v) *Improved means of collecting and*  
9           *disseminating best practices and lessons*  
10           *learned to enhance program management*  
11           *across the agency.*

12           “(vi) *Common templates and tools to*  
13           *support improved data gathering and anal-*  
14           *ysis for program management and oversight*  
15           *purposes.*

16           “(3) *APPLICATION TO DEPARTMENT OF DE-*  
17           *FENSE.—This subsection shall not apply to the De-*  
18           *partment of Defense to the extent that the provisions*  
19           *of this subsection are substantially similar to or du-*  
20           *plicative of the provisions of chapter 87 of title 10.*  
21           *For purposes of paragraph (1), the Under Secretary*  
22           *of Defense for Acquisition, Technology, and Logistics*  
23           *(or a designee of the Under Secretary) shall be consid-*  
24           *ered the Program Management Improvement Officer.*

25           “(b) *PROGRAM MANAGEMENT POLICY COUNCIL.—*

1           “(1) *ESTABLISHMENT.*—*There is established in*  
2 *the Office of Management and Budget a council to be*  
3 *known as the ‘Program Management Policy Council’*  
4 *(in this subsection referred to as the ‘Council’).*”

5           “(2) *PURPOSE AND FUNCTIONS.*—*The Council*  
6 *shall act as the principal interagency forum for im-*  
7 *proving agency practices related to program and*  
8 *project management. The Council shall—*

9                   “(A) *advise and assist the Deputy Director*  
10 *for Management of the Office of Management*  
11 *and Budget;*

12                   “(B) *review programs identified as high*  
13 *risk by the General Accountability Office and*  
14 *make recommendations for actions to be taken by*  
15 *the Deputy Director for Management of the Of-*  
16 *fice of Management and Budget or a designee;*

17                   “(C) *discuss topics of importance to the*  
18 *workforce, including—*

19                           “(i) *career development and workforce*  
20 *development needs;*

21                           “(ii) *policy to support continuous im-*  
22 *provement in program and project manage-*  
23 *ment; and*

24                           “(iii) *major challenges across agencies*  
25 *in managing programs;*

1           “(D) advise on the development and appli-  
2           cability of standards governmentwide for pro-  
3           gram management transparency; and

4           “(E) review the information published on  
5           the website of the Office of Management and  
6           Budget pursuant to section 1122.

7           “(3) MEMBERSHIP.—

8           “(A) COMPOSITION.—The Council shall be  
9           composed of the following members:

10           “(i) Five members from the Office of  
11           Management and Budget as follows:

12           “(I) The Deputy Director for  
13           Management.

14           “(II) The Administrator of the Of-  
15           fice of Electronic Government.

16           “(III) The Administrator of Fed-  
17           eral Procurement Policy.

18           “(IV) The Controller of the Office  
19           of Federal Financial Management.

20           “(V) The Director of the Office of  
21           Performance and Personnel Manage-  
22           ment.

23           “(ii) The Program Management Im-  
24           provement Officer from each agency de-  
25           scribed in section 901(b).

1                   “(iii) *Other individuals as determined*  
2                   *appropriate by the Chairperson.*

3                   “(B) *CHAIRPERSON AND VICE CHAIR-*  
4                   *PERSON.—*

5                   “(i) *IN GENERAL.—The Deputy Direc-*  
6                   *tor for Management of the Office of Manage-*  
7                   *ment and Budget shall be the Chairperson*  
8                   *of the Council. A Vice Chairperson shall be*  
9                   *elected by the members and shall serve a*  
10                   *term of not more than 1 year.*

11                   “(ii) *DUTIES.—The Chairperson shall*  
12                   *preside at the meetings of the Council, de-*  
13                   *termine the agenda of the Council, direct*  
14                   *the work of the Council, and establish and*  
15                   *direct subgroups of the Council as appro-*  
16                   *priate.*

17                   “(4) *MEETINGS.—The Council shall meet not less*  
18                   *than twice per fiscal year and may meet at the call*  
19                   *of the Chairperson or a majority of the members of*  
20                   *the Council.*

21                   “(5) *SUPPORT.—The head of each agency with a*  
22                   *Project Management Improvement Officer serving on*  
23                   *the Council shall provide administrative support to*  
24                   *the Council, as appropriate, at the request of the*  
25                   *Chairperson.*



1           “(6) *COMMITTEE DURATION.*—Section 14(a)(2)  
2           of the *Federal Advisory Committee Act* (5 U.S.C.  
3           *App.*) shall not apply to the Council.”.

4           (2) *REPORT REQUIRED.*—Not later than 1 year  
5           after the date of enactment of this Act, the Director  
6           of the Office of Management and Budget, in consulta-  
7           tion with each Program Management Improvement  
8           Officer designated under section 1126(a)(1) of title  
9           31, United States Code, shall submit to Congress a re-  
10          port containing the strategy developed under section  
11          1126(a)(2)(B) of such title, as added by paragraph  
12          (1).

13          (c) *PROGRAM AND PROJECT MANAGEMENT PER-*  
14          *SONNEL STANDARDS.*—

15               (1) *DEFINITION.*—In this subsection, the term  
16               “agency” means each agency described in section  
17               901(b) of title 31, United States Code, other than the  
18               Department of Defense.

19               (2) *REGULATIONS REQUIRED.*—Not later than  
20               180 days after the date on which the standards, poli-  
21               cies, and guidelines are issued under section 503(c) of  
22               title 31, United States Code, as added by subsection  
23               (a)(1), the Director of the Office of Personnel Manage-  
24               ment, in consultation with the Director of the Office

1       of Management and Budget, shall issue regulations  
2       that—

3               (A) identify key skills and competencies  
4               needed for a program and project manager in an  
5               agency;

6               (B) establish a new job series, or update  
7               and improve an existing job series, for program  
8               and project management within an agency; and

9               (C) establish a new career path for program  
10              and project managers within an agency.

11       (d) *GAO REPORT ON EFFECTIVENESS OF POLICIES ON*  
12 *PROGRAM AND PROJECT MANAGEMENT.*—Not later than 3  
13 years after the date of enactment of this Act, the Govern-  
14 ment Accountability Office shall issue, in conjunction with  
15 the High Risk list of the Government Accountability Office,  
16 a report examining the effectiveness of the following on im-  
17 proving Federal program and project management:

18              (1) The standards, policies, and guidelines for  
19              program and project management issued under sec-  
20              tion 503(c) of title 31, United States Code, as added  
21              by subsection (a)(1).

22              (2) The 5-year strategic plan established under  
23              section 503(c)(1)(H) of title 31, United States Code,  
24              as added by subsection (a)(1).

1           (3) *Program Management Improvement Officers*  
2           *designated under section 1126(a)(1) of title 31,*  
3           *United States Code, as added by subsection (b)(1).*

4           (4) *The Program Management Policy Council es-*  
5           *tablished under section 1126(b)(1) of title 31, United*  
6           *States Code, as added by subsection (b)(1).*

7           ***Subtitle H—United States Naval***  
8           ***Station Guantanamo Bay Pres-***  
9           ***ervation Act***

10          ***SEC. 1099. SHORT TITLE.***

11           *This subtitle may be cited as the “United States Naval*  
12          *Station Guantanamo Bay Preservation Act”.*

13          ***SEC. 1099A. FINDINGS.***

14           *Congress makes the following findings:*

15           (1) *United States Naval Station, Guantanamo*  
16           *Bay, Cuba, has been a strategic military asset critical*  
17           *to the defense of the United States and the mainte-*  
18           *nance of regional security for more than a century.*

19           (2) *The United States continues to exercise con-*  
20           *trol over the area of United States Naval Station,*  
21           *Guantanamo Bay, Cuba, pursuant to the Guanta-*  
22           *namo Lease Agreements, which were initiated and*  
23           *concluded pursuant to an Act of Congress.*

24           (3) *Senior United States military leaders have*  
25           *consistently voiced strong support for maintaining*

1 *United States Naval Station, Guantanamo Bay,*  
2 *Cuba, noting its strategic value for military basing*  
3 *and logistics, disaster relief, humanitarian work, ter-*  
4 *rorist detention, and counter-narcotics purposes.*

5 (4) *On February 29, 2016, Secretary of Defense*  
6 *Ashton B. Carter, discussing United States Naval*  
7 *Station, Guantanamo Bay, Cuba, stated that “it’s a*  
8 *strategic location, we’ve had it for a long time, it’s*  
9 *important to us and we intend to hold onto it”.*

10 (5) *On March 12, 2015, Commander of United*  
11 *States Southern Command, General John Kelly, testi-*  
12 *fied that the United States facilities at Naval Station*  
13 *Guantanamo Bay “are indispensable to the Depart-*  
14 *ments of Defense, Homeland Security, and State’s*  
15 *operational and contingency plans. . . . As the only*  
16 *permanent U.S. military base in Latin America and*  
17 *the Caribbean, its location provides persistent U.S.*  
18 *presence and immediate access to the region, as well*  
19 *as supporting a layered defense to secure the air and*  
20 *maritime approaches to the United States”.*

21 (6) *In testimony before Congress in 2012, then-*  
22 *Commander of United States Southern Command,*  
23 *General Douglas Fraser, stated that “the strategic ca-*  
24 *pability provided by U.S. Naval Station Guanta-*  
25 *namo Bay remains essential for executing national*

1 *priorities throughout the Caribbean, Latin America,*  
2 *and South America”.*

3 (7) *Following a 1991 coup in Haiti that*  
4 *prompted a mass exodus of people by boat, United*  
5 *States Naval Station, Guantanamo Bay, Cuba, pro-*  
6 *vided a location for temporary housing and the or-*  
7 *derly adjudication of asylum claims outside of the*  
8 *continental United States.*

9 (8) *In 2010, United States Naval Station, Guan-*  
10 *tanamo Bay, Cuba, was a critical hub for the provi-*  
11 *sion of humanitarian disaster relief following the dev-*  
12 *astating earthquakes in Haiti.*

13 (9) *The United States presence at United States*  
14 *Naval Station, Guantanamo Bay, Cuba, has its ori-*  
15 *gins in Acts of Congress undertaken pursuant to the*  
16 *powers of Congress expressly enumerated in the Con-*  
17 *stitution of the United States.*

18 (10) *By joint resolution approved on April 20,*  
19 *1898, Congress “directed and empowered” the Presi-*  
20 *dent “to use the entire land and naval forces of the*  
21 *United States” as necessary to ensure that the Gov-*  
22 *ernment of Spain “relinquish its authority and gov-*  
23 *ernment in the island of Cuba, and withdraw its land*  
24 *and naval forces from Cuba and Cuban waters”.*

1           (11) *Congress declared war against Spain on*  
2 *April 25, 1898, which lasted until December 10, 1898,*  
3 *when the United States and Spain signed the Treaty*  
4 *of Paris, in which Spain relinquished all claims of*  
5 *sovereignty over Cuba, and United States governance*  
6 *of Cuba was established.*

7           (12) *Nearly three years later, in the Act of*  
8 *March 2, 1901 (Chapter 803; 31 Stat. 898), Congress*  
9 *granted the President the authority to return “the*  
10 *government and control of the island of Cuba to its*  
11 *people” subject to several express conditions includ-*  
12 *ing, in article VII of the Act of March 2, 1901, the*  
13 *sale or lease by Cuba to the United States of lands*  
14 *necessary for naval stations.*

15           (13) *Pursuant to the authority granted by article*  
16 *VII of the Act of March 2, 1901, the United States*  
17 *negotiated the Guantanamo Lease Agreements, which*  
18 *specified the area of, and United States jurisdiction*  
19 *and control over, what became United States Naval*  
20 *Station, Guantanamo Bay, Cuba.*

21           (14) *On October 2, 1903, when approving the*  
22 *Lease to the United States by the Government of Cuba*  
23 *of Certain Areas of Land and Water for Naval or*  
24 *Coaling Stations, signed in Havana on July 2, 1903,*  
25 *President Theodore Roosevelt cited the Act of March*

1       2, 1901, as providing his authority to do so: “I, Theo-  
2       dore Roosevelt, President of the United States of  
3       America, having seen and considered the foregoing  
4       lease, do hereby approve the same, by virtue of the au-  
5       thority conferred by the seventh of the provisions de-  
6       fining the relations which are to exist between the  
7       United States and Cuba, contained in the Act of Con-  
8       gress approved March 2, 1901, entitled ‘An Act mak-  
9       ing appropriation for the support of the Army for the  
10      fiscal year ending June 30, 1902.’”.

11           (15) Obtaining United States naval station  
12      rights in Cuba was an express condition of the au-  
13      thority that Congress gave the President to return  
14      control and governance of Cuba to the people of Cuba.  
15      In exercising that authority and concluding the  
16      Guantanamo Lease Agreements, President Theodore  
17      Roosevelt recognized the source of that authority as  
18      the Act of March 2, 1901.

19           (16) The Treaty of Relations between the United  
20      States of America and the Republic of Cuba, signed  
21      at Washington, May 29, 1934, did not supersede, ab-  
22      rogate, or modify the Guantanamo Lease Agreements,  
23      but noted that the stipulations of those agreements  
24      “shall continue in effect” until the United States and  
25      Cuba agree to modify them.

1           (17) *The Constitution of the United States ex-*  
2           *pressly grants to Congress the power to provide for*  
3           *the common defense of the United States, the power*  
4           *to provide and maintain a Navy, and the power “to*  
5           *dispose of and make all needful Rules and Regula-*  
6           *tions respecting the Territory or other Property be-*  
7           *longing to the United States”.*

8   **SEC. 1099B. PROHIBITION ON MODIFICATION, ABROGATION,**  
9                           **OR OTHER RELATED ACTIONS WITH RESPECT**  
10                          **TO UNITED STATES JURISDICTION AND CON-**  
11                          **TROL OVER UNITED STATES NAVAL STATION,**  
12                          **GUANTANAMO BAY, CUBA, WITHOUT CON-**  
13                          **GRESSIONAL ACTION.**

14           *No action may be taken to modify, abrogate, or replace*  
15           *the stipulations, agreements, and commitments contained*  
16           *in the Guantanamo Lease Agreements, or to impair or*  
17           *abandon the jurisdiction and control of the United States*  
18           *over United States Naval Station, Guantanamo Bay, Cuba,*  
19           *unless specifically authorized or otherwise provided by—*

20                       (1) *a statute that is enacted on or after the date*  
21                       *of the enactment of this Act;*

22                       (2) *a treaty that is ratified with the advice and*  
23                       *consent of the Senate on or after the date of the enact-*  
24                       *ment of this Act; or*



1           (3) a modification of the Treaty Between the  
 2           United States of America and Cuba signed at Wash-  
 3           ington, DC, on May 29, 1934, that is ratified with  
 4           the advice and consent of the Senate on or after the  
 5           date of the enactment of this Act.

6 **SEC. 1099C. GUANTANAMO LEASE AGREEMENTS DEFINED.**

7           In this subtitle, the term “Guantanamo Lease Agree-  
 8           ments” means—

9           (1) the Agreement Between the United States of  
 10           America and the Republic of Cuba for the Lease to  
 11           the United States of Lands in Cuba for coaling and  
 12           naval stations, signed by the President of the United  
 13           States on February 23, 1903; and

14           (2) the Lease to the United States by the Govern-  
 15           ment of Cuba of Certain Areas of Land and Water for  
 16           Naval or Coaling Stations, signed by the President of  
 17           the United States on October 2, 1903.

18 **TITLE XI—CIVILIAN PERSONNEL**  
 19 **MATTERS**

20 **SEC. 1101. TEMPORARY DIRECT HIRE AUTHORITY FOR DO-**  
 21 **MESTIC DEFENSE INDUSTRIAL BASE FACILI-**  
 22 **TIES AND THE MAJOR RANGE AND TEST FA-**  
 23 **CILITIES BASE.**

24           (a) *AUTHORITY.*—During fiscal years 2017 and 2018,  
 25 the Secretary of Defense may appoint, without regard to

1 *the provisions of subchapter I of chapter 33 of title 5,*  
2 *United States Code, other than sections 3303 and 3328 of*  
3 *such title, qualified candidates to positions in the competi-*  
4 *tive service at any defense industrial base facility or the*  
5 *Major Range and Test Facilities Base or as a military tech-*  
6 *nician (dual status).*

7       **(b) REPORT.**—*Not later than 60 days after the end of*  
8 *fiscal year 2018, the Secretary of Defense shall submit a*  
9 *report to the Committees on Armed Services of the House*  
10 *of Representatives and the Senate on the use of the author-*  
11 *ity provided under subsection (a). Such report shall include*  
12 *the total number of individuals appointed under such au-*  
13 *thority and the effectiveness of such authority in fulfilling*  
14 *the manpower needs of the defense industrial base facilities*  
15 *or the Major Range and Test Facilities Base.*

16       **(c) DEFINITIONS.**—*In this section—*

17               **(1)** *the term “defense industrial base facility”*  
18               *means any Department of Defense depot, arsenal, or*  
19               *shipyard located within the United States; and*

20               **(2)** *the term “military technician (dual status)”*  
21               *has the meaning given such term in section 10216 of*  
22               *title 10, United States Code.*

1 **SEC. 1102. TEMPORARY PERSONNEL FLEXIBILITIES FOR**  
2 **DOMESTIC DEFENSE INDUSTRIAL BASE FA-**  
3 **CILITIES AND MAJOR RANGE AND TEST FA-**  
4 **CILITIES BASE CIVILIAN PERSONNEL.**

5 (a) *IN GENERAL.*—Notwithstanding chapter 33 of title  
6 5, United States Code, or any other provision of law relat-  
7 ing to the examination, certification, and appointment of  
8 individuals in the competitive service, during fiscal years  
9 2017 and 2018, an employee of a defense industrial base  
10 facility or the Major Range and Test Facilities Base serving  
11 under a time-limited appointment in the competitive serv-  
12 ice is eligible to compete for a permanent appointment in  
13 the competitive service at (A) any such facility, Base, or  
14 any other component of the Department of Defense when  
15 such facility, Base, or component (as the case may be) is  
16 accepting applications from individuals within the facility,  
17 Base, or component’s workforce under merit promotion pro-  
18 cedures, or (B) any agency when the agency is accepting  
19 applications from individuals outside its own workforce  
20 under merit promotion procedures of the applicable agency,  
21 if—

22 (1) *the employee was appointed initially under*  
23 *open, competitive examination under subchapter I of*  
24 *chapter 33 of such title to the time-limited appoint-*  
25 *ment;*

1           (2) *the employee has served under 1 or more*  
2 *time-limited appointments by a defense industrial*  
3 *base facility or the Major Range and Test Facilities*  
4 *Base for a period or periods totaling more than 24*  
5 *months without a break of 2 or more years; and*

6           (3) *the employee's performance has been at an*  
7 *acceptable level of performance throughout the period*  
8 *or periods (as the case may be) referred to in para-*  
9 *graph (2).*

10       (b) *WAIVER OF AGE REQUIREMENT.—In determining*  
11 *the eligibility of a time-limited employee under this section*  
12 *to be examined for or appointed in the competitive service,*  
13 *the Office of Personnel Management or other examining*  
14 *agency shall waive requirements as to age, unless the re-*  
15 *quirement is essential to the performance of the duties of*  
16 *the position.*

17       (c) *STATUS.—An individual appointed under this sec-*  
18 *tion—*

19           (1) *becomes a career-conditional employee, unless*  
20 *the employee has otherwise completed the service re-*  
21 *quirements for career tenure; and*

22           (2) *acquires competitive status upon appoint-*  
23 *ment.*

24       (d) *FORMER EMPLOYEES.—A former employee of a de-*  
25 *fense industrial base facility or the Major Range and Test*

1 *Facilities Base who served under a time-limited appoint-*  
2 *ment and who otherwise meets the requirements of this sec-*  
3 *tion shall be deemed a time-limited employee for purposes*  
4 *of this section if—*

5           (1) *such employee applies for a position covered*  
6 *by this section within the period of 2 years after the*  
7 *most recent date of separation; and*

8           (2) *such employee’s most recent separation was*  
9 *for reasons other than misconduct or performance.*

10       (e) *DEFINITION.—In this section, the term “defense in-*  
11 *dustrial base facility” means any Department of Defense*  
12 *depot, arsenal, or shipyard located within the United*  
13 *States.*

14 **SEC. 1103. ONE-YEAR EXTENSION OF TEMPORARY AUTHOR-**  
15 **ITY TO GRANT ALLOWANCES, BENEFITS, AND**  
16 **GRATUITIES TO CIVILIAN PERSONNEL ON OF-**  
17 **FICIAL DUTY IN A COMBAT ZONE.**

18       *Paragraph (2) of section 1603(a) of the Emergency*  
19 *Supplemental Appropriations Act for Defense, the Global*  
20 *War on Terror, and Hurricane Recovery, 2006 (Public Law*  
21 *109–234; 120 Stat. 443), as added by section 1102 of the*  
22 *Duncan Hunter National Defense Authorization Act for*  
23 *Fiscal Year 2009 (Public Law 110–417; 122 Stat. 4616)*  
24 *and as most recently amended by section 1102 of the Na-*  
25 *tional Defense Authorization Act for Fiscal Year 2016 (Pub-*

1 *lic Law 114–92; 129 Stat. 1022), is further amended by*  
 2 *striking “2017” and inserting “2018”.*

3 **SEC. 1104. ADVANCE PAYMENTS FOR EMPLOYEES RELO-**  
 4 **CATING WITHIN THE UNITED STATES AND ITS**  
 5 **TERRITORIES.**

6 *(a) IN GENERAL.—Subsection (a) of section 5524a of*  
 7 *title 5, United States Code, is amended—*

8 *(1) by striking “(a) The head” and inserting*  
 9 *“(a)(1) The head”; and*

10 *(2) by adding at the end the following:*

11 *“(2) The head of each agency may provide for the ad-*  
 12 *vance payment of basic pay, covering not more than 6 pay*  
 13 *periods, to an employee who is assigned to a position in*  
 14 *the agency that is located—*

15 *“(A) outside of the employee’s commuting area;*  
 16 *and*

17 *“(B) in the United States, the Commonwealth of*  
 18 *Puerto Rico, the Commonwealth of the Northern Mar-*  
 19 *iana Islands, or any territory or possession of the*  
 20 *United States.”.*

21 *(b) CONFORMING AMENDMENTS.—Subsection (b) of*  
 22 *such section is amended—*

23 *(1) in paragraph (1), by inserting “or assigned”*  
 24 *after “appointed”; and*

25 *(2) in paragraph (2)(B)—*

1 (A) by inserting “or assignment” after “ap-  
2 pointment”; and

3 (B) by inserting “or assigned” after “ap-  
4 pointed”.

5 (c) *CLERICAL AMENDMENTS.*—

6 (1) *SECTION HEADING.*—*The heading of such sec-*  
7 *tion is amended by inserting “***and employees re-**  
8 **locating within the United States and its**  
9 **territories”** after “**appointees**”.

10 (2) *TABLE OF SECTIONS.*—*The item relating to*  
11 *such section in the table of sections of chapter 55 of*  
12 *such title is amended to read as follows:*

*“5524a. Advance payments for new appointees and employees relocating within  
the United States and its territories.”.*

13 **SEC. 1105. PERMANENT AUTHORITY FOR ALTERNATIVE**  
14 **PERSONNEL PROGRAM FOR SCIENTIFIC AND**  
15 **TECHNICAL PERSONNEL.**

16 (a) *PERMANENT AUTHORITY AND CODIFICATION.*—  
17 *Chapter 81 of title 10, United States Code, is amended by*  
18 *inserting after section 1589 a new section 1590 consisting*  
19 *of—*

20 (1) *a heading as follows:*

21 **“§ 1590. Alternative personnel program for scientific**  
22 **and technical personnel”**; and

23 (2) *a text consisting of the text of subsection (a),*  
24 *(b), (c), and (d) of section 1101 of the Strom Thur-*

1        *mond National Defense Authorization Act for Fiscal*  
2        *Year 1999 (Public Law 105–261; 5 U.S.C. 3104*  
3        *note).*

4        *(b) CONFORMING AMENDMENTS.—Section 1590 of title*  
5        *10, United States Code, as added by subsection (a), is*  
6        *amended—*

7                *(1) in subsection (a)—*

8                        *(A) by striking “During the program period*  
9                        *specified in subsection (e)(1), the” and inserting*  
10                        *“The”; and*

11                        *(B) by striking “of experimental use of”*  
12                        *and inserting “to use”;*

13                *(2) in subsection (b)—*

14                        *(A) by striking “, United States Code,” in*  
15                        *paragraph (1); and*

16                        *(B) by striking “United States Code,” in*  
17                        *paragraph (2); and*

18                *(3) in subsection (d), by striking “, United*  
19        *States Code” in paragraphs (2) and (3) each place it*  
20        *appears.*

21        *(c) CLERICAL AMENDMENT.—The table of sections at*  
22        *the beginning of chapter 81 of such title is amended by in-*  
23        *serting after the item relating to section 1589 the following*  
24        *new item:*

*“1590. Alternative personnel program for scientific and technical personnel.”.*



1           (d) *CONFORMING REPEAL.*—Section 1101 of the Strom  
 2 *Thurmond National Defense Authorization Act for Fiscal*  
 3 *Year 1999 (Public Law 105–261; 5 U.S.C. 3104 note) is*  
 4 *repealed.*

5 **SEC. 1106. MODIFICATION TO INFORMATION TECHNOLOGY**  
 6 **PERSONNEL EXCHANGE PROGRAM.**

7           Section 1110 of the *National Defense Authorization*  
 8 *Act for Fiscal Year 2010 (Public Law 111–84; 5 U.S.C.*  
 9 *3702 note) is amended—*

10           (1) *in the section heading, by inserting “CYBER*  
 11 *AND” before “INFORMATION”.*

12           (2) *in subsections (a)(1)(A), (a)(1)(C), and*  
 13 *(g)(2), by inserting “cyber operations or” before “in-*  
 14 *formation”;*

15           (3) *in subsection (g)(1), by inserting “to or” be-*  
 16 *fore “from”; and*

17           (4) *in subsection (h), by striking “10” and in-*  
 18 *serting “50”.*

19 **SEC. 1107. TREATMENT OF CERTAIN LOCALITIES FOR CAL-**  
 20 **CULATION OF PER DIEM ALLOWANCES.**

21           (a) *IN GENERAL.*—Pursuant to section 5707 of title  
 22 5, *United States Code, the Administrator of General Serv-*  
 23 *ices shall prescribe such regulations as are necessary to pro-*  
 24 *vide that, with respect to per diem rates for Ohio, the local-*  
 25 *ity described as Dayton/Fairborn and the locality described*

1 *as Cincinnati are considered 1 locality for purposes of es-*  
 2 *tablishing per diem allowance or maximum amount of re-*  
 3 *imbursement under section 5702(a)(2) of such title.*

4 (b) *EFFECTIVE DATE.*—*The adjustment of the treat-*  
 5 *ment of localities described under subsection (a) shall be ef-*  
 6 *fective on the same date as the application of the first recal-*  
 7 *culation of per diem allowances by the Administrator that*  
 8 *occurs after the date of enactment of this Act.*

9 **SEC. 1108. ELIGIBILITY OF EMPLOYEES IN A TIME-LIMITED**  
 10 **APPOINTMENT TO COMPETE FOR A PERMA-**  
 11 **NENT APPOINTMENT AT ANY FEDERAL AGEN-**  
 12 **CY.**

13 *Section 9602 of title 5, United States Code, is amend-*  
 14 *ed—*

15 (1) *in subsection (a) by striking “any land man-*  
 16 *agement agency or any other agency (as defined in*  
 17 *section 101 of title 31) under the internal merit pro-*  
 18 *motion procedures of the applicable agency” and in-*  
 19 *serting “such land management agency when such*  
 20 *agency is accepting applications from individuals*  
 21 *within the agency’s workforce under merit promotion*  
 22 *procedures, or any agency, including a land manage-*  
 23 *ment agency, when the agency is accepting applica-*  
 24 *tions from individuals outside its own workforce*

1        *under the merit promotion procedures of the applica-*  
 2        *ble agency”; and*

3                *(2) in subsection (d) by inserting “of the agency*  
 4        *from which the former employee was most recently*  
 5        *separated” after “deemed a time-limited employee”.*

6        **SEC. 1109. LIMITATION ON ADMINISTRATIVE LEAVE.**

7                *(a) IN GENERAL.—Subchapter II of chapter 63 of title*  
 8        *5, United States Code, is amended by adding at the end*  
 9        *the following:*

10        **“§ 6330. Limitation on administrative leave**

11                *“(a) IN GENERAL.—During any calendar year, an em-*  
 12        *ployee may not be placed on administrative leave, or any*  
 13        *other paid non-duty status without charge to leave, for more*  
 14        *than 14 total days for reasons relating to misconduct or*  
 15        *performance. After an employee has been placed on admin-*  
 16        *istrative leave for 14 days, the employing agency shall re-*  
 17        *turn the employee to duty status, utilizing telework if avail-*  
 18        *able, and assign the employee to duties if such employee*  
 19        *is not a threat to safety, the agency mission, or Government*  
 20        *property.*

21                *“(b) EXTENDED ADMINISTRATIVE LEAVE.—*

22                *“(1) IN GENERAL.—If an agency finds that an*  
 23        *employee is a threat to safety, the agency mission, or*  
 24        *Government property and upon the expiration of the*  
 25        *14-day period described in subsection (a), an agency*

1       *head may place the employee on extended administra-*  
2       *tive leave for additional periods of not more than 30*  
3       *days each.*

4               “(2) *REPORT.—For any additional period of 30*  
5       *days granted to the employee after the initial 30-day*  
6       *extension, the agency head shall submit to the Com-*  
7       *mittee on Oversight and Government Reform in the*  
8       *House of Representatives, the agency’s authorizing*  
9       *committees of jurisdiction of the House of Representa-*  
10       *tives and the Senate, and the Committee on Home-*  
11       *land Security and Governmental Affairs of the Senate*  
12       *a report, not later than 5 business days after granting*  
13       *the additional period, containing—*

14               “(A) *title, position, office or agency sub-*  
15       *component, job series, pay grade, and salary of*  
16       *the employee on administrative leave;*

17               “(B) *a description of the work duties of the*  
18       *employee;*

19               “(C) *the reason the employee is on adminis-*  
20       *trative leave;*

21               “(D) *an explanation as to why the employee*  
22       *is a threat to safety, the agency mission, or Gov-*  
23       *ernment property;*

1           “(E) an explanation as to why the employee  
2 is not able to telework or be reassigned to an-  
3 other position within the agency;

4           “(F) in the case of a pending related inves-  
5 tigation of the employee—

6                 “(i) the status of such investigation;

7                 and

8                 “(ii) the certification described in sub-  
9 section (c)(1); and

10           “(G) in the case of a completed related in-  
11 vestigation of the employee—

12                 “(i) the results of such investigation;

13                 and

14                 “(ii) the reason that the employee re-  
15 mains on administrative leave.

16           “(c) *EXTENSION PENDING RELATED INVESTIGA-*  
17 *TION.—*

18                 “(1) *IN GENERAL.—*If an employee is under a  
19 related investigation by an investigative entity at the  
20 time an additional period described under subsection  
21 (b)(2) is granted and, in the opinion of the investiga-  
22 tive entity, additional time is needed to complete the  
23 investigation, such entity shall certify to the applica-  
24 ble agency that such additional time is needed and

1       include in the certification an estimate of the length  
2       of such additional time.

3               “(2) *LIMITATION.*—The head of an agency may  
4       not grant an additional period of administrative  
5       leave described under subsection (b)(2) to an employee  
6       on or after the date that is 30 days after the comple-  
7       tion of a related investigation by an investigative en-  
8       tity.

9               “(d) *DEFINITIONS.*—In this section, the following defi-  
10      nitions apply:

11              “(1) *INVESTIGATIVE ENTITY.*—The term ‘inves-  
12      tigative entity’ means an internal investigative unit  
13      of the agency granting administrative leave, the Office  
14      of Inspector General, the Office of the Attorney Gen-  
15      eral, or the Office of Special Counsel.

16              “(2) *RELATED INVESTIGATION.*—The term ‘re-  
17      lated investigation’ means an investigation that per-  
18      tains to the underlying reasons an employee was  
19      placed on administrative leave.”.

20              “(b) *EFFECTIVE DATE.*—The amendment made by sub-  
21      section (a) shall begin to apply 90 days after the date of  
22      enactment of this Act.

23              “(c) *RULES OF CONSTRUCTION.*—Nothing in the  
24      amendment made by subsection (a) shall be construed to—

1           (1) *supersede the provisions of chapter 75 of title*  
 2           *5, United States Code; or*

3           (2) *limit the number of days that an employee*  
 4           *may be placed on administrative leave, or any other*  
 5           *paid non-duty status without charge to leave, for rea-*  
 6           *sons unrelated to misconduct or performance.*

7           (d) *CLERICAL AMENDMENT.—The table of sections for*  
 8           *subchapter II of chapter 63 of title 5, United States Code,*  
 9           *is amended by adding after the item relating to section 6329*  
 10          *the following new item:*

          “6330. *Limitation on administrative leave.*”.

11   **SEC. 1110. RECORD OF INVESTIGATION OF PERSONNEL AC-**  
 12                            **TION IN SEPARATED EMPLOYEE’S OFFICIAL**  
 13                            **PERSONNEL FILE.**

14          (a) *IN GENERAL.—Subchapter I of chapter 33 of title*  
 15          *5, United States Code, is amended by inserting after section*  
 16          *3321 the following:*

17   **“§ 3322. Voluntary separation before resolution of per-**  
 18                            **sonnel investigation**

19          “(a) *With respect to any employee occupying a posi-*  
 20          *tion in the competitive service or the excepted service who*  
 21          *is the subject of a personnel investigation and resigns from*  
 22          *Government employment prior to the resolution of such in-*  
 23          *vestigation, the head of the agency from which such em-*  
 24          *ployee so resigns shall, if an adverse finding was made with*  
 25          *respect to such employee pursuant to such investigation,*

1 *make a permanent notation in the employee's official per-*  
2 *sonnel record file. The head shall make such notation not*  
3 *later than 40 days after the date of the resolution of such*  
4 *investigation.*

5       “(b) *Prior to making a permanent notation in an em-*  
6 *ployee's official personnel record file under subsection (a),*  
7 *the head of the agency shall—*

8               “(1) *notify the employee in writing within 5*  
9 *days of the resolution of the investigation and provide*  
10 *such employee a copy of the adverse finding and any*  
11 *supporting documentation;*

12               “(2) *provide the employee with a reasonable*  
13 *time, but not less than 30 days, to respond in writing*  
14 *and to furnish affidavits and other documentary evi-*  
15 *dence to show why the adverse finding was unfounded*  
16 *(a summary of which shall be included in any nota-*  
17 *tion made to the employee's personnel file under sub-*  
18 *section (d)); and*

19               “(3) *provide a written decision and the specific*  
20 *reasons therefore to the employee at the earliest prac-*  
21 *ticable date.*

22       “(c) *An employee is entitled to appeal the decision of*  
23 *the head of the agency to make a permanent notation under*  
24 *subsection (a) to the Merit Systems Protection Board under*  
25 *section 7701.*



1       “(d)(1) *If an employee files an appeal with the Merit*  
2 *Systems Protection Board pursuant to subsection (c), the*  
3 *agency head shall make a notation in the employee’s official*  
4 *personnel record file indicating that an appeal disputing*  
5 *the notation is pending not later than 2 weeks after the*  
6 *date on which such appeal was filed.*

7       “(2) *If the head of the agency is the prevailing party*  
8 *on appeal, not later than 2 weeks after the date that the*  
9 *Board issues the appeal decision, the head of the agency*  
10 *shall remove the notation made under paragraph (1) from*  
11 *the employee’s official personnel record file.*

12       “(3) *If the employee is the prevailing party on appeal,*  
13 *not later than 2 weeks after the date that the Board issues*  
14 *the appeal decision, the head of the agency shall remove the*  
15 *notation made under paragraph (1) and the notation of an*  
16 *adverse finding made under subsection (a) from the employ-*  
17 *ee’s official personnel record file.*

18       “(e) *In this section, the term ‘personnel investigation’*  
19 *includes—*

20               “(1) *an investigation by an Inspector General;*  
21       *and*

22               “(2) *an adverse personnel action as a result of*  
23 *performance, misconduct, or for such cause as will*  
24 *promote the efficiency of the service under chapter 43*  
25 *or chapter 75.”.*

1       (b) *APPLICATION.*—*The amendment made by sub-*  
 2 *section (a) shall apply to any employee described in section*  
 3 *3322 of title 5, United States Code, (as added by such sub-*  
 4 *section) who leaves the service after the date of enactment*  
 5 *of this Act.*

6       (c) *CLERICAL AMENDMENT.*—*The table of sections of*  
 7 *subchapter I of chapter 33 of title 5, United States Code,*  
 8 *is amended by inserting after the item relating to section*  
 9 *3321 the following:*

“3322. *Voluntary separation before resolution of personnel investigation.*”.

10 **SEC. 1111. REVIEW OF OFFICIAL PERSONNEL FILE OF**  
 11 **FORMER FEDERAL EMPLOYEES BEFORE RE-**  
 12 **HIRING.**

13       (a) *IN GENERAL.*—*Subchapter I of chapter 33 of title*  
 14 *5, United States Code, is amended by adding at the end*  
 15 *the following:*

16 **“§ 3330e. Review of official personnel file of former**  
 17 **Federal employees before rehiring**

18       “(a) *If a former Government employee is a candidate*  
 19 *for a position within the competitive service or the excepted*  
 20 *service, prior to making any determination with respect to*  
 21 *the appointment or reinstatement of such employee to such*  
 22 *position, the appointing authority shall review and con-*  
 23 *sider the information relating to such employee’s former pe-*  
 24 *riod or periods of service in such employee’s official per-*  
 25 *sonnel record file.*

1       “(b) *In subsection (a), the term ‘former Government*  
 2 *employee’ means an individual whose most recent position*  
 3 *with the Government prior to becoming a candidate as de-*  
 4 *scribed under subsection (a) was within the competitive*  
 5 *service or the excepted service.*”

6       “(c) *The Office of Personnel Management shall pre-*  
 7 *scribe regulations to carry out the purpose of this section.*”.

8       (b) *APPLICATION.—The amendment made by sub-*  
 9 *section (a) shall apply to any former Government employee*  
 10 *(as described in section 3330e of title 5, United States Code,*  
 11 *as added by such subsection) appointed or reinstated on or*  
 12 *after the date that is 180 days after the date of enactment*  
 13 *of this Act.*

14       (c) *CLERICAL AMENDMENT.—The table of sections of*  
 15 *subchapter I of chapter 33 of title 5, United States Code,*  
 16 *is amended by adding at the end the following:*

*“3330e. Review of official personnel file of former Federal employees before rehiring.”.*

17 **SEC. 1112. REPORT ON DEPARTMENT OF DEFENSE CIVILIAN**  
 18 **WORKFORCE PERSONNEL AND CONTRAC-**  
 19 **TORS.**

20       (a) *FINDINGS.—Congress finds the following:*

21               (1) *A large, disproportionate, and duplicative ci-*  
 22 *vilian work force coupled with bureaucratic, struc-*  
 23 *tural inefficiencies has detracted from the Pentagon’s*

1       *production of combat power and its ability to mod-*  
2       *ernize.*

3           (2) *The recent uniformed military drawdown*  
4       *has not been accompanied by an equivalent reduction*  
5       *of either the civilian or contractor work force. Right*  
6       *sizing the civilian workforce must be statutory in*  
7       *number but implemented with executive discretion.*  
8       *Across-the-board cuts to the defense civilian workforce*  
9       *are not the answer.*

10          (3) *Spending on contract services is over 50 per-*  
11       *cent of all Department of Defense purchases even as*  
12       *the total defense budget has dropped. Expenditures in*  
13       *services contracting lack appropriate oversight, ac-*  
14       *countability, and scrutiny.*

15       **(b) REPORTS.—**

16           (1) **IN GENERAL.—***The Secretary of Defense shall*  
17       *submit a preliminary report within 90 days after the*  
18       *date of the enactment of this Act, and a final report*  
19       *within 180 days after such date, to the congressional*  
20       *defense committees detailing the structure and num-*  
21       *ber of the civilian workforce and contractors of the*  
22       *Department of Defense.*

23           (2) **CONTENTS.—***Except as provided in para-*  
24       *graph (3), each report shall include the following for*  
25       *each of fiscal years 2017 through 2020, including a*

1       *breakdown in location, job function, General Schedule*  
2       *(GS) level, and date of when the job was created for*  
3       *the following individuals:*

4               *(A) The total number of full time equivalent*  
5               *employees, including each of the following:*

6                       *(i) The total number of Senior Execu-*  
7                       *tive Service employees and their assign-*  
8                       *ments.*

9                       *(ii) The total number of civilian em-*  
10                      *ployees of the Department of Defense within*  
11                      *the military health care system.*

12                      *(iii) The total number of civilian em-*  
13                      *ployees of the Department employed at de-*  
14                      *pot, arsenals, and ammunition facilities.*

15               *(B) The total number of civilian contractors*  
16               *of the Department of Defense, including each of*  
17               *the following:*

18                      *(i) The total number of civilian con-*  
19                      *tractors for weapons acquisitions.*

20                      *(ii) The total number of civilian con-*  
21                      *tractors for services or labor for non-weapon*  
22                      *systems acquisitions.*

23                      *(iii) The total number of civilian con-*  
24                      *tractors employed at depots, arsenals, and*  
25                      *ammunition facilities.*

1           (3) *PRELIMINARY REPORT.*—*The preliminary re-*  
2           *port provided under this subsection—*

3                   (A) *shall cover the contents described in*  
4                   *paragraph (2) in as much detail as is ascertain-*  
5                   *able within 90 days after the date of the enact-*  
6                   *ment of this Act; and*

7                   (B) *shall include an explanation of any im-*  
8                   *pediments to developing a complete and final re-*  
9                   *port by 180 days after such date of enactment.*

10 **SEC. 1113. PUBLIC-PRIVATE TALENT EXCHANGE.**

11           (a) *AUTHORITY.*—*Chapter 81 of title 10, United States*  
12 *Code, as amended by section 1105 of this Act, is further*  
13 *amended by adding at the end the following new section:*

14 **“§ 1599g. Public-private talent exchange**

15           “(a) *ASSIGNMENT AUTHORITY.*—*Under regulations*  
16 *prescribed by the Secretary of Defense, the Secretary may,*  
17 *with the agreement of a private-sector organization and the*  
18 *consent of the employee, arrange for the temporary assign-*  
19 *ment of an employee to such private-sector organization,*  
20 *or from such private-sector organization to a Department*  
21 *of Defense organization under this section.*

22           “(b) *AGREEMENTS.*—(1) *The Secretary of Defense shall*  
23 *provide for a written agreement among the Department of*  
24 *Defense, the private-sector organization, and the employee*

1 *concerned regarding the terms and conditions of the em-*  
2 *ployee's assignment under this section. The agreement—*

3           “(A) shall require that the employee of the De-  
4           partment of Defense, upon completion of the assign-  
5           ment, will serve in the Department of Defense, or else-  
6           where in the civil service if approved by the Sec-  
7           retary, for a period equal to the length of the assign-  
8           ment; and

9           “(B) shall provide that if the employee of the De-  
10          partment of Defense or of the private-sector organiza-  
11          tion (as the case may be) fails to carry out the agree-  
12          ment, such employee shall be liable to the United  
13          States for payment of all expenses of the assignment,  
14          unless that failure was for good and sufficient reason,  
15          as determined by the Secretary of Defense.

16          “(2) An amount for which an employee is liable under  
17          paragraph (1) shall be treated as a debt due the United  
18          States.

19          “(3) The Secretary may waive, in whole or in part,  
20          collection of a debt described in paragraph (2) based on a  
21          determination that the collection would be against equity  
22          and good conscience and not in the best interests of the  
23          United States, after taking into account any indication of  
24          fraud, misrepresentation, fault, or lack of good faith on the  
25          part of the employee.

1           “(c) *TERMINATION.*—An assignment under this section  
2 may, at any time and for any reason, be terminated by  
3 the Department of Defense or the private-sector organiza-  
4 tion concerned.

5           “(d) *DURATION.*—An assignment under this section  
6 shall be for a period of not less than 3 months and not  
7 more than one year, renewable up to a total of 4 years.  
8 No employee of the Department of Defense may be assigned  
9 under this section for more than a total of 4 years inclusive  
10 of all such assignments.

11           “(e) *STATUS OF FEDERAL EMPLOYEES ASSIGNED TO*  
12 *PRIVATE-SECTOR ORGANIZATIONS.*—An employee of the  
13 Department of Defense who is assigned to a private-sector  
14 organization under this section shall be considered, during  
15 the period of assignment, to be on detail to a regular work  
16 assignment in the Department for all purposes. The written  
17 agreement established under subsection (b)(1) shall address  
18 the specific terms and conditions related to the employee’s  
19 continued status as a Federal employee.

20           “(f) *TERMS AND CONDITIONS FOR PRIVATE-SECTOR*  
21 *EMPLOYEES.*—An employee of a private-sector organization  
22 who is assigned to a Department of Defense organization  
23 under this section—

24                   “(1) shall continue to receive pay and benefits  
25           from the private-sector organization from which such



1        *employee is assigned and shall not receive pay or ben-*  
2        *efits from the Department of Defense, except as pro-*  
3        *vided in paragraph (2);*

4            *“(2) is deemed to be an employee of the Depart-*  
5        *ment of Defense for the purposes of—*

6            *“(A) chapters 73 and 81 of title 5;*

7            *“(B) sections 201, 203, 205, 207, 208, 209,*  
8        *603, 606, 607, 643, 654, 1905, and 1913 of title*  
9        *18;*

10          *“(C) sections 1343, 1344, and 1349(b) of*  
11        *title 31;*

12          *“(D) the Federal Tort Claims Act and any*  
13        *other Federal tort liability statute;*

14          *“(E) the Ethics in Government Act of 1978;*  
15        *and*

16          *“(F) chapter 21 of title 41;*

17          *“(3) shall not have access to any trade secrets or*  
18        *to any other nonpublic information which is of com-*  
19        *mercial value to the private-sector organization from*  
20        *which such employee is assigned.*

21          *“(g) PROHIBITION AGAINST CHARGING CERTAIN*  
22        *COSTS TO THE FEDERAL GOVERNMENT.—A private-sector*  
23        *organization may not charge the Department of any other*  
24        *agency of the Federal Government, as direct or indirect*  
25        *costs under a Federal contract, the costs of pay or benefits*

1 *paid by the organization to an employee assigned to a De-*  
2 *partment organization under this section for the period of*  
3 *the assignment.*

4       “(h) *CONSIDERATIONS.*—*In carrying out this section,*  
5 *the Secretary of Defense—*

6               “(1) *shall ensure that, of the assignments made*  
7 *under this section each year, at least 20 percent are*  
8 *from small business concerns (as defined by section*  
9 *3703(e)(2)(A) of title 5);*

10              “(2) *shall take into consideration the question of*  
11 *how assignments under this section might best be used*  
12 *to help meet the needs of the Department of Defense*  
13 *with respect to the training of employees; and*

14              “(3) *shall take into consideration, where applica-*  
15 *ble, areas of particular private sector expertise, such*  
16 *as cybersecurity.”.*

17       “(b) *TABLE OF SECTIONS AMENDMENT.*—*The table of*  
18 *sections at the beginning of such chapter, as amended by*  
19 *section 1105 of this Act, is further amended by adding at*  
20 *the end the following new item:*

    “1599g. *Public-private talent exchange.*”.

1 **TITLE XII—MATTERS RELATING**  
2 **TO FOREIGN NATIONS**  
3 **Subtitle A—Assistance and**  
4 **Training**

5 **SEC. 1201. ONE-YEAR EXTENSION OF LOGISTICAL SUPPORT**  
6 **FOR COALITION FORCES SUPPORTING CER-**  
7 **TAIN UNITED STATES MILITARY OPERATIONS.**

8 *Section 1234 of the National Defense Authorization*  
9 *Act for Fiscal Year 2008 (Public Law 110–181; 122 Stat.*  
10 *394), as most recently amended by section 1201 of the Na-*  
11 *tional Defense Authorization Act for Fiscal Year 2016 (Pub-*  
12 *lic Law 114–92; 129 Stat. 1035), is further amended—*

13 *(1) in subsection (a), by striking “fiscal year*  
14 *2016” and inserting “fiscal year 2017”;*

15 *(2) in subsection (d), by striking “during the pe-*  
16 *riod beginning on October 1, 2015, and ending on De-*  
17 *cember 31, 2016” and inserting “during the period*  
18 *beginning on October 1, 2016, and ending on Decem-*  
19 *ber 31, 2017”; and*

20 *(3) in subsection (e)(1), by striking “December*  
21 *31, 2016” and inserting “December 31, 2017”.*

1 **SEC. 1202. EXTENSION OF AUTHORITY FOR TRAINING OF**  
2 **GENERAL PURPOSE FORCES OF THE UNITED**  
3 **STATES ARMED FORCES WITH MILITARY AND**  
4 **OTHER SECURITY FORCES OF FRIENDLY FOR-**  
5 **EIGN COUNTRIES.**

6 *Section 1203(h) of the National Defense Authorization*  
7 *Act for Fiscal Year 2014 (Public Law 113–66; 127 Stat.*  
8 *894; 10 U.S.C. 2011 note) is amended by striking “Sep-*  
9 *tember 30, 2017” and inserting “December 31, 2019”.*

10 **SEC. 1203. MODIFICATION AND EXTENSION OF AUTHORITY**  
11 **TO CONDUCT ACTIVITIES TO ENHANCE THE**  
12 **CAPABILITY OF FOREIGN COUNTRIES TO RE-**  
13 **SPOND TO INCIDENTS INVOLVING WEAPONS**  
14 **OF MASS DESTRUCTION.**

15 *(a) LIMITATION ON AVAILABILITY OF AUTHORITY FOR*  
16 *OTHER COUNTRIES.—Subsection (b) of section 1204 of the*  
17 *National Defense Authorization Act for Fiscal Year 2014*  
18 *(Public Law 113–66; 127 Stat. 896; 10 U.S.C. 401 note)*  
19 *is amended by striking “of the Secretary’s intention” and*  
20 *inserting “not later than 48 hours after the Secretary makes*  
21 *a determination”.*

22 *(b) AVAILABILITY OF FUNDS.—Subsection (d)(1) of*  
23 *such section is amended to read as follows:*

24 *“(1) FUNDS AVAILABLE.—Of the funds author-*  
25 *ized to be appropriated for the Department of Defense*  
26 *for Operation and Maintenance, Defense-wide, and*

1        *available for the Defense Threat Reduction Agency for*  
2        *a fiscal year, not more than \$20,000,000 may be*  
3        *made available for assistance under this section for*  
4        *such fiscal year.”.*

5        *(c) NOTICE TO CONGRESS ON CERTAIN ASSISTANCE.—*  
6        *Subsection (e) of such section, as amended by section 1202*  
7        *of the Carl Levin and Howard P. “Buck” McKeon National*  
8        *Defense Authorization Act for Fiscal Year 2015 (Public*  
9        *Law 113–291; 128 Stat. 3530), is further amended—*

10            *(1) by striking “If the amount” and inserting*  
11            *“If the Secretary of Defense determines that the*  
12            *amount”;*

13            *(2) by striking “the Secretary of Defense shall*  
14            *notify” and inserting “the Secretary shall notify”;*  
15            *and*

16            *(3) by striking “of that fact” and inserting “of*  
17            *such determination not later than 48 hours after*  
18            *making the determination”.*

19        *(d) EXPIRATION.—Subsection (h) of such section, as*  
20        *amended by section 1273 of the National Defense Authoriza-*  
21        *tion Act for Fiscal Year 2016 (Public Law 114–92; 129*  
22        *Stat. 1076), is further amended by striking “September 30,*  
23        *2019” and inserting “September 30, 2020”.*

24        *(e) EFFECTIVE DATE.—The amendments made by this*  
25        *section take effect on the date of the enactment of this Act*

1 *and apply with respect to assistance authorized to be pro-*  
2 *vided under subsection (a) of section 1204 of the National*  
3 *Defense Authorization Act for Fiscal Year 2014 on or after*  
4 *such date of enactment.*

5 **SEC. 1204. EXTENSION OF AUTHORITY FOR SUPPORT OF**  
6 **SPECIAL OPERATIONS TO COMBAT TER-**  
7 **RORISM.**

8 *Subsection (h) of section 1208 of the Ronald W.*  
9 *Reagan National Defense Authorization Act for Fiscal Year*  
10 *2005 (Public Law 108–375; 118 Stat. 2086), as most re-*  
11 *cently amended by section 1208(b) of the Carl Levin and*  
12 *Howard P. “Buck” McKeon National Defense Authoriza-*  
13 *tion Act for Fiscal Year 2015 (Public Law 113–291; 128*  
14 *Stat. 3541), is further amended by striking “2017” and in-*  
15 *serting “2020”.*

16 **SEC. 1205. MODIFICATION AND CODIFICATION OF REPORT-**  
17 **ING REQUIREMENTS RELATING TO SECURITY**  
18 **COOPERATION AUTHORITIES.**

19 *(a) ANNUAL REPORT REQUIRED.—Subsection (a) of*  
20 *section 1211 of the Carl Levin and Howard P. “Buck”*  
21 *McKeon National Defense Authorization Act for Fiscal Year*  
22 *2015 (Public Law 113–291; 128 Stat. 3544) is amended—*  
23 *(1) by striking “BIENNIAL” and all that follows*  
24 *through “the Secretary of Defense” and inserting*  
25 *“ANNUAL REPORT REQUIRED.—Not later than Janu-*

1       ary 31 of each year through January 31, 2021, the  
2       Secretary of Defense”;

3             (2) by striking “congressional defense commit-  
4       tees” and inserting “appropriate congressional com-  
5       mittees”;

6             (3) by striking “security assistance” and insert-  
7       ing “assistance”; and

8             (4) by striking “the two fiscal years” and insert-  
9       ing “the fiscal year”.

10       (b) *ELEMENTS OF REPORT*.—Subsection (b) of such  
11       section is amended—

12             (1) in paragraph (1), by inserting “, duration,”  
13       after “purpose”;

14             (2) in paragraph (2), by striking “The cost” and  
15       inserting “The cost and expenditures”;

16             (3) by adding at the end the following:

17             “(4) For each foreign country in which the  
18       training, equipment, or other assistance or reimburse-  
19       ment was provided, a description of the extent of par-  
20       ticipation, if any, by the military forces and security  
21       forces or other government organizations of such for-  
22       eign country.

23             “(5) The number of members of the Armed  
24       Forces involved in providing such training, equip-  
25       ment, or assistance and a description of the military

1 *benefits for such members involved in providing such*  
2 *training, equipment or assistance.*

3 “(6) *A summary, by authority, of the activities*  
4 *carried out under each authority specified in sub-*  
5 *section (c).”.*

6 *(c) MODIFICATION TO SPECIFIED AUTHORITIES.—*  
7 *Subsection (c) of such section is amended—*

8 *(1) by striking paragraph (1) and inserting the*  
9 *following:*

10 “(1) *Sections 256, 263, 271, 272, 273, 281, 284,*  
11 *285, 286, and 287.”.*

12 *(2) by striking paragraphs (4), (5), (7), and*  
13 *(11);*

14 *(3) by redesignating paragraphs (6), (8), (9),*  
15 *(10), and (12) through (17) as paragraphs (4)*  
16 *through (13), respectively;*

17 *(4) by adding at the end the following:*

18 “(14) *Section 401, relating to humanitarian and*  
19 *civic assistance provided in conjunction with military*  
20 *operations.*

21 “(15) *Section 1206 of the Carl Levin and How-*  
22 *ard P. ‘Buck’ McKeon National Defense Authoriza-*  
23 *tion Act for Fiscal Year 2015 (128 Stat. 3538; 10*  
24 *U.S.C. 2282 note), relating to authority to conduct*



1 *human rights training of security forces and associ-*  
2 *ated security ministries of foreign countries.*

3 “(16) Section 1534 of the Carl Levin and How-  
4 ard P. ‘Buck’ McKeon National Defense Authoriza-  
5 tion Act for Fiscal Year 2015 (128 Stat. 3616), relat-  
6 ing to the Counterterrorism Partnerships Fund.

7 “(17) Section 1203 of the National Defense Au-  
8 thorization Act for Fiscal Year 2014 (Public Law  
9 113–66; 127 Stat. 894; 10 U.S.C. 2011 note), relating  
10 to training of general purpose forces of the United  
11 States Armed Forces with military and other security  
12 forces of friendly foreign countries.”; and

13 (5) by striking “of title 10, United States Code”  
14 each place it appears.

15 (d) FORM.—Subsection (e) of such section is amended  
16 by adding “that may also include other sensitive informa-  
17 tion” after “annex”.

18 (e) CODIFICATION OF SECTION 1211 OF FY 2015  
19 NDAA.—

20 (1) CODIFICATION.—Chapter 11 of title 10,  
21 United States Code, as amended by section 1261 of  
22 this Act, is further amended by inserting after section  
23 251 a new section 252 consisting of—

24 (A) a heading as follows:

1 **“§252. Annual report on programs carried out by the**  
2 **Department of Defense to provide train-**  
3 **ing, equipment, or other assistance or re-**  
4 **imbursement to foreign security forces”;**  
5 **and**

6 (B) a text consisting of the text of sub-  
7 sections (a) through (e) of section 1211 of the  
8 Carl Levin and Howard P. “Buck” McKeon Na-  
9 tional Defense Authorization Act for Fiscal Year  
10 2015 (Public Law 113–291; 128 Stat. 3544), as  
11 amended by subsections (a) through (d) of this  
12 section.

13 (2) *CONFORMING REPEAL.*—Section 1211 of the  
14 Carl Levin and Howard P. “Buck” McKeon National  
15 Defense Authorization Act for Fiscal Year 2015 (Pub-  
16 lic Law 113–291; 128 Stat. 3544), as amended by  
17 subsections (a) through (d) of this section, is repealed.

18 (f) *REPEAL OF OTHER REPORTING REQUIREMENTS.*—

19 (1) *ANNUAL REPORT ON HUMANITARIAN AND*  
20 *CIVIC ASSISTANCE ACTIVITIES.*—Section 401 of title  
21 10, United States Code, is amended—

22 (A) by striking subsection (d); and

23 (B) by redesignating subsection (e) as sub-  
24 section (d).

25 (2) *SEMI-ANNUAL REPORTS ON COUNTERTER-*  
26 *RORISM PARTNERSHIPS FUND.*—Section 1534 of the

1 *Carl Levin and Howard P. “Buck” McKeon National*  
2 *Defense Authorization Act for Fiscal Year 2015 (Pub-*  
3 *lic Law 113–291; 128 Stat. 3616) is amended—*

4 *(A) by striking subsection (g); and*

5 *(B) by redesignating subsection (h) as sub-*  
6 *section (g).*

7 *(3) ANNUAL REPORT ON USE OF AUTHORITY TO*  
8 *TRAIN GENERAL PURPOSE FORCES OF THE UNITED*  
9 *STATES ARMED FORCES WITH MILITARY AND OTHER*  
10 *SECURITY FORCES OF FRIENDLY FOREIGN COUN-*  
11 *TRIES.—Section 1203 of the National Defense Author-*  
12 *ization Act for Fiscal Year 2014 (Public Law 113–*  
13 *66; 127 Stat. 894; 10 U.S.C. 2011 note) is amended—*

14 *(A) in subsection (a)(1), by striking “sub-*  
15 *section (f)” and inserting “subsection (e)”;*

16 *(B) by striking subsection (e); and*

17 *(C) by redesignating subsections (f), (g),*  
18 *and (h) as subsections (e), (f), and (g), respec-*  
19 *tively.*

20 *(4) ANNUAL REPORT ON USE OF AUTHORITY FOR*  
21 *NATIONAL GUARD STATE PARTNERSHIP PROGRAM.—*  
22 *Section 1205 of the National Defense Authorization*  
23 *Act for Fiscal Year 2014 (Public Law 113–66; 127*  
24 *Stat. 897; 32 U.S.C. 107 note) is amended—*

25 *(A) by striking subsection (f); and*

1           (B) by redesignating subsection (g), sub-  
2           section (h), the second subsection (h), and sub-  
3           section (i) as subsections (f), (g), (h), and (i), re-  
4           spectively.

5 **SEC. 1206. INDEPENDENT ASSESSMENT OF DEPARTMENT**  
6           **OF DEFENSE SECURITY COOPERATION PRO-**  
7           **GRAMS.**

8           (a) *ASSESSMENT REQUIRED.*—

9           (1) *IN GENERAL.*—*The Secretary of Defense shall*  
10          *enter into an agreement with a federally funded re-*  
11          *search and development center, or another appro-*  
12          *priate independent entity, with expertise in security*  
13          *cooperation to conduct an assessment of the Strategic*  
14          *Framework for Department of Defense Security Co-*  
15          *operation.*

16          (2) *ELEMENTS.*—*The assessment under para-*  
17          *graph (1) shall include the following:*

18                 (A) *An assessment of each of the elements of*  
19                 *the Strategic Framework for Department of De-*  
20                 *fense Security Cooperation, as directed by sec-*  
21                 *tion 1202 of the National Defense Authorization*  
22                 *Act for Fiscal Year 2016 (Public Law 114–92;*  
23                 *129 Stat. 1036; 10 U.S.C. 113 note).*

24                 (B) *An assessment of the extent to which se-*  
25                 *curity cooperation programs, individually and*

1           *in combination, as identified in the Comptroller*  
2           *General Inventory of Department of Defense Se-*  
3           *curity Cooperation Programs directed in the*  
4           *committee report (H. Rept. 114–102) accom-*  
5           *panying the National Defense Authorization Act*  
6           *for Fiscal Year 2016, and any other relevant*  
7           *studies, contribute to the strategic goals, primary*  
8           *objectives, priorities, and desired end-states of*  
9           *Department of Defense security cooperation pro-*  
10          *grams.*

11                   *(C) Any other matters the entity that con-*  
12                   *ducts the assessment considers appropriate.*

13          ***(b) REPORT REQUIRED.—***

14                   *(1) IN GENERAL.—Not later than November 1,*  
15                   *2017, the Secretary of Defense shall submit to the con-*  
16                   *gressional defense committees, the Committee on For-*  
17                   *ign Relations of the Senate, and the Committee on*  
18                   *Foreign Affairs of the House of Representatives a re-*  
19                   *port that includes the assessment under subsection (a)*  
20                   *and any other matters the Secretary considers appro-*  
21                   *priate.*

22                   *(2) FORM.—The report required under para-*  
23                   *graph (1) shall be submitted in unclassified form, but*  
24                   *may include a classified annex.*

1 **SEC. 1207. SENSE OF CONGRESS REGARDING AN ASSESS-**  
2 **MENT, MONITORING, AND EVALUATION**  
3 **FRAMEWORK FOR SECURITY COOPERATION.**

4 *It is the sense of Congress that—*

5 *(1) the Secretary of Defense should develop and*  
6 *maintain an assessment, monitoring, and evaluation*  
7 *framework for security cooperation with foreign coun-*  
8 *tries to ensure accountability and foster implementa-*  
9 *tion of best practices; and*

10 *(2) such framework—*

11 *(A) should be consistent with interagency*  
12 *approaches and existing best practices;*

13 *(B) should be sufficiently resourced and ap-*  
14 *propriately placed within the Department of De-*  
15 *fense to enable the rigorous examination and*  
16 *measurement of security cooperation efforts to-*  
17 *wards meeting stated objectives and outcomes;*  
18 *and*

19 *(C) should be used to inform security co-*  
20 *operation planning, policies, and resource deci-*  
21 *sions as well as ensure the effectiveness and effi-*  
22 *ciency of security cooperation efforts.*

1 **SEC. 1208. REPORT ON THE PROHIBITION ON USE OF**  
2 **FUNDS FOR ASSISTANCE TO UNITS OF FOR-**  
3 **EIGN SECURITY FORCES THAT HAVE COM-**  
4 **MITTED A GROSS VIOLATION OF HUMAN**  
5 **RIGHTS.**

6 (a) *REPORT REQUIRED.*—Not later than 60 days after  
7 the date of the enactment of this Act, the Secretary of De-  
8 fense shall submit to the congressional defense committees  
9 a report on its implementation of section 294 of title 10,  
10 United States Code (relating to prohibition on use of funds  
11 for assistance to units of foreign security forces that have  
12 committed a gross violation of human rights).

13 (b) *MATTERS TO BE INCLUDED.*—The report required  
14 under subsection (a) shall contain the following:

15 (1) *A detailed description of the policies and*  
16 *procedures governing the manner in which Depart-*  
17 *ment of Defense personnel identify and report infor-*  
18 *mation on gross violations of human rights and how*  
19 *such information is shared with personnel responsible*  
20 *for implementing the prohibition in subsection (a)(1)*  
21 *of section 294 of title 10, United States Code.*

22 (2) *The funding expended in fiscal years 2015*  
23 *and 2016 for purposes of implementing section 294 of*  
24 *title 10, United States Code, including any relevant*  
25 *training of personnel, and a description of the titles,*  
26 *roles, and responsibilities of the personnel responsible*

1     *for reviewing credible information relating to human*  
2     *rights violations and the personnel responsible for*  
3     *making decisions regarding the implementation of the*  
4     *prohibition in subsection (a)(1) of such section 294.*

5             *(3) An addendum that includes any findings or*  
6     *recommendations included in any report issued by a*  
7     *Federal Inspector General related to the implementa-*  
8     *tion of section 294 of title 10, United States Code,*  
9     *and, as appropriate, the Department of Defense's re-*  
10    *sponse to such findings or recommendations.*

11            *(4) Any other matters the Secretary determines*  
12    *is appropriate.*

13            *(c) FORM.—The report required under subsection (a)*  
14    *shall be submitted in unclassified form, but may include*  
15    *a classified annex.*

16            ***Subtitle B—Matters Relating to***  
17            ***Afghanistan and Pakistan***

18    ***SEC. 1211. EXTENSION AND MODIFICATION OF COM-***  
19            ***MANDERS' EMERGENCY RESPONSE PROGRAM.***

20            *(a) EXTENSION.—Section 1201 of the National Defense*  
21    *Authorization Act for Fiscal Year 2012 (Public Law 112–*  
22    *81; 125 Stat. 1619), as most recently amended by section*  
23    *1211 of the National Defense Authorization Act for Fiscal*  
24    *Year 2016 (Public Law 114–92; 129 Stat. 1042), is further*  
25    *amended—*



1           (1) *in subsection (a)—*

2                   (A) *by striking “During fiscal year 2016”*  
3                   *and inserting “During the period beginning on*  
4                   *October 1, 2016, and ending on December 31,*  
5                   *2017”;* *and*

6                   (B) *by striking “in such fiscal year” and*  
7                   *inserting “in such period”;*

8           (2) *in subsection (b), by striking “fiscal year*  
9                   *2016” and inserting “fiscal year 2017”;* *and*

10           (3) *in subsection (f), by striking “in fiscal year*  
11                   *2016” and inserting “during the period beginning on*  
12                   *October 1, 2016, and ending on December 31, 2017”.*

13           (b) *AUTHORITY FOR CERTAIN PAYMENTS TO REDRESS*  
14 *INJURY AND LOSS IN IRAQ.—*

15                   (1) *IN GENERAL.—During the period beginning*  
16                   *on October 1, 2016, and ending on December 31,*  
17                   *2017, amounts available pursuant to section 1201 of*  
18                   *the National Defense Authorization Act for Fiscal*  
19                   *Year 2012, as amended by this section, shall also be*  
20                   *available for ex gratia payments for damage, personal*  
21                   *injury, or death that is incident to combat operations*  
22                   *of the Armed Forces in Iraq.*

23                   (2) *NOTICE AND WAIT.—The authority in this*  
24                   *subsection may not be used until 30 days after the*  
25                   *date on which the Secretary of Defense submits to the*

1 congressional defense committees a report setting forth  
2 the following:

3 (A) *The amount that will be used for pay-*  
4 *ments pursuant to this subsection.*

5 (B) *The manner in which claims for pay-*  
6 *ments shall be verified.*

7 (C) *The officers or officials who shall be au-*  
8 *thorized to approve claims for payments.*

9 (D) *The manner in which payments shall*  
10 *be made.*

11 (3) *LIMITATION ON AMOUNT AVAILABLE.—The*  
12 *total amount of payments made pursuant to this sub-*  
13 *section during the period beginning on October 1,*  
14 *2016, and ending on December 31, 2017, may not ex-*  
15 *ceed \$5,000,000.*

16 (4) *AUTHORITIES APPLICABLE TO PAYMENT.—*  
17 *Any payment made pursuant to this subsection shall*  
18 *be made in accordance with the authorities and limi-*  
19 *tations in section 8121 of the Department of Defense*  
20 *Appropriations Act, 2015 (division C of Public Law*  
21 *113–235), other than subsection (h) of such section.*

22 (5) *CONSTRUCTION WITH RESTRICTION ON*  
23 *AMOUNT OF PAYMENTS.—For purposes of the applica-*  
24 *tion of subsection (e) of such section 1201, as so*  
25 *amended, to any payment pursuant to this sub-*

1        *section, such payment shall be deemed to be a project*  
2        *described by such subsection (e).*

3        **SEC. 1212. EXTENSION AND MODIFICATION OF AUTHORITY**  
4                                    **FOR REIMBURSEMENT OF CERTAIN COALI-**  
5                                    **TION NATIONS FOR SUPPORT PROVIDED TO**  
6                                    **UNITED STATES MILITARY OPERATIONS.**

7        (a) *EXTENSION.*—*Subsection (a) of section 1233 of the*  
8        *National Defense Authorization Act for Fiscal Year 2008*  
9        *(Public Law 110–181; 122 Stat. 393), as most recently*  
10       *amended by section 1212 of the National Defense Authoriza-*  
11       *tion Act for Fiscal Year 2016 (Public Law 114–92; 129*  
12       *Stat. 1043), is further amended by striking “fiscal year*  
13       *2016” and inserting “the period beginning on October 1,*  
14       *2016, and ending on December 31, 2017.”.*

15       (b) *LIMITATION ON AMOUNTS AVAILABLE.*—*Subsection*  
16       *(d)(1) of such section, as so amended, is further amended—*

17                    (1) *in the second sentence, by striking “during*  
18        *fiscal year 2016 may not exceed \$1,160,000,000” and*  
19        *inserting “during the period beginning on October 1,*  
20        *2016, and ending on December 31, 2017, may not ex-*  
21        *ceed \$1,100,000,000”; and*

22                    (2) *in the third sentence, by striking “fiscal year*  
23        *2016” and inserting “the period beginning on October*  
24        *1, 2016, and ending on December 31, 2017.”.*

1           (c) *EXTENSION OF NOTICE REQUIREMENT RELATING*  
2 *TO REIMBURSEMENT OF PAKISTAN FOR SUPPORT PRO-*  
3 *VIDED BY PAKISTAN.*—Section 1232(b)(6) of the National  
4 *Defense Authorization Act for Fiscal Year 2008 (122 Stat.*  
5 *393), as most recently amended by section 1212(c) of the*  
6 *National Defense Authorization Act for Fiscal Year 2016*  
7 *(129 Stat. 1043), is further amended by striking “Sep-*  
8 *tember 30, 2016” and inserting “December 31, 2017”.*

9           (d) *EXTENSION OF LIMITATION ON REIMBURSEMENT*  
10 *OF PAKISTAN PENDING CERTIFICATION ON PAKISTAN.*—  
11 *Section 1227(d)(1) of the National Defense Authorization*  
12 *Act for Fiscal Year 2013 (Public Law 112–239; 126 Stat.*  
13 *2001), as most recently amended by section 1212(d) of the*  
14 *National Defense Authorization Act for Fiscal Year 2016*  
15 *(129 Stat. 1043), is further amended by striking “for fiscal*  
16 *year 2016 or any prior fiscal year” and inserting “for any*  
17 *period prior to December 31, 2017”.*

18           (e) *ADDITIONAL LIMITATION ON REIMBURSEMENT OF*  
19 *PAKISTAN PENDING CERTIFICATION ON PAKISTAN.*—Of the  
20 *total amount of reimbursements and support authorized for*  
21 *Pakistan during the period beginning on October 1, 2016,*  
22 *and ending on December 31, 2017, pursuant to the third*  
23 *sentence of section 1233(d)(1) of the National Defense Au-*  
24 *thorization Act for Fiscal Year 2008 (as amended by sub-*  
25 *section (b)(2)), \$450,000,000 shall not be eligible for the*

1 *waiver under section 1227(d)(2) of the National Defense*  
2 *Authorization Act for Fiscal Year 2013 (126 Stat. 2001)*  
3 *unless the Secretary of Defense certifies to the congressional*  
4 *defense committees that—*

5           (1) *Pakistan continues to conduct military oper-*  
6 *ations in North Waziristan that are contributing to*  
7 *significantly disrupting the safe haven and freedom of*  
8 *movement of the Haqqani Network in Pakistan;*

9           (2) *Pakistan has taken steps to demonstrate its*  
10 *commitment to prevent the Haqqani Network from*  
11 *using North Waziristan as a safe haven;*

12           (3) *the Government of Pakistan actively coordi-*  
13 *nates with the Government of Afghanistan to restrict*  
14 *the movement of militants, such as the Haqqani Net-*  
15 *work, along the Afghanistan-Pakistan border;*

16           (4) *Pakistan has shown progress in arresting*  
17 *and prosecuting Haqqani network senior leaders and*  
18 *mid-level operatives; and*

19           (5) *Pakistan is not using its military or any*  
20 *funds or equipment provided by the United States to*  
21 *persecute minority groups seeking political or reli-*  
22 *gious freedom, including the Balochi, Sindhi, and*  
23 *Hazara ethnic groups and minority religious groups,*  
24 *including Christian, Hindu, and Ahmadiyya Muslim.*

1 **SEC. 1213. EXTENSION OF AUTHORITY TO ACQUIRE PROD-**  
2 **UCTS AND SERVICES PRODUCED IN COUN-**  
3 **TRIES ALONG A MAJOR ROUTE OF SUPPLY TO**  
4 **AFGHANISTAN.**

5 *Section 801(f) of the National Defense Authorization*  
6 *Act for Fiscal Year 2010 (Public Law 111–84; 123 Stat.*  
7 *2399), as most recently amended by section 1214 of the Na-*  
8 *tional Defense Authorization Act for Fiscal Year 2016 (Pub-*  
9 *lic Law 114–92; 129 Stat. 1045), is further amended by*  
10 *striking “December 31, 2016” and inserting “December 31,*  
11 *2017”.*

12 **SEC. 1214. EXTENSION OF AUTHORITY TO TRANSFER DE-**  
13 **FENSE ARTICLES AND PROVIDE DEFENSE**  
14 **SERVICES TO THE MILITARY AND SECURITY**  
15 **FORCES OF AFGHANISTAN.**

16 *(a) EXTENSION.—Subsection (h) of section 1222 of the*  
17 *National Defense Authorization Act for Fiscal Year 2013*  
18 *(Public Law 112–239; 126 Stat. 1992), as most recently*  
19 *amended by section 1215 of the National Defense Authoriza-*  
20 *tion Act for Fiscal Year 2016 (Public Law 114–92; 129*  
21 *Stat. 1045), is further amended by striking “December 31,*  
22 *2016” and inserting “December 31, 2017”.*

23 *(b) QUARTERLY REPORTS.—Subsection (f)(1) of such*  
24 *section, as so amended, is further amended by striking*  
25 *“March 31, 2017” and inserting “March 31, 2018”.*

1       (c) *EXCESS DEFENSE ARTICLES.*—Subsection (i)(2) of  
2 such section, as so amended, is further amended by striking  
3 “,, 2015, and 2016” each place it appears and inserting  
4 “, 2015, 2016, and 2017”.

5 **SEC. 1215. SENSE OF CONGRESS ON UNITED STATES POL-**  
6 **ICY AND STRATEGY IN AFGHANISTAN.**

7       (a) *FINDINGS.*—Congress finds the following:

8           (1) *The United States continues to have vital na-*  
9 *tional security interests in ensuring that Afghanistan*  
10 *is a stable, sovereign country.*

11           (2) *President Obama signed a Strategic Partner-*  
12 *ship Agreement and a Bilateral Security Agreement*  
13 *with the President of the Islamic Republic of Afghani-*  
14 *stan, which commits the United States to the long-*  
15 *term security of, and defense cooperation with, the*  
16 *Government of Afghanistan and designates Afghani-*  
17 *stan as a “major non-NATO ally”.*

18           (3) *The unity government in Afghanistan, led by*  
19 *President Ghani and Chief Executive Abdullah,*  
20 *should be applauded for their continued leadership*  
21 *and commitment to Afghanistan’s stability and secu-*  
22 *rity.*

23           (4) *Stability and security in Afghanistan rein-*  
24 *forces stability and security in the region.*

1           (5) *The best long-term guarantor of stability and*  
2 *security in Afghanistan is a stable unity government*  
3 *and a capable Afghan National Defense and Security*  
4 *Forces (ANDSF).*

5           (6) *The President's current policy is to draw*  
6 *down from 9,800 to 5,500 United States troops by*  
7 *January 1, 2017. As the recent commander in Af-*  
8 *ghanistan, General John Campbell, testified to the*  
9 *Senate Armed Services Committee, "the 5,500 [U.S.*  
10 *troops] plan was developed primarily around counter-*  
11 *terrorism. There's very limited train-advise-and-as-*  
12 *sist...in those numbers. To continue to build on the*  
13 *Afghan Security Forces, the gaps and seams in avia-*  
14 *tion, logistics, intelligence...we'd have to make some*  
15 *adjustments to that number."*

16           (7) *The President's policy of limiting the number*  
17 *of United States troops that the commander can em-*  
18 *ploy in Afghanistan is hindering the effectiveness of*  
19 *the United States mission therein.*

20           (8) *Further, at the current policy of 9,800*  
21 *United States troops, the new commander of Oper-*  
22 *ation Resolute Support in Afghanistan, General John*  
23 *"Mick" Nicholson, agreed in testimony with the Sen-*  
24 *ate Armed Services Committee that the security situa-*



1        *tion in Afghanistan has been deteriorating rather*  
2        *than improving.*

3            (9) *General John Campbell also stated*  
4        *“ . . . Afghan shortfalls will persist beyond 2016. Ca-*  
5        *pability gaps still exist in fixed and rotary-wing*  
6        *aviation, combined arms operations, intelligence col-*  
7        *lection and dissemination, and maintenance.”.*

8            (10) *General John Campbell further stated “I*  
9        *have the authority to protect coalition members*  
10       *against any insurgents. . .to attack the Taliban just*  
11       *because they’re Taliban, I do not have that author-*  
12       *ity.”.*

13           (11) *The Taliban have made territorial gains*  
14       *and are holding terrain in key geographic areas in*  
15       *Afghanistan, including in Helmand Province.*

16           (12) *The Taliban held the city of Kunduz, Af-*  
17       *ghanistan, which is the first time the Taliban have*  
18       *held a major city in Afghanistan in 14 years.*

19           (13) *The Haqqani Network, a designated foreign*  
20       *terrorist organization aligned with the Taliban, is the*  
21       *most lethal group on the battlefield in Afghanistan,*  
22       *and continues to provide safe haven to al-Qaeda.*

23           (14) *The Islamic State of Iraq and the Levant*  
24       *(ISIL) has established an affiliate in Afghanistan.*

1           (15) *Since the death of the Taliban's leader,*  
2           *Mullah Mohammad Omar, and the ascendance of*  
3           *Mullah Akhtar Mansoor and Saraj Haqqani, head of*  
4           *the Haqqani Network, to Taliban leadership, the*  
5           *Taliban have not engaged in political reconciliation*  
6           *negotiations with the Government of Afghanistan.*

7           (16) *The President has the statutory, legal au-*  
8           *thority to strike the Taliban and the Haqqani Net-*  
9           *work.*

10          (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
11          *that—*

12                 (1) *the President should authorize at least 9,800*  
13                 *United States troops to continue the train, advise,*  
14                 *and assist and counterterrorism missions in Afghani-*  
15                 *stan after 2016;*

16                 (2) *the President should provide the United*  
17                 *States commander in Afghanistan with the authority*  
18                 *to unilaterally strike the Taliban and the Haqqani*  
19                 *Network;*

20                 (3) *the President should provide additional re-*  
21                 *sources to strike the Islamic State of Iraq and the Le-*  
22                 *vant (ISIL) in Afghanistan;*

23                 (4) *the President should provide the United*  
24                 *States commander in Afghanistan the authority to*  
25                 *conduct the train, advise, and assist mission below*

1        *the corps level of the Afghan National Defense and Se-*  
2        *curity Forces (ANDSF);*

3            *(5) the United States should provide United*  
4        *States Armed Forces lift and close air support to*  
5        *ANDSF units until the ANDSF has a fully capable,*  
6        *organic lift and close air support capability and ca-*  
7        *capacity;*

8            *(6) the United States should provide monetary*  
9        *and advisory support for 352,000 ANDSF personnel*  
10       *and 30,000 Afghan Local Police, including intel-*  
11       *ligence, surveillance, and reconnaissance support,*  
12       *through 2018;*

13           *(7) it should continue to be a top priority to pro-*  
14       *vide United States Armed Forces deployed to Afghan-*  
15       *istan with necessary medical, force protection, and*  
16       *combat search and rescue support; and*

17           *(8) United States military personnel who are*  
18       *tasked with the mission of providing combat search*  
19       *and rescue support, casualty evacuation, and medical*  
20       *support should not be counted as part of any force*  
21       *management level limitation on the number of United*  
22       *States ground forces in Afghanistan.*

1 **SEC. 1216. SPECIAL IMMIGRANT STATUS FOR CERTAIN AF-**  
2 **GHANS.**

3 (a) *ALIENS DESCRIBED.*—Section 602(b)(2)(A)(i)(I)  
4 *of the Afghan Allies Protection Act of 2009 (8 U.S.C. 1101*  
5 *note) is amended to read as follows:*

6 “(I)(aa) *by, or on behalf of, the*  
7 *United States Government, in the case*  
8 *of an alien submitting an application*  
9 *for Chief of Mission approval pursuant*  
10 *to subparagraph (D) before the date of*  
11 *the enactment of the National Defense*  
12 *Authorization Act for Fiscal Year*  
13 *2017; or*

14 “(bb) *in the case of an alien sub-*  
15 *mitting an application for Chief of*  
16 *Mission approval pursuant to subpara-*  
17 *graph (D) on or after the date of the*  
18 *enactment of the National Defense Au-*  
19 *thorization Act for Fiscal Year 2017,*  
20 *in a capacity that required the alien—*

21 “(AA) *to serve as an inter-*  
22 *preter or translator for personnel*  
23 *of the Department of State or the*  
24 *United States Agency for Inter-*  
25 *national Development in Afghani-*  
26 *stan while traveling away from*

1 *United States embassies or con-*  
2 *sulates with such personnel;*

3 *“(BB) to serve as an inter-*  
4 *preter or translator for United*  
5 *States military personnel in Af-*  
6 *ghanistan while traveling off-base*  
7 *with such personnel; or*

8 *“(CC) to perform sensitive*  
9 *and trusted activities for United*  
10 *States military personnel sta-*  
11 *tioned in Afghanistan; or”.*

12 *(b) NUMERICAL LIMITATIONS.—Clauses (i) and (ii) of*  
13 *section 602(b)(3)(F) of such Act are each amended by strik-*  
14 *ing “December 31, 2016;” and inserting “December 31,*  
15 *2017;”.*

16 *(c) REPORT.—Section 602(b)(14) of such Act is*  
17 *amended—*

18 *(1) by striking “Not later than 60 days after the*  
19 *date of the enactment of this paragraph,” and insert-*  
20 *ing “Not later than December 31, 2016, and annually*  
21 *thereafter through January 31, 2021;” and*

22 *(2) in subparagraph (A)(i), by striking “under*  
23 *this section;” and inserting “under subclause (I) or*  
24 *(II)(bb) of paragraph (2)(A)(i);”.*

1 **SEC. 1217. MODIFICATION TO SEMIANNUAL REPORT ON EN-**  
2 **HANCING SECURITY AND STABILITY IN AF-**  
3 **GHANISTAN.**

4 *Subsection (b) of section 1225 of the Carl Levin and*  
5 *Howard P. “Buck” McKeon National Defense Authoriza-*  
6 *tion Act for Fiscal Year 2015 (Public Law 113–291; 128*  
7 *Stat. 3550), as amended by section 1213 of the National*  
8 *Defense Authorization Act for Fiscal Year 2016 (Public*  
9 *Law 114–92; 129 Stat. 1045), is further amended by adding*  
10 *at the end the following:*

11 *“(8) AFGHAN PERSONNEL AND PAY SYSTEM.—A*  
12 *description of the status of the implementation of the*  
13 *Afghan Personnel and Pay System (APPS) at the Af-*  
14 *ghan Ministry of Interior and the Afghan Ministry of*  
15 *Defense for personnel funds provided through the Af-*  
16 *ghanistan Security Forces Fund, including a descrip-*  
17 *tion of the following:*

18 *“(A) The expected completion date of instal-*  
19 *lation and full implementation and utilization*  
20 *of the APPS.*

21 *“(B) If installation of the APPS is complete*  
22 *at one, or both, ministries, the extent to which*  
23 *the APPS is being utilized to distribute per-*  
24 *sonnel funds to the Afghan National Army and*  
25 *Afghan National Police.*

1           “(C) *If installation of the APPS is not com-*  
2           *plete at one, or both, ministries, or full imple-*  
3           *mentation and utilization of the APPS has not*  
4           *been achieved at one, or both, ministries, an ex-*  
5           *planation of any delays, any expected obstacles,*  
6           *and any additional support that may be needed*  
7           *for installation or full implementation and utili-*  
8           *zation.*

9           “(D) *Any examples of intentional delay or*  
10           *obstruction by members of the Government of Af-*  
11           *ghanistan, to include one, or both, ministries, or*  
12           *any sub-unit thereof, to installing or fully imple-*  
13           *menting or utilizing the APPS.*

14           “(E) *If the APPS is fully implemented at*  
15           *one, or both, ministries, the identified cost sav-*  
16           *ings to date, due to the elimination of waste,*  
17           *fraud, and abuse at the ministry compared to*  
18           *the previous payroll system. If the APPS is not*  
19           *fully implemented at one, or both, ministries, the*  
20           *expected cost savings due to the elimination of*  
21           *waste, fraud, and abuse at the ministry once the*  
22           *APPS is fully implemented.*

23           “(F) *If the APPS is not fully implemented,*  
24           *what steps the United States and Afghanistan*  
25           *are taking to mitigate waste, fraud, and abuse in*

1           *the disbursement of personnel funds provided*  
2           *through the Afghanistan Security Forces Fund.”.*

3 **SEC. 1218. SENSE OF CONGRESS RELATING TO DR. SHAKIL**

4           **AFRIDI.**

5           *(a) FINDINGS.—Congress finds the following:*

6           *(1) The attacks of September 11, 2001, killed ap-*  
7           *proximately 3,000 people, most of whom were Ameri-*  
8           *cans, but also included hundreds of individuals with*  
9           *foreign citizenships, nearly 350 New York Fire De-*  
10          *partment personnel, and about 50 law enforcement of-*  
11          *ficers.*

12          *(2) Downed United Airlines flight 93 was report-*  
13          *edly intended, under the control of the al-Qaeda high-*  
14          *jackers, to crash into the White House or the Capitol*  
15          *in an attempt to kill the President of the United*  
16          *States or Members of the United States Congress.*

17          *(3) The September 11, 2001, attacks were largely*  
18          *planned and carried out by the al-Qaeda terrorist*  
19          *network led by Osama bin Laden and his deputy*  
20          *Ayman al Zawahiri, after which Osama bin Laden*  
21          *enjoyed safe haven in Pakistan from where he contin-*  
22          *ued to plot deadly attacks against the United States*  
23          *and the world.*

24          *(4) The United States has obligated nearly \$30*  
25          *billion between 2002 and 2014 in United States tax-*



1        *payer money for security and economic aid to Paki-*  
2        *stan.*

3            *(5) The United States very generously and swift-*  
4        *ly responded to the 2005 Kashmir Earthquake in*  
5        *Pakistan with more than \$200 million in emergency*  
6        *aid and the support of several United States military*  
7        *aircraft, approximately 1,000 United States military*  
8        *personnel, including medical specialists, thousands of*  
9        *tents, blankets, water containers and a variety of*  
10       *other emergency equipment.*

11           *(6) The United States again generously and*  
12        *swiftly contributed approximately \$150 million in*  
13        *emergency aid to Pakistan following the 2010 Paki-*  
14        *stan flood, in addition to the service of nearly twenty*  
15        *United States military helicopters, their flight crews,*  
16        *and other resources to assist the Pakistan Army's re-*  
17        *lief efforts.*

18           *(7) The United States continues to work tire-*  
19        *lessly to support Pakistan's economic development, in-*  
20        *cluding millions of dollars allocated towards the de-*  
21        *velopment of Pakistan's energy infrastructure, health*  
22        *services and education system.*

23           *(8) The United States and Pakistan continue to*  
24        *have many critical shared interests, both economic*

1        *and security related, which could be the foundation*  
2        *for a positive and mutually beneficial partnership.*

3            *(9) Dr. Shakil Afridi, a Pakistani physician, is*  
4        *a hero to whom the people of the United States, Paki-*  
5        *stan and the world owe a debt of gratitude for his*  
6        *help in finally locating Osama bin Laden before more*  
7        *innocent American, Pakistani and other lives were*  
8        *lost to this terrorist leader.*

9            *(10) Pakistan, the United States and the inter-*  
10       *national community had failed for nearly 10 years*  
11       *following attacks of September 11, 2001, to locate and*  
12       *bring Osama bin Laden, who continued to kill inno-*  
13       *cent civilians in the Middle East, Asia, Europe, Afri-*  
14       *ca and the United States, to justice without the help*  
15       *of Dr. Afridi.*

16           *(11) The Government of Pakistan's imprison-*  
17       *ment of Dr. Afridi presents a serious and growing*  
18       *impediment to the United States' bilateral relations*  
19       *with Pakistan.*

20           *(12) The Government of Pakistan has leveled and*  
21       *allowed baseless charges against Dr. Afridi in a po-*  
22       *litically motivated, spurious legal process.*

23           *(13) Dr. Afridi is currently imprisoned by the*  
24       *Government of Pakistan, a deplorable and uncon-*  
25       *scionable situation which calls into question Paki-*

1 *stan’s actual commitment to countering terrorism*  
 2 *and undermines the notion that Pakistan is a true*  
 3 *ally in the struggle against terrorism.*

4 *(b) SENSE OF CONGRESS.—It is the sense of Congress*  
 5 *that Dr. Shakil Afridi is an international hero and that*  
 6 *the Government of Pakistan should release him immediately*  
 7 *from prison.*

8 **SEC. 1219. REPORT ON ACCESS TO FINANCIAL RECORDS OF**  
 9 **THE GOVERNMENT OF AFGHANISTAN TO**  
 10 **AUDIT THE USE OF FUNDS FOR ASSISTANCE**  
 11 **FOR AFGHANISTAN.**

12 *Not later than December 31, 2017, the Secretary of De-*  
 13 *fense shall submit to Congress a report on the extent to*  
 14 *which the Combined Security Transition Command-Af-*  
 15 *ghanistan has adequate access to financial records of the*  
 16 *Government of Afghanistan to audit the use of funds au-*  
 17 *thorized to be appropriated by this Act or otherwise made*  
 18 *available for fiscal year 2017 for assistance for Afghanistan.*

19 ***Subtitle C—Matters Relating to***  
 20 ***Syria and Iraq***

21 **SEC. 1221. MODIFICATION AND EXTENSION OF AUTHORITY**  
 22 **TO PROVIDE ASSISTANCE TO THE VETTED**  
 23 **SYRIAN OPPOSITION.**

24 *(a) IN GENERAL.—Subsection (a) of section 1209 of*  
 25 *the Carl Levin and Howard P. “Buck” McKeon National*

1 *Defense Authorization Act for Fiscal Year 2015 (Public*  
2 *Law 113–291; 128 Stat. 3541) is amended by striking “De-*  
3 *cember 31, 2016” and inserting “December 31, 2017”.*

4 *(b) REPROGRAMMING REQUIREMENT.—Subsection (f)*  
5 *of such section, as amended by section 1225(e) of the Na-*  
6 *tional Defense Authorization Act for Fiscal Year 2016 (Pub-*  
7 *lic Law 114–92; 129 Stat. 1055), is further amended—*

8 *(1) in paragraph (1), by striking “December 31,*  
9 *2016” and inserting “December 31, 2017”; and*

10 *(2) by adding at the end the following:*

11 *“(3) CERTIFICATION ACCOMPANYING RE-*  
12 *PROGRAMMING REQUESTS.—Each request under para-*  
13 *graph (1) shall include a certification of the Secretary*  
14 *of Defense that—*

15 *“(A) a required number and type of United*  
16 *States Armed Forces have been deployed to sup-*  
17 *port the strategy for Syria required under sec-*  
18 *tion 1225(b) of the National Defense Authoriza-*  
19 *tion Act for Fiscal Year 2016 (Public Law 114–*  
20 *92; 129 Stat. 1054) and to support a plan to re-*  
21 *take and hold Raqqa, Syria; and*

22 *“(B) a required number and type of United*  
23 *States Armed Forces have been deployed to sup-*  
24 *port the elements of the Syrian opposition and*  
25 *other Syrian groups and individuals that are to*

1           *be trained and equipped under this section to en-*  
2           *sure that such elements, groups, and individuals*  
3           *are able to defend themselves from attacks by the*  
4           *Islamic State of Iraq and the Levant (ISIL) and*  
5           *Government of Syria forces consistent with the*  
6           *purposes set forth in subsection (a).”.*

7   **SEC. 1222. MODIFICATION AND EXTENSION OF AUTHORITY**  
8                   **TO PROVIDE ASSISTANCE TO COUNTER THE**  
9                   **ISLAMIC STATE OF IRAQ AND THE LEVANT.**

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

12                   *(1) it should be the policy of the United States*  
13           *to support, within the framework of the Iraqi Con-*  
14           *stitution, the Iraqi Kurdish Peshmerga, the Iraqi Se-*  
15           *curity Forces, and Sunni tribal forces in the fight*  
16           *against the Islamic State of Iraq and the Levant;*

17                   *(2) recognizing the important role of the Iraqi*  
18           *Kurdish Peshmerga within the military campaign*  
19           *against ISIL in Iraq, the United States should pro-*  
20           *vide arms, training, and appropriate equipment di-*  
21           *rectly to the Kurdistan Regional Government;*

22                   *(3) efforts should be made to ensure transparency*  
23           *and oversight mechanisms are in place for oversight*  
24           *of United States assistance to combat waste, fraud,*  
25           *and abuse; and*

1           (4) *securing safe areas, including the Nineveh*  
2           *Plain, for purposes of resettling and reintegrating*  
3           *ethnic and religious minorities, including victims of*  
4           *genocide, into their homelands, is a critical compo-*  
5           *nent of a safe, secure, and sovereign Iraq.*

6           (b) *AUTHORITY.*—*Subsection (a) of section 1236 of the*  
7           *Carl Levin and Howard P. “Buck” McKeon National De-*  
8           *fense Authorization Act for Fiscal Year 2015 (Public Law*  
9           *113–291; 128 Stat. 3559) is amended by striking “Decem-*  
10           *ber 31, 2016” and inserting “December 31, 2017”.*

11           (c) *FUNDING.*—*Subsection (g) of such section, as*  
12           *amended by section 1223 of the National Defense Authoriza-*  
13           *tion Act for Fiscal Year 2016 (Public Law 114–92; 129*  
14           *Stat. 1049), is further amended—*

15           (1) *by striking the first sentence and inserting*  
16           *the following: “Of the amounts authorized to be ap-*  
17           *propriated in the National Defense Authorization Act*  
18           *for Fiscal Year 2017 for Overseas Contingency Oper-*  
19           *ations in title XV for fiscal year 2017, there are au-*  
20           *thorized to be appropriated \$680,000,000 to carry out*  
21           *this section.”; and*

22           (2) *by striking the second sentence.*

23           (d) *SUBMISSION OF PLAN REQUIREMENT.*—*Subsection*  
24           *(k) of such section is amended to read as follows:*

1       “(k) *SUBMISSION OF PLAN REQUIREMENT.*—Not more  
2 than 75 percent of the funds authorized to be appropriated  
3 under this section may be obligated or expended until not  
4 earlier than 15 days after the date on which the Secretary  
5 of Defense, in coordination with the Secretary of State, sub-  
6 mits to the appropriate congressional committees a plan to  
7 re-take Mosul, Iraq from the Islamic State of Iraq and the  
8 Levant (ISIL) and to hold Mosul, Iraq.”

9       (e) *BRIEFING AND AUTHORITY TO ASSIST DIRECTLY*  
10 *CERTAIN COVERED GROUPS.*—Subsection (l) of such sec-  
11 tion, as so amended, is further amended—

12           (1) in the subsection heading, by striking “AS-  
13 *SESSMENT*” and inserting “*BRIEFING*”;

14           (2) in paragraph (1)—

15               (A) in the paragraph heading, by striking  
16 “*ASSESSMENT*” and inserting “*BRIEFING*”;

17               (B) in subparagraph (A)—

18                   (i) by striking “*National Defense Au-*  
19 *thorization Act for Fiscal Year 2016*” and  
20 inserting “*National Defense Authorization*  
21 *Act for Fiscal Year 2017*”; and

22                   (ii) by striking “submit to the appro-  
23 priate congressional committees an assess-  
24 ment of” and inserting “provide to the ap-

1           *appropriate congressional committees a brief-*  
2           *ing that includes an assessment of”;*

3           *(C) in subparagraph (C)—*

4                 *(i) by striking “submit to the appro-*  
5                 *priate congressional committees an update*  
6                 *of” and inserting “provide to the appro-*  
7                 *priate congressional committees a briefing*  
8                 *that includes an update of”; and*

9                 *(ii) by striking “the assessment is sub-*  
10                 *mitted” and inserting “the briefing is pro-*  
11                 *vided”; and*

12           *(D) by striking subparagraph (D);*

13         *(3) in paragraph (2)—*

14           *(A) in subparagraph (A)—*

15                 *(i) by striking “If the President” and*  
16                 *all that follows through “the Secretary of*  
17                 *Defense” and inserting “Of the funds au-*  
18                 *thorized to be appropriated under this sec-*  
19                 *tion, \$50,000,000 shall be available to the*  
20                 *Secretary of Defense”;*

21                 *(ii) by striking “is authorized”;*

22                 *(iii) by striking “assistance” and in-*  
23                 *serting “stipends and sustainment”; and*

24                 *(iv) by adding at the end the following:*

25                 *“Of the funds made available to carry out*



1            *this subparagraph, not less than 33 percent*  
 2            *shall be available for stipends and*  
 3            *sustainment for the group described in sub-*  
 4            *paragraph (D)(i).”.*

5            *(B) in subparagraph (C)—*

6                    *(i) in the heading, by striking “COST-*  
 7                    *SHARING” and inserting “SUBMISSION OF*  
 8                    *PLAN”;* and

9                    *(ii) by striking “cost-sharing” and in-*  
 10                   *serting “submission of plan”;* and

11            *(C) in subparagraph (D) to read as follows:*

12                    *“(D) COVERED GROUPS.—The groups de-*  
 13                    *scribed in this subparagraph are the following*  
 14                    *groups that are directly engaged in the cam-*  
 15                    *pany for Mosul, Iraq:*

16                    *“(i) The Iraqi Kurdish Peshmerga.*

17                    *“(ii) Sunni tribal security forces, or*  
 18                    *other local security forces, including ethnic*  
 19                    *and religious minority groups, with a na-*  
 20                    *tional security mission.”.*

21            *(f) PROHIBITION ON ASSISTANCE AND REPORT ON*  
 22            *EQUIPMENT OR SUPPLIES TRANSFERRED TO OR ACQUIRED*  
 23            *BY VIOLENT EXTREMIST ORGANIZATIONS.—*

24                    *(1) PROHIBITION.—Assistance authorized under*  
 25                    *section 1236 of the Carl Levin and Howard P.*

1       *“Buck” McKeon National Defense Authorization Act*  
2       *for Fiscal Year 2015 (Public Law 113–291; 128 Stat.*  
3       *3559), as so amended, may not be provided to the*  
4       *Government of Iraq after the date that is 90 days*  
5       *after the date of the enactment of this Act unless the*  
6       *Secretary of Defense certifies to the appropriate con-*  
7       *gressional committees, after the date of the enactment*  
8       *of this Act, that the Government of Iraq has taken*  
9       *such actions as may be reasonably necessary to safe-*  
10       *guard against such assistance being transferred to or*  
11       *acquired by violent extremist organizations.*

12               (2) *BRIEFING.—*

13                       (A) *BRIEFING REQUIRED.—Not later than*  
14                       *30 days after the date on which the Secretary of*  
15                       *Defense makes any determination that equip-*  
16                       *ment or supplies provided pursuant to section*  
17                       *1236(a) of the Carl Levin and Howard P.*  
18                       *“Buck” McKeon National Defense Authorization*  
19                       *Act for Fiscal Year 2015 (Public Law 113–291;*  
20                       *128 Stat. 3559), as so amended, have been trans-*  
21                       *ferred to or acquired by a violent extremist orga-*  
22                       *nization, the Secretary shall provide to the ap-*  
23                       *propriate congressional committees a briefing*  
24                       *that contains a description of the determination*

1           *of the Secretary and the transfer to or acquisi-*  
2           *tion by the violent extremist organization.*

3           *(B) ELEMENTS.—Each briefing under*  
4           *paragraph (1) shall include, with respect to the*  
5           *transfer covered by the report, the following:*

6                   *(i) An assessment of the type and*  
7                   *quantity of equipment or supplies trans-*  
8                   *ferred to the violent extremist organization.*

9                   *(ii) A description of the criteria used*  
10                  *to determine that the organization is a vio-*  
11                  *lent extremist organization.*

12                  *(iii) A description, if known, of how*  
13                  *the equipment or supplies were transferred*  
14                  *to or acquired by the violent extremist orga-*  
15                  *nization.*

16                  *(iv) If the equipment or supplies are*  
17                  *determined to remain under the current*  
18                  *control of the violent extremist organization,*  
19                  *a description of the organization, including*  
20                  *its relationship, if any, to the security forces*  
21                  *of the Government of Iraq.*

22                  *(v) A description of the end use moni-*  
23                  *toring or other policies and procedures in*  
24                  *place in order to prevent equipment or sup-*

1                    *plies to be transferred to or acquired by vio-*  
2                    *lent extremist organizations.*

3                    (3) *DEFINITIONS.—In this subsection:*

4                    (A) *APPROPRIATE CONGRESSIONAL COMMIT-*  
5                    *TEES.—The term “appropriate congressional*  
6                    *committees” means—*

7                    (i) *the congressional defense commit-*  
8                    *tees; and*

9                    (ii) *the Committee on Foreign Rela-*  
10                    *tions of the Senate and the Committee on*  
11                    *Foreign Affairs of the House of Representa-*  
12                    *tives.*

13                    (B) *VIOLENT EXTREMIST ORGANIZATION.—*  
14                    *The term “violent extremist organization” means*  
15                    *an organization that—*

16                    (i) *is a foreign terrorist organization*  
17                    *designated by the Secretary of State under*  
18                    *section 219 of the Immigration and Nation-*  
19                    *ality Act (8 U.S.C. 1189) or is associated*  
20                    *with a foreign terrorist organization; or*

21                    (ii) *is known to be under the command*  
22                    *and control of, or is associated with, the*  
23                    *Government of Iran.*

1 **SEC. 1223. EXTENSION AND MODIFICATION OF AUTHORITY**  
2 **TO SUPPORT OPERATIONS AND ACTIVITIES**  
3 **OF THE OFFICE OF SECURITY COOPERATION**  
4 **IN IRAQ.**

5 (a) *EXTENSION OF AUTHORITY.*—Subsection (f)(1) of  
6 section 1215 of the National Defense Authorization Act for  
7 Fiscal Year 2012 (Public Law 112–81; 125 Stat. 1631; 10  
8 U.S.C. 113 note), as most recently amended by section 1221  
9 of the National Defense Authorization Act for Fiscal Year  
10 2016 (Public Law 114–92; 129 Stat. 1047), is further  
11 amended—

12 (1) by striking “fiscal year 2016” and inserting  
13 “fiscal year 2017”; and

14 (2) by inserting “, Iraqi Border Police,” after  
15 “Iraqi Ministry of Defense”.

16 (b) *AUTHORITY.*—Subsection (a) of such section is  
17 amended by striking “transition” and inserting “security”.

18 (c) *AMOUNT AVAILABLE.*—Such section, as so amend-  
19 ed, is further amended—

20 (1) in subsection (c), by striking “fiscal year  
21 2016” and inserting “fiscal year 2017”; and

22 (2) in subsection (d), by striking “fiscal year  
23 2016” and inserting “fiscal year 2017”.

1 **SEC. 1224. REPORT ON PREVENTION OF FUTURE TER-**  
2 **RORIST ORGANIZATIONS IN IRAQ AND SYRIA.**

3 (a) *REPORT REQUIRED.*—Not later than 180 days  
4 after the date of the enactment of this Act, the Secretary  
5 of Defense shall submit to the congressional defense commit-  
6 tees a report that describes the political, economic, and secu-  
7 rity conditions in Iraq and Syria that would be necessary  
8 and sufficient to prevent the formation of future terrorist  
9 organizations in Iraq and Syria that may present a danger  
10 to the United States, its allies, and the stability of Iraq,  
11 Syria, and the rest of the Middle East region.

12 (b) *MATTERS TO BE INCLUDED.*—The report required  
13 under subsection (a) shall include the following:

14 (1) *A detailed construct of the conditions that*  
15 *must be met for the Islamic State to be considered de-*  
16 *feated and a successful conclusion to Operation Inher-*  
17 *ent Resolve achieved.*

18 (2) *A detailed explanation of the political, eco-*  
19 *nomie, and security conditions that would—*

20 (A) *provide reasonable confidence a new ter-*  
21 *rorist organization, including a successor to al*  
22 *Qaeda or Islamic State, or an unrelated organi-*  
23 *zation, would not form in the region in the short*  
24 *and long term;*

1           (B) decrease probability of terrorist attacks  
2 on the United States, its allies, and countries in  
3 the Middle East;

4           (C) eliminate safe havens for terrorist orga-  
5 nizations in Syria and Iraq; and

6           (D) diminish refugee flows within and out  
7 of Iraq and Syria.

8           (3) A strategy for the United States and its al-  
9 lies and partners to facilitate those political, eco-  
10 nomic, and security conditions in the short and long  
11 term, including a description of—

12           (A) the posture, roles, and activities of the  
13 Department of Defense in Iraq and Syria and  
14 the region;

15           (B) the roles and responsibilities of United  
16 States' allies and regional partners; and

17           (C) the roles and responsibilities for other  
18 countries and groups in the region, including  
19 Kurds, Shia, and Sunni groups in Iraq and  
20 Syria, and Saudi Arabia and Iran.

21           (4) Any other matters the Secretary of Defense  
22 may determine to be appropriate.

23           (c) FORM.—The report required under subsection (a)  
24 shall be submitted in unclassified form, but may contain  
25 a classified annex if necessary.

1 **SEC. 1225. SEMIANNUAL REPORT ON INTEGRATION OF PO-**  
2 **LITICAL AND MILITARY STRATEGIES AGAINST**  
3 **ISIL.**

4 *(a) REPORTS REQUIRED.—*

5 *(1) IN GENERAL.—The Secretary of Defense and*  
6 *the Secretary of State shall jointly submit to the ap-*  
7 *propriate committees of Congress, on a semiannual*  
8 *basis, a report on the political and military strategies*  
9 *to defeat the Islamic State in Iraq and the Levant.*

10 *(2) SUBMITTAL.— A report under paragraph (1)*  
11 *shall be submitted not later than June 15 each year,*  
12 *for the 6-month period ending on May 31 of such*  
13 *year, and not later than December 15 each year, for*  
14 *the 6-month period ending on November 30 of such*  
15 *year.*

16 *(3) FORM.—Each report required under para-*  
17 *graph (1) shall be submitted in unclassified form, but*  
18 *may include a classified annex.*

19 *(b) MATTERS TO BE INCLUDED.—Each report re-*  
20 *quired under subsection (a) shall include the following:*

21 *(1) Military strategy and objectives of the United*  
22 *States Department of Defense and coalition partners*  
23 *against the Islamic State in Iraq and the Levant*  
24 *(hereinafter in this section referred to as “ISIL”);*

25 *(2) Political strategy and objectives of the United*  
26 *States Department of State and coalition partners to*



1       *address the political roots underlying the growth of*  
2       *ISIL, including—*

3               *(A) a comprehensive political plan for*  
4               *achieving a transition plan, interim government,*  
5               *and free and fair internationally monitored elec-*  
6               *tions after the end of the current government*  
7               *headed by Bashar al-Assad;*

8               *(B) a comprehensive political plan for Iraqi*  
9               *political reform and reconciliation between eth-*  
10              *nic groups and political parties (including a*  
11              *plan for passage of national guard legislation,*  
12              *repeal of de-Baathification laws, and a plan for*  
13              *equitable petroleum revenue sharing with the*  
14              *Kurdistan Regional Government); and*

15              *(C) a critical assessment of the current size*  
16              *and structure of the Iraqi Security Forces (here-*  
17              *inafter in this section referred to as “ISF”) in-*  
18              *cluding an assessment of—*

19                      *(i) provincial and neighborhood mili-*  
20                      *tias and special counterterrorism units;*

21                      *(ii) any changes in strength and mix*  
22                      *of force structure within the ISF;*

23                      *(iii) levels of recruitment, retention,*  
24                      *and attrition within ISF forces; and*

25                      *(iv) the operating budget of the ISF.*

1       (c) *REPORT BY COMPTROLLER GENERAL.*—Not later  
2 than 180 days after the date of the enactment of this Act,  
3 the Comptroller General of the United States shall submit  
4 to the appropriate committees of Congress a review of—

5           (1) *the transparency and anti-fraud, internal*  
6 *controls and accounting, and other measures under-*  
7 *taken by the Government of Iraq for the ISF, includ-*  
8 *ing irregular forces, relating to cash transfers and*  
9 *other assistance provided through the Iraq Train and*  
10 *Equip Fund; and*

11           (2) *the financial management capacity and ac-*  
12 *countability of United States direct assistance with*  
13 *respect to all recipients of funding under the Iraq*  
14 *Train and Equip Fund.*

15       (d) *APPROPRIATE COMMITTEES OF CONGRESS DE-*  
16 *FINED.*—In this section, the term “appropriate committees  
17 of Congress” means—

18           (1) *the Committee on Armed Services, the Com-*  
19 *mittee on Appropriations, and the Committee on For-*  
20 *oreign Relations of the Senate; and*

21           (2) *the Committee on Armed Services, the Com-*  
22 *mittee on Appropriations, and the Committee on For-*  
23 *oreign Affairs of the House of Representatives.*

1       (e) *SUNSET.*—*The requirements under this section*  
2 *shall expire on the date that is three years after the date*  
3 *of the enactment of this Act.*

4 **SEC. 1226. SENSE OF CONGRESS CONDEMNING CON-**  
5 **TINUING ATTACKS ON MEDICAL FACILITIES**  
6 **IN SYRIA.**

7       (a) *FINDINGS.*—*Congress finds the following:*

8           (1) *Attacks intentionally targeting civilians,*  
9 *medical personnel, or medical facilities constitute*  
10 *grave violations of international humanitarian law.*

11           (2) *In Syria, schools, markets, and hospitals are*  
12 *routinely destroyed in attacks and medical providers*  
13 *routinely targeted for attacks.*

14           (3) *Physicians for Human Rights has docu-*  
15 *mented at least 350 airstrikes against medical facili-*  
16 *ties and the deaths of over 700 medical personnel in*  
17 *Syria since 2011.*

18           (4) *So far in May 2016, there have been at least*  
19 *six attacks on medical facilities in the city of Aleppo*  
20 *alone in less than a week killing dozens, including the*  
21 *last pediatrician still working in Aleppo.*

22           (5) *These attacks seriously hinder access to med-*  
23 *ical care and are compounded by ongoing efforts by*  
24 *the Syrian regime to block or limit humanitarian aid*  
25 *to Syrians.*

1           (6) *Secretary of State John Kerry has con-*  
2 *demned these attacks arguing, “there is no justifica-*  
3 *tion for this horrific violence that targets civilians or*  
4 *medical facilities or first responders no matter who it*  
5 *is, whether it’s a member of the opposition retaliating*  
6 *or the regime in its brutality against the civilians*  
7 *which has continued for five years.”.*

8           (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
9 *that—*

10           (1) *the Department of Defense and all other ap-*  
11 *propriate United States Government agencies should*  
12 *continue to strongly condemn and call for an imme-*  
13 *diate end to attacks on medical facilities and medical*  
14 *providers in Syria and work to ensure that doctors*  
15 *can do their job and provide care to the those in need;*

16           (2) *humanitarian crises in Syria and Iraq, ex-*  
17 *acerbated by targeted attacks on medical facilities,*  
18 *personnel, and schools, threaten the achievement of*  
19 *United States goals in the region, such as destroying*  
20 *and dismantling the Islamic State in Iraq and the*  
21 *Levant (ISIL) and peace and stability in the region,*  
22 *including Syria;*

23           (3) *the United States and international commu-*  
24 *nity should do more to support medical professionals*  
25 *and medical nonprofit organizations working in*

1 *Syria, at great risk to their personal well-being, to*  
 2 *treat the ill and infirm and ensure some level of med-*  
 3 *ical care for Syrians; and*

4 *(4) the Department of Defense is strongly encour-*  
 5 *aged to support, where appropriate, other appropriate*  
 6 *United States Government agencies and entities en-*  
 7 *gaged in meeting urgent and increasing humani-*  
 8 *tarian and medical needs in Syria, especially in*  
 9 *areas where medical facilities and providers have been*  
 10 *targeted by the Syrian regime, ISIL, or Al-Qaeda.*

11 **SEC. 1227. UNITED NATIONS PROCESSING CENTER IN**  
 12 **ERBIL, IRAQI KURDISTAN, TO ASSIST INTER-**  
 13 **NATIONALLY-DISPLACED COMMUNITIES.**

14 *The President shall instruct the United States Perma-*  
 15 *nent Representative to the United Nations to use the voice*  
 16 *and vote of the United States at the United Nations to seek*  
 17 *the establishment of a United Nations processing center in*  
 18 *Erbil, Iraqi Kurdistan, to assist internationally-displaced*  
 19 *communities.*

20 **SEC. 1228. SENSE OF CONGRESS ON BUSINESS PRACTICES**  
 21 **OF THE ISLAMIC STATE OF IRAQ AND SYRIA**  
 22 **(ISIS).**

23 *(a) FINDINGS.—Congress finds the following:*

24 *(1) For nearly two years, the Islamic State of*  
 25 *Iraq and Syria (ISIS) has capitalized on established*

1       *oil production facilities throughout Iraq and Syria in*  
2       *order to fund its jihadist operations globally.*

3               *(2) Oil production and sale represent the largest*  
4       *and most vulnerable income factors for ISIS.*

5               *(3) In 2015, ISIS oil sales brought in over*  
6       *\$400,000,000 to prop up the terror group's operations*  
7       *world-wide.*

8               *(4) ISIS has executed a robust recruitment*  
9       *scheme to staff and operate the oil facilities within the*  
10       *group's control and maintained smuggling routes for*  
11       *the sale of that oil.*

12               *(5) Further disrupting ISIS oil production and*  
13       *sale structures would be minimally invasive but*  
14       *would effectively curtail the terror group's ability to*  
15       *self-finance.*

16       *(b) SENSE OF CONGRESS.—It is the sense of Congress*  
17       *that the United States should focus all necessary efforts in*  
18       *the Middle East to disrupt the financing of the Islamic*  
19       *State of Iraq and Syria (ISIS) through oil production and*  
20       *sale.*

21       **SEC. 1229. PROHIBITION ON TRANSFER OF MAN-PORTABLE**  
22                       **AIR DEFENSE SYSTEMS TO ANY ENTITY IN**  
23                       **SYRIA.**

24       *None of the funds authorized to be appropriated by this*  
25       *Act or otherwise made available for the Department of De-*

1 *fense for fiscal year 2017 may be obligated or expended to*  
2 *transfer or facilitate the transfer of man-portable air de-*  
3 *fense systems (MANPADS) to any entity in Syria.*

4 ***Subtitle D—Matters Relating to the***  
5 ***Russian Federation***

6 ***SEC. 1231. LIMITATION ON USE OF FUNDS TO APPROVE OR***  
7 ***OTHERWISE PERMIT APPROVAL OF CERTAIN***  
8 ***REQUESTS BY RUSSIAN FEDERATION UNDER***  
9 ***OPEN SKIES TREATY.***

10 *(a) DEFINITIONS.—In this section:*

11 *(1) APPROPRIATE CONGRESSIONAL COMMIT-*  
12 *TEES.—The term “appropriate congressional commit-*  
13 *tees” means—*

14 *(A) the Committee on Armed Services, the*  
15 *Committee on Foreign Relations, and the Select*  
16 *Committee on Intelligence of the Senate; and*

17 *(B) the Committee on Armed Services, the*  
18 *Committee on Foreign Affairs, and the Perma-*  
19 *nent Select Committee on Intelligence of the*  
20 *House of Representatives.*

21 *(2) COVERED STATE PARTY.—The term “covered*  
22 *state party” means a foreign country that—*

23 *(A) is a state party to the Open Skies Trea-*  
24 *ty; and*

25 *(B) is a United States ally.*

1           (3) *OBSERVATION AIRCRAFT, OBSERVATION*  
2           *FLIGHT, AND SENSOR.*—*The terms “observation air-*  
3           *craft”, “observation flight”, and “sensor” have the*  
4           *meanings given such terms in Article II of the Open*  
5           *Skies Treaty.*

6           (4) *OPEN SKIES TREATY.*—*The term “Open*  
7           *Skies Treaty” means the Treaty on Open Skies, done*  
8           *at Helsinki March 24, 1992, and entered into force*  
9           *January 1, 2002.*

10          (b) *LIMITATION.*—*None of the funds authorized to be*  
11          *appropriated or otherwise made available by this Act or*  
12          *any other Act for fiscal year 2017 or any subsequent fiscal*  
13          *year may be used to approve or otherwise permit the ap-*  
14          *proval of a request by the Russian Federation to carry out*  
15          *an initial or exhibition observation flight or certification*  
16          *event of an observation aircraft on which is installed an*  
17          *upgraded sensor with infrared or synthetic aperture radar*  
18          *capability over the territory of the United States or over*  
19          *the territory of a covered state party under the Open Skies*  
20          *Treaty unless and until the Secretary of Defense, jointly*  
21          *with the Secretary of State, the Secretary of Energy, the*  
22          *Secretary of Homeland Security, the Director of the Federal*  
23          *Bureau of Investigation, the Director of National Intel-*  
24          *ligence, and the commander of U.S. Strategic Command*  
25          *and the Commander of U.S. Northern Command in the case*



1 of a flight over the territory of the United States and the  
2 Commander of U.S. European Command in the case of  
3 other flights, submits to the appropriate congressional com-  
4 mittees the following:

5 (1) *CERTIFICATION.*—A certification that—

6 (A) *the Russian Federation*—

7 (i) *is taking no action that is incon-*  
8 *sistent with the terms of the Open Skies*  
9 *Treaty;*

10 (ii) *is not exceeding the imagery limits*  
11 *set forth in the Treaty; and*

12 (iii) *is allowing overflights by covered*  
13 *state parties over all of Moscow, Chechnya,*  
14 *Abkhazia, South Ossetia, and Kaliningrad*  
15 *without restriction and without inconsis-*  
16 *tency to requirements under the Open Skies*  
17 *Treaty; and*

18 (B) *covered state parties have been notified*  
19 *and briefed on concerns of the intelligence com-*  
20 *munity (as defined in section 3 of the National*  
21 *Security Act of 1947 (50 U.S.C. 3003)) regard-*  
22 *ing upgraded sensors used under the Open Skies*  
23 *Treaty.*

24 (2) *REPORT.*—A report on the Open Skies Trea-  
25 *ty that includes the following:*

1           (A) *The annual costs to the United States*  
2 *associated with countermeasures to combat po-*  
3 *tential abuses of Russian flights carried out*  
4 *under the Open Skies Treaty over European and*  
5 *United States territories with a sensor described*  
6 *in paragraph (1)(B).*

7           (B) *A plan to replace the Open Skies Trea-*  
8 *ty architecture with a more robust sharing of*  
9 *overhead commercial imagery, consistent with*  
10 *United States national security, with covered*  
11 *state parties, excluding the Russian Federation.*

12           (C) *An evaluation by the Director of Na-*  
13 *tional Intelligence of matters concerning how an*  
14 *observation flight described in subparagraph (A)*  
15 *could implicate intelligence activities of the Rus-*  
16 *sian Federation in the United States and United*  
17 *States counterintelligence activities and*  
18 *vulnerabilities.*

19           (D) *An assessment of how such information*  
20 *is used by the Russian Federation, for what pur-*  
21 *pose, and how the information fits into the Rus-*  
22 *sian Federation's overall collection posture.*

23 (c) *NOTICE.*—

24           (1) *IN GENERAL.*—*Not later than 14 days after*  
25 *the completion of an observation flight over the*

1 *United States, the Secretary of Defense, jointly with*  
2 *the Secretary of Energy, the Secretary of Homeland*  
3 *Security, the Director of the Federal Bureau of Inves-*  
4 *tigation, and the Director of National Intelligence,*  
5 *shall notify the appropriate congressional committees*  
6 *of such flight.*

7 (2) *CONTENTS.—Notice submitted for a flight*  
8 *pursuant to paragraph (1) shall include the following:*

9 (A) *A description of the flight path.*

10 (B) *An analysis of whether and the extent*  
11 *to which any United States critical infrastruc-*  
12 *ture was the subject of image capture activities*  
13 *of such flight.*

14 (C) *An estimate for the mitigation costs im-*  
15 *posed on the Department of Defense or other*  
16 *United States Government agencies by such*  
17 *flight.*

18 (D) *An assessment of how such information*  
19 *is used by the Russian Federation, for what pur-*  
20 *pose, and how the information fits into the Rus-*  
21 *sian Federation's overall collection posture.*

22 (d) *ADDITIONAL LIMITATION.—*

23 (1) *IN GENERAL.—Not more than 65 percent of*  
24 *the funds authorized to be appropriated or otherwise*  
25 *made available by this Act or any other Act for fiscal*

1        *year 2017 year may be used to carry out any activi-*  
2        *ties to implement the Open Skies Treaty until the re-*  
3        *quirements described in paragraph (2) are met.*

4            (2) *REQUIREMENTS DESCRIBED.—The require-*  
5        *ments described in this paragraph are the following:*

6            (A) *The Director of National Intelligence*  
7        *and the Director of the National Geospatial-In-*  
8        *telligence Agency jointly submit to the appro-*  
9        *priate congressional committees a report on the*  
10       *following:*

11            (i) *Whether it is possible, consistent*  
12        *with United States national security inter-*  
13        *ests, to provide enhanced access to United*  
14        *States commercial imagery or other United*  
15        *States capabilities, consistent with the pro-*  
16        *tection of sources and methods and United*  
17        *States national security, to covered state*  
18        *parties that is qualitatively similar to that*  
19        *derived by flights over the territory of the*  
20        *United States or over the territory of a cov-*  
21        *ered state party under the Open Skies Trea-*  
22        *ty, on a more timely basis.*

23            (ii) *What the cost would be to provide*  
24        *enhanced access to such commercial imagery*  
25        *or other capabilities as compared to the cur-*

1            *rent imagery sharing through the Open*  
2            *Skies Treaty.*

3            *(iii) Whether any new agreements*  
4            *would be needed to provide enhanced access*  
5            *to such commercial imagery or other capa-*  
6            *bilities and what would be required to ob-*  
7            *tain such agreements.*

8            *(iv) Whether transitioning to such*  
9            *commercial imagery or other capabilities*  
10           *from the current imagery sharing through*  
11           *the Open Skies Treaty would reduce oppor-*  
12           *tunities by the Russian Federation to exceed*  
13           *imagery limits and reduce utility for Rus-*  
14           *sian intelligence collection against the*  
15           *United States or covered state parties.*

16           *(v) How such commercial imagery or*  
17           *other capabilities would compare to the cur-*  
18           *rent imagery sharing through the Open*  
19           *Skies Treaty.*

20           *(B) The Secretary of State, in consultation*  
21           *with the Director of the National Geospatial In-*  
22           *telligence Agency and the Secretary of Defense,*  
23           *submits to the appropriate congressional com-*  
24           *mittees an unclassified report that—*

1                   (i) details the costs for implementation  
2                   of the Open Skies Treaty, including—

3                   (I) mitigation costs relating to  
4                   national security; and

5                   (II) aircraft, sensors, and related  
6                   overhead and treaty implementation  
7                   costs for covered state parties; and

8                   (ii) describes the impact on contribu-  
9                   tions by covered state parties and relation-  
10                  ships among covered state parties in the  
11                  context of the Open Skies Treaty, the North  
12                  Atlantic Treaty Organization, and any  
13                  other venues for United States partnership  
14                  dialogue and activity.

15 **SEC. 1232. MILITARY RESPONSE OPTIONS TO RUSSIAN FED-**  
16 **ERATION VIOLATION OF INF TREATY.**

17           (a) *IN GENERAL.*—An amount equal to \$10,000,000  
18 of the amount authorized to be appropriated or otherwise  
19 made available to the Department of Defense for fiscal year  
20 2017 to provide support services to the Executive Office of  
21 the President shall be withheld from obligation or expendi-  
22 ture until the Secretary of Defense—

23           (1) submits to the appropriate congressional  
24           committees the plan for the development of military  
25           capabilities as described in paragraph (1) of section

1        *1243(d) of the National Defense Authorization Act for*  
2        *Fiscal Year 2016 (Public Law 114–92; 129 Stat.*  
3        *1062); and*

4            *(2) carries out the development of capabilities*  
5        *pursuant to such plan in accordance with the require-*  
6        *ments described in paragraph (3) of such section.*

7        *(b) DEFINITION.—In this section, the term “appro-*  
8        *priate congressional committees” has the meaning given*  
9        *such term in section 1243(e) of the National Defense Au-*  
10       *thorization Act for Fiscal Year 2016.*

11       **SEC. 1233. LIMITATION ON MILITARY COOPERATION BE-**  
12                                **TWEEN THE UNITED STATES AND THE RUS-**  
13                                **SIAN FEDERATION.**

14        *(a) LIMITATION.—None of the funds authorized to be*  
15        *appropriated for fiscal year 2017 for the Department of De-*  
16        *fense may be used for any bilateral military-to-military co-*  
17        *operation between the Governments of the United States*  
18        *and the Russian Federation until the Secretary of Defense,*  
19        *in coordination with the Secretary of State, certifies to the*  
20        *appropriate congressional committees that—*

21            *(1) the Russian Federation has ceased its occu-*  
22        *pation of Ukrainian territory and its aggressive ac-*  
23        *tivities that threaten the sovereignty and territorial*  
24        *integrity of Ukraine and members of the North Atlan-*  
25        *tic Treaty Organization; and*

1           (2) *the Russian Federation is abiding by the*  
2 *terms of and taking steps in support of the Minsk*  
3 *Protocols regarding a ceasefire in eastern Ukraine.*

4           (b) *NONAPPLICABILITY.—The limitation in subsection*  
5 *(a) shall not apply to—*

6           (1) *any activities necessary to ensure the compli-*  
7 *ance of the United States with its obligations or the*  
8 *exercise of rights of the United States under any bi-*  
9 *lateral or multilateral arms control or nonprolifera-*  
10 *tion agreement or any other treaty obligation of the*  
11 *United States; and*

12           (2) *any activities required to provide logistical*  
13 *or other support to the conduct of United States or*  
14 *North Atlantic Treaty Organization military oper-*  
15 *ations in Afghanistan or the withdrawal from Af-*  
16 *ghanistan.*

17           (c) *WAIVER.—The Secretary of Defense may waive the*  
18 *limitation in subsection (a) if the Secretary of Defense, in*  
19 *coordination with the Secretary of State—*

20           (1) *determines that the waiver is in the national*  
21 *security interest of the United States; and*

22           (2) *submits to the appropriate congressional*  
23 *committees—*

24           (A) *a notification that the waiver is in the*  
25 *national security interest of the United States*



1           *and a description of the national security inter-*  
2           *est covered by the waiver; and*

3                   *(B) a report explaining why the Secretary*  
4           *of Defense cannot make the certification under*  
5           *subsection (a).*

6           *(d) EXCEPTION FOR CERTAIN MILITARY BASES.—The*  
7           *certification requirement specified in paragraph (1) of sub-*  
8           *section (a) shall not apply to military bases of the Russian*  
9           *Federation in Ukraine’s Crimean peninsula operating in*  
10          *accordance with its 1997 agreement on the Status and Con-*  
11          *ditions of the Black Sea Fleet Stationing on the Territory*  
12          *of Ukraine.*

13          *(e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
14          *FINED.—In this section, the term “appropriate congres-*  
15          *sional committees” means—*

16                   *(1) the Committee on Armed Services and the*  
17                   *Committee on Foreign Relations of the Senate; and*

18                   *(2) the Committee on Armed Services and the*  
19                   *Committee on Foreign Affairs of the House of Rep-*  
20                   *resentatives.*

1 **SEC. 1234. STATEMENT OF POLICY ON UNITED STATES EF-**  
2 **FORTS IN EUROPE TO REASSURE UNITED**  
3 **STATES PARTNERS AND ALLIES AND DETER**  
4 **AGGRESSION BY THE GOVERNMENT OF THE**  
5 **RUSSIAN FEDERATION.**

6 (a) *FINDINGS.*—Congress makes the following findings:

7 (1) *The Russian Federation, under the leader-*  
8 *ship of President Vladimir Putin, continues to dem-*  
9 *onstrate its intent to expand its sphere of influence*  
10 *and limit Western influence both regionally and glob-*  
11 *ally.*

12 (2) *In March 2016, at a House Armed Services*  
13 *Committee hearing discussing worldwide threats,*  
14 *Major General James Marrs, Director for Intelligence*  
15 *in the Joint Staff stated, “principally, what we are*  
16 *seeing in Russia. . . is just a breadth of capabilities*  
17 *from strategic systems to anti access area denial to*  
18 *even, I would say, a growing adeptness at operating*  
19 *sort of just short of traditional military conflict that*  
20 *is posing a significant challenge in the future”.*

21 (3) *In July 2015, Chairman of the Joint Chiefs*  
22 *of Staff, General Joseph Dunford, testified to the Sen-*  
23 *ate Armed Services Committee, that “Russia presents*  
24 *the greatest threat to our national security”.* In No-  
25 *vember 2015, Secretary of Defense, Ashton Carter,*  
26 *discussed the need for “adapting our operational pos-*

1 *ture and contingency plans. . .to deter Russia’s ag-*  
2 *gression”.*

3 *(4) In February 2016, the Rand Corporation re-*  
4 *leased its report, “Reinforcing Deterrence on NATO’s*  
5 *Eastern Flank”, concluding that at a maximum it*  
6 *would take Russian forces approximately 60 hours to*  
7 *reach the capitals of Estonia and Latvia, exhibiting*  
8 *the challenge to North Atlantic Treaty Organization*  
9 *(NATO) member countries of successfully defending*  
10 *such territory with its current posture and capability.*

11 *(5) In February 2016, the Center for Strategic*  
12 *and International Studies released its report, “Evalu-*  
13 *ating U.S. Army Force Posture in Europe”, calling*  
14 *for increased pre-positioned sets of United States*  
15 *military equipment, increased rotational forces and*  
16 *associated enablers, increased logistics capabilities,*  
17 *and increased investment in combating unconven-*  
18 *tional warfare methods in Europe.*

19 *(6) In February 2016, the National Commission*  
20 *on the Future of the Army released its findings and*  
21 *recommendations, which included Recommendation*  
22 *14 calling for stationing an Armored Brigade Combat*  
23 *Team Forward in Europe and Recommendation 15*  
24 *calling for the conversion of Army Europe Aviation*  
25 *Headquarters to a warfighting mission command.*

1           (7) *In the National Defense Authorization Act*  
2 *for Fiscal Year 2015 (Public Law 114–92) and the*  
3 *National Defense Authorization Act for Fiscal Year*  
4 *2016 (Public Law 113–291), Congress authorized ap-*  
5 *proximately \$1,800,000,000 for the European Reas-*  
6 *surance Initiative to reassure allies through expanded*  
7 *United States military presence in Europe through*  
8 *rotational deployments of United States troops, bilat-*  
9 *eral and multilateral exercises, improved infrastruc-*  
10 *ture, increased pre-positioned United States military*  
11 *equipment, and building partnership capacity.*

12           (8) *The budget of the President for fiscal year*  
13 *2017 submitted to Congress under section 1105(a) of*  
14 *title 31, United States Code, includes \$3,420,000,000*  
15 *for the European Reassurance Initiative to begin the*  
16 *transition from primarily reassuring United States*  
17 *partners and allies to deterring the Russian Federa-*  
18 *tion.*

19           (9) *The request encompasses a large increase of*  
20 *conventional resources, including additional rota-*  
21 *tional deployments of United States troops and pre-*  
22 *positioning an Armored Brigade Combat Team’s*  
23 *worth of equipment into Europe.*

24           (10) *The request also includes increased funding*  
25 *for unconventional warfare resources, including cyber*

1 *and special operations forces, as well as for intel-*  
2 *ligence and indicators and warning.*

3 *(b) STATEMENT OF POLICY.—*

4 *(1) IN GENERAL.—It is the policy of the United*  
5 *States to reassure United States partners and allies*  
6 *in Europe and to work with United States partners*  
7 *and allies to deter aggression by the Government of*  
8 *the Russian Federation in order to enhance regional*  
9 *and global security and stability.*

10 *(2) CONDUCT OF POLICY.—The policy described*  
11 *in paragraph (1) shall, among other things, be car-*  
12 *ried out through a comprehensive defense strategy and*  
13 *guidance to outline the future path of defense re-*  
14 *sources and capabilities in the European theater.*  
15 *Such strategy and guidance shall include—*

16 *(A) use and expansion of conventional*  
17 *methods, including increased United States pres-*  
18 *ence, pre-positioning of United States military*  
19 *equipment, increased infrastructure, and build-*  
20 *ing partnership capacity in Europe;*

21 *(B) emphasis on developing capabilities for*  
22 *countering unconventional methods of warfare,*  
23 *including cyber warfare, economic warfare, in-*  
24 *formation operations, and intelligence oper-*  
25 *ations; and*

1                   (C) encouraging security assistance and ca-  
2                   pabilities of partners and allies, including  
3                   NATO member countries.

4 **SEC. 1235. MODIFICATION OF UKRAINE SECURITY ASSIST-**  
5 **ANCE INITIATIVE.**

6           (a) *AUTHORITY TO PROVIDE ASSISTANCE.*—Sub-  
7           section (a) of section 1250 of the National Defense Author-  
8           ization Act for Fiscal Year 2016 (Public Law 114–92; 129  
9           Stat. 1068) is amended—

10                   (1) by striking “Of the amounts” and all that  
11                   follows through “the Secretary of Defense” and insert-  
12                   ing “The Secretary of Defense”; and

13                   (2) by inserting “is authorized” before “to pro-  
14                   vide”.

15           (b) *AVAILABILITY OF FUNDS.*—Subsection (c) of such  
16           section is amended—

17                   (1) by striking paragraph (1);

18                   (2) by redesignating paragraphs (2) and (3) as  
19                   paragraphs (1) and (2), respectively;

20                   (3) in paragraph (1) (as so redesignated)—

21                           (A) by striking “paragraph (3)” and insert-  
22                           ing “paragraph (2)”; and

23                           (B) by striking “pursuant to subsection (a)”  
24                           and inserting “to carry out this section for a fis-  
25                           cal year”; and

1           (4) *in paragraph (2) (as so redesignated)*—

2                   (A) *by striking “paragraph (2)” and insert-*  
3                   *ing “paragraph (1)”*; and

4                   (B) *by striking “commencing on the date*  
5                   *that is six months after the date of the enactment*  
6                   *of this Act”*.

7   **SEC. 1236. PROHIBITION ON AVAILABILITY OF FUNDS RE-**  
8                   **LATING TO SOVEREIGNTY OF THE RUSSIAN**  
9                   **FEDERATION OVER CRIMEA.**

10           (a) *PROHIBITION.*—*None of the funds authorized to be*  
11           *appropriated by this Act or otherwise made available for*  
12           *fiscal year 2017 for the Department of Defense may be obli-*  
13           *gated or expended to implement any activity that recognizes*  
14           *the sovereignty of the Russian Federation over Crimea.*

15           (b) *WAIVER.*—*The Secretary of Defense, with the con-*  
16           *currence of the Secretary of State, may waive the restriction*  
17           *on the obligation or expenditure of funds required by sub-*  
18           *section (a) if the Secretary—*

19                   (1) *determines that to do so is in the national*  
20                   *security interest of the United States*; and

21                   (2) *submits to the Committee on Armed Services*  
22                   *and the Committee on Foreign Relations of the Senate*  
23                   *and the Committee on Armed Services and the Com-*  
24                   *mittee on Foreign Affairs of the House of Representa-*

1 *tives a notification of the waiver at the time the*  
2 *waiver is invoked.*

3 **SEC. 1237. MODIFICATION AND EXTENSION OF REPORT ON**  
4 **MILITARY ASSISTANCE TO UKRAINE.**

5 *(a) FINDINGS.—Congress makes the following findings:*

6 *(1) Ukraine’s border is 6,995 kilometers long, in-*  
7 *cluding 1,974 kilometers of controlled border with the*  
8 *Russian Federation, 195 kilometers of an administra-*  
9 *tive line with Crimea, and 409 kilometers of border*  
10 *in the east that is currently uncontrolled.*

11 *(2) Since the beginning of the Russian-Ukrain-*  
12 *ian conflict in 2014, 64 Ukrainian border guards*  
13 *have been killed and another 391 have been wounded.*

14 *(3) Implementation of the Minsk Agreement,*  
15 *signed in February 2015, requires the State Border*  
16 *Guard Service of Ukraine to reestablish border check-*  
17 *points in currently uncontrolled territory and to*  
18 *monitor the border to verify full implementation of*  
19 *the Agreement.*

20 *(4) Ukraine is developing engineering and tech-*  
21 *nical systems to strengthen the controlled border be-*  
22 *tween Ukraine and the Russian Federation, Ukrain-*  
23 *ian maritime borders, and areas adjacent to the un-*  
24 *controlled territory and occupied Crimea.*



1           (5) *Russian unmanned aerial vehicles are being*  
2           *used to support Russian-backed separatist artillery*  
3           *fire against Ukrainian forces.*

4           (6) *Due to a lack of resources and equipment,*  
5           *Ukraine lacks an effective early warning network to*  
6           *warn of any new aggression on the border.*

7           (7) *Section 1250 of the National Defense Author-*  
8           *ization Act for Fiscal Year 2016 (Public Law 114–*  
9           *92; 129 Stat. 1068) calls for the United States to pro-*  
10          *vide to Ukraine critical training and equipment to*  
11          *enhance the capabilities of the military and other se-*  
12          *curity forces of Ukraine to defend against further ag-*  
13          *gression from the Russian Federation and Russian-*  
14          *backed separatists.*

15          (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
16          *that—*

17               (1) *the United States should continue to support*  
18               *the Government of Ukraine’s efforts to provide and*  
19               *maintain security in Ukraine;*

20               (2) *the State Border Guard Service of Ukraine*  
21               *needs sufficient equipment and technical assistance to*  
22               *defend and monitor Ukraine’s borders and to fully*  
23               *implement the Minsk Agreement; and*

24               (3) *the Department of Defense should continue*  
25               *its work with the Ukrainian military, Ukrainian Na-*

1 *tional Guard, and Ukrainian State Border Guard*  
2 *Service to strengthen Ukraine’s defenses and defend*  
3 *its borders against aggressive actions.*

4 *(c) MODIFICATION AND EXTENSION OF REPORT ON*  
5 *MILITARY ASSISTANCE TO UKRAINE.—*

6 *(1) CONGRESSIONAL COMMITTEES.—Subsection*  
7 *(b) of section 1275 of the Carl Levin and Howard P.*  
8 *“Buck” McKeon National Defense Authorization Act*  
9 *for Fiscal Year 2015 (Public Law 113–291; 128 Stat.*  
10 *3591) is amended by inserting “and the Committee*  
11 *on Foreign Relations of the Senate and the Committee*  
12 *on Foreign Affairs of the House of Representatives”*  
13 *after “congressional defense committees”.*

14 *(2) ELEMENTS.—Subsection (c) of such section is*  
15 *amended by adding at the end the following:*

16 *“(8) A description of the extent to which the De-*  
17 *partment of Defense has provided security assistance*  
18 *to the Government of Ukraine for the purposes of pro-*  
19 *tecting and monitoring the borders of Ukraine.”.*

20 *(3) EXTENSION.—Subsection (e) of such section,*  
21 *as amended by section 1250(g) of the National De-*  
22 *fense Authorization Act for Fiscal Year 2016 (Public*  
23 *Law 114–92; 129 Stat. 1070), is further amended by*  
24 *striking “December 31, 2017” and inserting “Decem-*  
25 *ber 31, 2019”.*

1 **SEC. 1238. ADDITIONAL MATTERS IN ANNUAL REPORT ON**  
2 **MILITARY AND SECURITY DEVELOPMENTS IN-**  
3 **VOLVING THE RUSSIAN FEDERATION.**

4 (a) *ADDITIONAL MATTERS.*—*Subsection (b) of section*  
5 *1245 of the Carl Levin and Howard P. “Buck” McKeon*  
6 *National Defense Authorization Act for Fiscal Year 2015*  
7 *(Public Law 113–291; 128 Stat. 3566), as amended by sec-*  
8 *tion 1248(a) of the National Defense Authorization Act for*  
9 *Fiscal Year 2016 (Public Law 114–92; 129 Stat. 1066), is*  
10 *further amended—*

11 (1) *by redesignating paragraph (18) as para-*  
12 *graph (19); and*

13 (2) *by inserting after paragraph (17) the fol-*  
14 *lowing:*

15 “(18) *The current state of Russia’s foreign mili-*  
16 *tary deployments, which shall include the following:*

17 “(A) *For each such deployment, the esti-*  
18 *mated number of forces, types of capabilities to*  
19 *include advanced weapons, length of deployment,*  
20 *and where possible identifying basing agree-*  
21 *ments.*

22 “(B) *The following information with respect*  
23 *to such deployments to be disaggregated on a*  
24 *country-by-country basis:*

25 “(i) *The number of Russian military*  
26 *personnel, including combat troops, mili-*

1            *tary trainers, combat enabling capabilities*  
2            *and border security agents, deployed to the*  
3            *country with the consent of the national or*  
4            *local government. The number and type of*  
5            *transient Russian naval vessels that have*  
6            *utilized ports of the country. Such informa-*  
7            *tion should include the length of the basing*  
8            *arrangements, including the use of ports of*  
9            *such country by transient Russian naval*  
10           *vessels, and the strategic importance of the*  
11           *location.*

12                    *“(ii) The number of such Russian*  
13                    *military personnel deployed in areas where*  
14                    *Russian forces entered the country by force*  
15                    *or are otherwise deployed over the objections*  
16                    *of the national or local government.”.*

17            *(b) EFFECTIVE DATE.—The amendments made by sub-*  
18            *section (a) shall take effect on the date of the enactment*  
19            *of this Act, and shall apply with respect to reports sub-*  
20            *mitted under section 1245 of the Carl Levin and Howard*  
21            *P. “Buck” McKeon National Defense Authorization Act for*  
22            *Fiscal Year 2015 after that date.*

**Subtitle E—Other Matters****SEC. 1241. SENSE OF CONGRESS ON MALIGN ACTIVITIES OF  
THE GOVERNMENT OF IRAN.**

(a) *FINDINGS.*—Congress finds that the Government of Iran continues to conduct provocative, malign activities in the region, including—

(1) *the launch of the Shahab-3 medium-range ballistic missile and Qiam-1 short-range ballistic missiles;*

(2) *the intent to launch the Simorgh Space-Launch Vehicle (SLV) as stated by Lieutenant General Vincent Stewart in testimony to the House Armed Services Committee: “Iran stated publicly it intends to launch the Simorgh (SLV), which would be capable of intercontinental ballistic missile (ICBM) range.”;*

(3) *the detention of United States service members, which the Secretary of Defense, Ashton Carter, described in testimony to the House Armed Services Committee as “unprofessional” and “outrageous”;*

(4) *the support of foreign terrorist organizations designated by the Department of State, such as Lebanese Hezbollah and Kata’ib Hizbollah;*

(5) *the support of the Assad regime in Syria;*

1           (6) *the support of Shia militias in Iraq that*  
2           *have been directly responsible for the deaths of United*  
3           *States service members; and*

4           (7) *the support of the Houthi rebels in Yemen in*  
5           *contravention to the internationally-recognized, legiti-*  
6           *mate Government of Yemen.*

7           (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
8           *that—*

9           (1) *the Joint Comprehensive Plan of Action*  
10          *(JCPOA) does not address the totality of the malign*  
11          *activities of the Government of Iran, including bal-*  
12          *listic missile launches, support for designated foreign*  
13          *terrorist organizations, or other proxies conducting*  
14          *malign activities in the region and globally;*

15          (2) *the United States should increase its efforts*  
16          *to counter the continued expansion of malign activi-*  
17          *ties of the Government of Iran in the Middle East;*

18          (3) *the United States should ensure that it has*  
19          *robust, enduring military posture and capabilities*  
20          *forward deployed in the Arabian Gulf region to deter*  
21          *Iranian aggression and respond to Iranian aggres-*  
22          *sion, if necessary; and*

23          (4) *the United States should strengthen ballistic*  
24          *missile defense capabilities and increase security as-*

1        *sistance to United States partners and allies in the*  
 2        *region.*

3        **SEC. 1242. MODIFICATION OF ANNUAL REPORT ON MILI-**  
 4                                    **TARY AND SECURITY DEVELOPMENTS IN-**  
 5                                    **VOLVING THE PEOPLE'S REPUBLIC OF CHINA.**

6        *(a) ANNUAL REPORT.—Subsection (a) of section 1202*  
 7        *of the National Defense Authorization Act for Fiscal Year*  
 8        *2000 (Public Law 106–65; 113 Stat. 781; 10 U.S.C. 113*  
 9        *note) is amended by striking “March 1 each year” and in-*  
 10        *serting “January 31 of each year through January 31,*  
 11        *2021”.*

12        *(b) MATTERS TO BE INCLUDED.—Subsection (b) of*  
 13        *such section, as most recently amended by section 1252(a)*  
 14        *of the Carl Levin and Howard P. “Buck” McKeon National*  
 15        *Defense Authorization Act for Fiscal Year 2015 (Public*  
 16        *Law 113–291; 128 Stat. 3571), is further amended by add-*  
 17        *ing at the end the following:*

18                            *“(21) A summary of the order of battle of the*  
 19                            *People’s Liberation Army, including anti-ship bal-*  
 20                            *listic missiles, theater ballistic missiles, and land at-*  
 21                            *tack cruise missile inventory.*

22                            *“(22) A description of the People’s Republic of*  
 23                            *China’s military and nonmilitary activities in the*  
 24                            *South China Sea.”.*

1       (c) *EFFECTIVE DATE.*—*The amendments made by this*  
2 *section take effect on the date of the enactment of this Act*  
3 *and apply with respect to reports required to be submitted*  
4 *under subsection (a) of section 1202 of the National Defense*  
5 *Authorization Act for Fiscal Year 2000 on or after that*  
6 *date.*

7 **SEC. 1243. SENSE OF CONGRESS ON TRILATERAL COOPERA-**  
8 **TION BETWEEN JAPAN, SOUTH KOREA, AND**  
9 **THE UNITED STATES.**

10       (a) *FINDINGS.*—*Congress finds the following:*

11           (1) *Japan and the Republic of Korea (South*  
12 *Korea) are both treaty allies and critically important*  
13 *security partners of the United States.*

14           (2) *Japan and South Korea confront a range of*  
15 *shared challenges to their national security and to*  
16 *stability in the Asia-Pacific region, including the*  
17 *multitude of threats posed by the Democratic People’s*  
18 *Republic of Korea (North Korea).*

19       (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
20 *that—*

21           (1) *the United States should continue to support*  
22 *trilateral cooperation with Japan and South Korea;*

23           (2) *the United States should continue to support*  
24 *defense cooperation between Japan and South Korea*  
25 *on the full range of issues related to North Korea and*



1 *to other security challenges in the Asia-Pacific region;*  
2 *and*

3 *(3) the United States should seek to facilitate*  
4 *closer security cooperation with and between Japan*  
5 *and South Korea on—*

6 *(A) non-proliferation;*

7 *(B) cyber security;*

8 *(C) maritime security;*

9 *(D) security technology and capability de-*  
10 *velopment; and*

11 *(E) other areas of mutual security benefit.*

12 **SEC. 1244. SENSE OF CONGRESS ON COOPERATION BE-**  
13 **TWEEN SINGAPORE AND THE UNITED**  
14 **STATES.**

15 *(a) FINDINGS.—Congress finds the following:*

16 *(1) 2016 is the 50th year of relations between the*  
17 *United States and the Republic of Singapore.*

18 *(2) The United States and Singapore signed an*  
19 *enhanced defense cooperation agreement on December*  
20 *7, 2015.*

21 *(b) SENSE OF CONGRESS.—It is the sense of Congress*  
22 *that—*

23 *(1) the United States should continue to conduct*  
24 *bilateral cooperation and support the strategic part-*

1        *nership with Singapore to promote peace and sta-*  
2        *bility in the Asia-Pacific region;*

3            *(2) the United States welcomes the signing of the*  
4        *enhanced Defense Cooperation Agreement with Singa-*  
5        *pore and should expand bilateral training and co-*  
6        *operation on security issues, including maritime secu-*  
7        *rity, cyber security, countering violent extremism, hu-*  
8        *manitarian assistance, and disaster relief;*

9            *(3) the United States should continue efforts*  
10       *with Singapore to address transnational issues and*  
11       *strengthen regional and multilateral institutions that*  
12       *promote security cooperation based on internationally*  
13       *accepted rules and norms; and*

14           *(4) the United States should improve joint inter-*  
15       *operability and security collaboration with Singapore*  
16       *to enhance capabilities to maintain regional stability.*

17 **SEC. 1245. MONITORING AND EVALUATION OF OVERSEAS**  
18                    **HUMANITARIAN, DISASTER, AND CIVIC AID**  
19                    **PROGRAMS OF THE DEPARTMENT OF DE-**  
20                    **FENSE.**

21        *(a) IN GENERAL.—Of the amounts authorized to be*  
22        *appropriated by this Act for Overseas Humanitarian, Dis-*  
23        *aster, and Civic Aid, the Secretary of Defense is authorized*  
24        *to use up to 5 percent of such amounts to conduct moni-*

1 *toring and evaluation of programs that are funded using*  
2 *such amounts during fiscal year 2017.*

3 (b) *BRIEFING.*—*Not later than 90 days after the date*  
4 *of the enactment of this Act, the Secretary of Defense shall*  
5 *provide to the appropriate congressional committees a brief-*  
6 *ing on mechanisms to evaluate the programs conducted pur-*  
7 *suant to the authorities listed in subsection (a).*

8 (c) *DEFINITION.*—*In subsection (b), the term “appro-*  
9 *priate congressional committees” means—*

10 (1) *the Committee on Armed Services and the*  
11 *Committee on Foreign Relations of the Senate; and*

12 (2) *the Committee on Armed Services and the*  
13 *Committee on Foreign Affairs of the House of Rep-*  
14 *resentatives.*

15 **SEC. 1246. ENHANCEMENT OF INTERAGENCY SUPPORT**  
16 **DURING CONTINGENCY OPERATIONS AND**  
17 **TRANSITION PERIODS.**

18 (a) *AUTHORITY.*—*The Secretary of Defense and the*  
19 *Secretary of State may enter into an agreement under*  
20 *which each Secretary may provide covered support, sup-*  
21 *plies, and services on a reimbursement basis, or by exchange*  
22 *of covered support, supplies, and services, to the other Sec-*  
23 *retary during a contingency operation and related transi-*  
24 *tion period for up to two years following the end of such*  
25 *contingency operation.*

1       (b) *AGREEMENT.*—*An agreement entered into under*  
2 *this section shall be in writing and shall include the fol-*  
3 *lowing terms:*

4           (1) *The price charged by a supplying agency*  
5 *shall be the direct costs that such agency incurred by*  
6 *providing the covered support, supplies, or services to*  
7 *the requesting agency under this section.*

8           (2) *Credits and liabilities of the agencies accrued*  
9 *as a result of acquisitions and transfers of covered*  
10 *support, supplies, and services under this section shall*  
11 *be liquidated not less often than once every 3 months*  
12 *by direct payment to the agency supplying such sup-*  
13 *port, supplies, or services by the agency receiving such*  
14 *support, supplies, or services.*

15           (3) *Exchange entitlements accrued as a result of*  
16 *acquisitions and transfers of covered support, sup-*  
17 *plies, and services under this section shall be satisfied*  
18 *within 12 months after the date of the delivery of the*  
19 *covered support, supplies, or services. Exchange enti-*  
20 *tlements not so satisfied shall be immediately liq-*  
21 *uidated by direct payment to the agency supplying*  
22 *such covered support, supplies, or services.*

23       (c) *EFFECT OF OBLIGATION AND AVAILABILITY OF*  
24 *FUNDS.*—*An order placed by an agency pursuant to an*  
25 *agreement under this section is deemed to be an obligation*

1 *in the same manner that a similar order placed under a*  
2 *contract with, or a contract for similar goods or services*  
3 *awarded to, a private contractor is an obligation. Approp-*  
4 *riations remain available to pay an obligation to the serv-*  
5 *icing agency in the same manner as appropriations remain*  
6 *available to pay an obligation to a private contractor.*

7 (d) *DEFINITIONS.—In this section:*

8 (1) *COVERED SUPPORT, SUPPLIES, AND SERV-*  
9 *ICES.—The term “covered support, supplies, and serv-*  
10 *ices” means food, billeting, transportation (including*  
11 *airlift), petroleum, oils, lubricants, communications*  
12 *services, medical services, ammunition, base oper-*  
13 *ations support, use of facilities, spare parts and com-*  
14 *ponents, repair and maintenance services, and cali-*  
15 *bration services.*

16 (2) *CONTINGENCY OPERATION.—The term “con-*  
17 *tingency operation” has the meaning given that term*  
18 *in section 101(a)(13) of title 10, United States Code.*

19 (e) *CREDITING OF RECEIPTS.—Any receipt as a result*  
20 *of an agreement entered into under this section shall be*  
21 *credited, at the option of the Secretary of Defense with re-*  
22 *spect to the Department of Defense and the Secretary of*  
23 *State with respect to the Department of State, to—*

24 (1) *the appropriation, fund, or account used in*  
25 *incurring the obligation; or*

1           (2) *an appropriate appropriation, fund, or ac-*  
2           *count currently available for the purposes for which*  
3           *the expenditures were made.*

4           (f) *NOTIFICATION.*—*Not later than 30 days after the*  
5           *end of a fiscal year in which covered support, supplies, and*  
6           *services are provided or exchanged pursuant to an agree-*  
7           *ment under this section, the Secretary of Defense and the*  
8           *Secretary of State shall jointly submit to the congressional*  
9           *defense committees, the Committee on Foreign Relations of*  
10           *the Senate, and the Committee on Foreign Affairs of the*  
11           *House of Representatives a notification that contains a*  
12           *copy of such agreement and a description of such covered*  
13           *support, supplies, and services.*

14           (g) *SUNSET.*—*The authority to enter into an agree-*  
15           *ment under this section shall terminate at the close of De-*  
16           *cember 31, 2018.*

17           **SEC. 1247. TWO-YEAR EXTENSION AND MODIFICATION OF**  
18                                    **AUTHORIZATION OF NON-CONVENTIONAL AS-**  
19                                    **SISTED RECOVERY CAPABILITIES.**

20           (a) *EXTENSION OF AUTHORITY.*—*Subsection (h) of sec-*  
21           *tion 943 of the Duncan Hunter National Defense Author-*  
22           *ization Act for Fiscal Year 2009 (Public Law 110–417; 122*  
23           *Stat. 4579), as most recently amended by section 1271 of*  
24           *the National Defense Authorization Act for Fiscal Year*

1 2016 (Public Law 114–92; 129 Stat. 1075), is further  
 2 amended by striking “2018” and inserting “2020”.

3 (b) *MODIFICATION TO AUTHORIZED ACTIVITIES.*—  
 4 Subsection (c) of such section is amended by inserting “,  
 5 or other individuals, as determined by the Secretary of De-  
 6 fense, with respect to already established non-conventional  
 7 assisted recovery capabilities” before the period at the end  
 8 of the first sentence.

9 **SEC. 1248. AUTHORITY TO DESTROY CERTAIN SPECIFIED**  
 10 **WORLD WAR II-ERA UNITED STATES-ORIGIN**  
 11 **CHEMICAL MUNITIONS LOCATED ON SAN**  
 12 **JOSE ISLAND, REPUBLIC OF PANAMA.**

13 (a) *AUTHORITY.*—

14 (1) *IN GENERAL.*—Subject to subsection (b), the  
 15 Secretary of Defense may destroy the chemical muni-  
 16 tions described in subsection (c).

17 (2) *EX GRATIA ACTION.*—The action authorized  
 18 by this section is “*ex gratia*” on the part of the  
 19 United States, as the term “*ex gratia*” is used in sec-  
 20 tion 321 of the Strom Thurmond National Defense  
 21 Authorization Act for Fiscal Year 1999 (Public Law  
 22 105–261; 10 U.S.C. 2701 note).

23 (3) *CONSULTATION BETWEEN SECRETARY OF DE-*  
 24 *FENSE AND SECRETARY OF STATE.*—The Secretary of  
 25 Defense and the Secretary of State shall consult and

1        *develop any arrangements with the Republic of Pan-*  
2        *ama with respect to this section.*

3        (b) *CONDITIONS.—The Secretary of Defense may exer-*  
4        *cise the authority under subsection (a) only if the Republic*  
5        *of Panama has—*

6            (1) *revised the declaration of the Republic of*  
7        *Panama under the Convention on the Prohibition of*  
8        *the Development, Production, Stockpiling and Use of*  
9        *Chemical Weapons and on Their Destruction to indi-*  
10       *cate that the chemical munitions described in sub-*  
11       *section (c) are “old chemical weapons” rather than*  
12       *“abandoned chemical weapons”; and*

13           (2) *affirmed, in writing, that it understands (A)*  
14       *that the United States intends only to destroy the mu-*  
15       *nitions described in subsections (c) and (d), and (B)*  
16       *that the United States is not legally obligated and*  
17       *does not intend to destroy any other munitions, mu-*  
18       *nitions constituents, and associated debris that may*  
19       *be located on San Jose Island as a result of research,*  
20       *development, and testing activities conducted on San*  
21       *Jose Island during the period of 1943 through 1947.*

22        (c) *CHEMICAL MUNITIONS.—The chemical munitions*  
23       *described in this subsection are the eight United States-ori-*  
24       *gin chemical munitions located on San Jose Island, Repub-*  
25       *lic of Panama, that were identified in the 2002 Final In-*



1 *spection Report of the Technical Secretariat of the Organi-*  
2 *zation for the Prohibition of Chemical Weapons.*

3 (d) *LIMITED INCIDENTAL AUTHORITY TO DESTROY*  
4 *OTHER MUNITIONS.*—*In exercising the authority under*  
5 *subsection (a), the Secretary of Defense may destroy other*  
6 *munitions located on San Jose Island, Republic of Panama,*  
7 *but only to the extent essential and required to reach and*  
8 *destroy the chemical munitions described in subsection (c).*

9 (e) *SOURCE OF FUNDS.*—*Of the amounts authorized*  
10 *to be appropriated by this Act, the Secretary of Defense may*  
11 *use up to \$30,000,000 from amounts made available for*  
12 *Chemical Agents and Munitions Destruction, Defense to*  
13 *carry out the authority in subsection (a).*

14 (f) *SUNSET.*—*The authority under subsection (a) shall*  
15 *terminate on the date that is three years after the date of*  
16 *the enactment of this Act.*

17 **SEC. 1249. STRATEGY FOR UNITED STATES DEFENSE INTER-**  
18 **ESTS IN AFRICA.**

19 (a) *REQUIRED REPORT.*—*Not later than one year*  
20 *after the date of the enactment of this Act, the Secretary*  
21 *of Defense shall submit to the congressional defense commit-*  
22 *tees a report that contains the strategy for United States*  
23 *defense interests in Africa.*

24 (b) *MATTERS TO BE INCLUDED.*—*The report required*  
25 *by subsection (a) shall address the following:*

1           (1) *United States national security interests in*  
2 *Africa, including an assessment of threats to global*  
3 *and regional United States national security interests*  
4 *emanating from the continent.*

5           (2) *United States defense objectives in Africa.*

6           (3) *Courses of action to accomplish United*  
7 *States defense objectives in Africa, including those*  
8 *conducted in cooperation with other Federal agencies.*

9           (4) *Measures to improve coordination between*  
10 *United States Africa Command and other combatant*  
11 *commands to achieve unity of effort to counter threats*  
12 *that cross combatant command boundaries.*

13           (5) *Department of Defense capabilities and re-*  
14 *sources required to achieve defense objectives in Afri-*  
15 *ca, and the mitigation plan to address any gaps in*  
16 *such capabilities or resources that affect the imple-*  
17 *mentation of the strategy required by subsection (a).*

18           (6) *Security cooperation initiatives to advance*  
19 *defense objectives in Africa.*

20           (7) *Any other matters the Secretary of Defense*  
21 *determines to be appropriate.*

22           (c) *FORM.—The report required by subsection (a) shall*  
23 *be submitted in unclassified form, but may contain a classi-*  
24 *fied annex if necessary.*

1 **SEC. 1250. UNITED STATES-ISRAEL DIRECTED ENERGY CO-**  
2 **OPERATION.**

3 (a) *AUTHORITY TO ESTABLISH DIRECTED ENERGY*  
4 *CAPABILITIES PROGRAM WITH ISRAEL.—*

5 (1) *IN GENERAL.—The Secretary of Defense,*  
6 *upon the request of the Ministry of Defense of Israel,*  
7 *and with the concurrence of the Secretary of State,*  
8 *may carry out research, development, test, and eval-*  
9 *uation activities, on a joint basis with Israel, to es-*  
10 *tablish directed energy capabilities to detect and de-*  
11 *feat ballistic missiles, cruise missiles, unmanned aer-*  
12 *ial vehicles, mortars, and improvised explosive devices*  
13 *that threaten the United States, deployed forces of the*  
14 *United States, or Israel. Any activities carried out*  
15 *pursuant to such authority shall be conducted in a*  
16 *manner that appropriately protects sensitive informa-*  
17 *tion and the national security interests of the United*  
18 *States and Israel.*

19 (2) *REPORT.—The activities described in para-*  
20 *graph (1) may be carried out after the Secretary of*  
21 *Defense submits to the appropriate committees of*  
22 *Congress a report setting forth the following:*

23 (A) *A memorandum of agreement between*  
24 *the United States and Israel regarding sharing*  
25 *of research and development costs for the capa-*

1           **ilities described in paragraph (1), and any sup-**  
2           **porting documents.**

3           **(B) A certification that the memorandum of**  
4           **agreement—**

5                   **(i) requires sharing of costs of projects,**  
6                   **including in-kind support, between the**  
7                   **United States and Israel;**

8                   **(ii) establishes a framework to nego-**  
9                   **tiate the rights to any intellectual property**  
10                  **developed under the memorandum of agree-**  
11                  **ment; and**

12                  **(iii) requires the United States Gov-**  
13                  **ernment to receive semiannual reports on**  
14                  **expenditure of funds, if any, by the Govern-**  
15                  **ment of Israel, including a description of**  
16                  **what the funds have been used for, when**  
17                  **funds were expended, and an identification**  
18                  **of entities that expended the funds.**

19           **(3) ANNUAL LIMITATION ON AMOUNT.—The**  
20           **amount of support provided under this subsection in**  
21           **any year may not exceed \$25,000,000.**

22           **(b) LEAD AGENCY.—The Secretary of Defense shall**  
23           **designate the Missile Defense Agency as the appropriate re-**  
24           **search and development entity and as the lead agency of**  
25           **the Department of Defense in carrying out this section.**

1           (c) *SEMIANNUAL REPORTS.*—*The Secretary of Defense*  
 2 *shall submit to the appropriate committees of Congress on*  
 3 *a semiannual basis a report that contains a copy of the*  
 4 *most recent semiannual report provided by the Government*  
 5 *of Israel to the Department of Defense pursuant to sub-*  
 6 *section (a)(2)(B)(iii).*

7           (d) *SUNSET.*—*The authority in this section to carry*  
 8 *out activities described in subsection (a) shall expire on De-*  
 9 *cember 31, 2018.*

10          (e) *APPROPRIATE COMMITTEES OF CONGRESS DE-*  
 11 *FINED.*—*In this section, the term “appropriate committees*  
 12 *of Congress” means—*

13               (1) *the Committee on Armed Services, the Com-*  
 14 *mittee on Foreign Relations, the Committee on Home-*  
 15 *land Security and Governmental Affairs, the Com-*  
 16 *mittee on Appropriations, and the Select Committee*  
 17 *on Intelligence of the Senate; and*

18               (2) *the Committee on Armed Services, the Com-*  
 19 *mittee on Foreign Affairs, the Committee on Home-*  
 20 *land Security, the Committee on Appropriations, and*  
 21 *the Permanent Select Committee on Intelligence of the*  
 22 *House of Representatives.*

23 **SEC. 1251. SENSE OF CONGRESS ON SUPPORT FOR ESTO-**  
 24 **NIA, LATVIA, AND LITHUANIA.**

25           (a) *FINDINGS.*—*Congress finds the following:*

1           (1) *The Baltic States of Estonia, Latvia, and*  
2 *Lithuania are highly valued allies of the United*  
3 *States, and they have repeatedly demonstrated their*  
4 *commitment to advancing our mutual interests as*  
5 *well as those of the NATO Alliance.*

6           (2) *Operation Atlantic Resolve is a series of exer-*  
7 *cises and coordinating efforts demonstrating the*  
8 *United States' commitment to its European partners*  
9 *and allies, including the Baltic States of Estonia,*  
10 *Latvia, and Lithuania, with the shared goal of peace*  
11 *and stability in the region. Operation Atlantic Re-*  
12 *solve strengthens communication and understanding,*  
13 *and is an important effort to deter Russian aggres-*  
14 *sion in the region.*

15           (3) *Through Operation Atlantic Resolve, the Eu-*  
16 *ropean Reassurance Initiative undertakes exercises,*  
17 *training, and rotational presence necessary to reas-*  
18 *sure and integrate our allies, including the Baltic*  
19 *States, into a common defense framework.*

20           (4) *All three Baltic States contributed to the*  
21 *NATO-led International Security Assistance Force in*  
22 *Afghanistan, sending disproportionate numbers of*  
23 *troops and operating with few caveats. The Baltic*  
24 *States continue to engage in Operation Resolute Sup-*  
25 *port in Afghanistan.*

1       **(b) SENSE OF CONGRESS.**—Congress—

2               (1) *reaffirms its support for the principle of col-*  
3 *lective defense in Article 5 of the North Atlantic Trea-*  
4 *ty for our NATO allies, including Estonia, Latvia,*  
5 *and Lithuania;*

6               (2) *supports the sovereignty, independence, terri-*  
7 *torial integrity, and inviolability of Estonia, Latvia,*  
8 *and Lithuania as well as their internationally recog-*  
9 *nized borders, and expresses concerns over increas-*  
10 *ingly aggressive military maneuvering by the Russian*  
11 *Federation near their borders and airspace;*

12              (3) *expresses concern over and condemns subver-*  
13 *sive and destabilizing activities by the Russian Fed-*  
14 *eration within the Baltic States; and*

15              (4) *encourages the Administration to further en-*  
16 *hance defense cooperation efforts with Estonia, Lat-*  
17 *via, and Lithuania and supports the efforts of their*  
18 *Governments to provide for the defense of their people*  
19 *and sovereign territory.*

20 **SEC. 1252. SENSE OF CONGRESS ON SUPPORT FOR GEOR-**  
21 **GIA.**

22       **(a) FINDINGS.**—Congress finds the following:

23              (1) *Georgia is a valued friend of the United*  
24 *States and has repeatedly demonstrated its commit-*  
25 *ment to advancing the mutual interests of both coun-*

1 *tries, including the deployment of Georgian forces as*  
2 *part of the NATO-led International Security Assist-*  
3 *ance Force (ISAF) in Afghanistan and the Multi-Na-*  
4 *tional Force in Iraq.*

5 *(2) The European Reassurance Initiative builds*  
6 *the partnership capacity of Georgia so it can work*  
7 *more closely with the United States and NATO, as*  
8 *well as provide for its own defense.*

9 *(3) In addition to the European Reassurance*  
10 *Initiative, Georgia's participation in the NATO ini-*  
11 *tiative Partnership for Peace is paramount to inter-*  
12 *operability with the United States and NATO, and*  
13 *establishing a more peaceful environment in the re-*  
14 *gion.*

15 *(4) Despite the losses suffered, as a NATO part-*  
16 *ner of ISAF, Georgia is engaged in the Resolute Sup-*  
17 *port Mission in Afghanistan with the second largest*  
18 *contingent on the ground.*

19 *(b) SENSE OF CONGRESS.—Congress—*

20 *(1) reaffirms United States support for Georgia's*  
21 *sovereignty and territorial integrity within its inter-*  
22 *nationally-recognized borders, and does not recognize*  
23 *the independence of the Abkhazia and South Ossetia*  
24 *regions currently occupied by the Russian Federation;*  
25 *and*



1           (2) *supports continued cooperation between the*  
2           *United States and Georgia and the efforts of the Gov-*  
3           *ernment of Georgia to provide for the defense of its*  
4           *people and sovereign territory.*

5 **SEC. 1253. MODIFICATION OF ANNUAL REPORT ON MILI-**  
6                                   **TARY POWER OF IRAN.**

7           (a) *IN GENERAL.*—*Subsection (b)(3) of section 1245*  
8           *of the National Defense Authorization Act for Fiscal Year*  
9           *2010 (Public Law 111–84; 123 Stat. 2542) is amended—*

10           (1) *by redesignating subparagraphs (E) through*  
11           *(G) as subparagraphs (G) through (I), respectively;*  
12           *and*

13           (2) *by inserting after subparagraph (D) the fol-*  
14           *lowing:*

15                           *“(E) an estimate of Iran’s military cyber*  
16                           *capabilities, including persons and entities oper-*  
17                           *ating on behalf of Iran, and any information on*  
18                           *those persons or entities responsible for targeting*  
19                           *United States critical infrastructure or United*  
20                           *States persons or entities;*

21                           *“(F) information on Iranian military and*  
22                           *security organizations responsible for detaining*  
23                           *members of the United States Armed Forces or*  
24                           *interfering in United States military oper-*  
25                           *ations;”.*

1           (b) *EFFECTIVE DATE.*—*The amendments made by sub-*  
2 *section (a) take effect on the date of the enactment of this*  
3 *Act and apply with respect to reports required to be sub-*  
4 *mitted under section 1245 of the National Defense Author-*  
5 *ization Act for Fiscal Year 2010 on or after such date of*  
6 *enactment.*

7 **SEC. 1254. SENSE OF CONGRESS ON SENIOR MILITARY EX-**  
8                           **CHANGES BETWEEN THE UNITED STATES**  
9                           **AND TAIWAN.**

10           (a) *IN GENERAL.*—*It is the sense of Congress that the*  
11 *Secretary of Defense should conduct a program of senior*  
12 *military exchanges between the United States and Taiwan*  
13 *that have the objective of improving military-to-military re-*  
14 *lations and defense cooperation between the United States*  
15 *and Taiwan.*

16           (b) *ADMINISTRATION OF PROGRAM.*—*It is the sense of*  
17 *Congress that the program described in subsection (a)—*

18                   (1) *should be conducted at least once each cal-*  
19 *endar year; and*

20                   (2) *should be conducted in both the United States*  
21 *and Taiwan.*

22           (c) *DEFINITIONS.*—*In this section:*

23                   (1) *SENIOR MILITARY EXCHANGE.*—*The term*  
24 *“senior military exchange” means an activity, exer-*  
25 *cise, professional education event, or observation op-*

1        *portunity in which senior military officers and senior*  
2        *defense officials participate.*

3            (2) *SENIOR MILITARY OFFICER.*—*The term “sen-*  
4        *ior military officer” means a general or flag officer*  
5        *on active duty in the armed forces.*

6            (3) *SENIOR DEFENSE OFFICIAL.*—*The term “sen-*  
7        *ior defense official”, with respect to the Department*  
8        *of Defense, means a civilian official at the level of As-*  
9        *istant Secretary of Defense or above.*

10 **SEC. 1255. QUARTERLY REPORT ON FREEDOM OF NAVIGA-**  
11 **TION OPERATIONS.**

12        (a) *IN GENERAL.*—*Chapter 3 of title 10, United States*  
13 *Code, is amended by adding at the end the following new*  
14 *section:*

15 **“§ 130i. Quarterly report on freedom of navigation op-**  
16 **erations**

17        “(a) *REPORT REQUIRED.*—*Not later than 30 days*  
18 *after the end of each fiscal quarter, the Secretary of Defense*  
19 *shall submit to the congressional defense committees a re-*  
20 *port on any excessive territorial claims of foreign countries*  
21 *that were challenged by freedom of navigation operations*  
22 *and flights carried out by the armed forces during such fis-*  
23 *cal quarter.*

1       “(b) *ELEMENTS.*—*The report under subsection (a)*  
2 *shall include, with respect to each operation described in*  
3 *such subsection, the following:*

4               “(1) *The date of the operation.*

5               “(2) *The class of ship or type of aircraft that*  
6 *conducted the operation.*

7               “(3) *The geographic location of the operation.*

8               “(4) *Identification of the foreign country that*  
9 *made the excessive territorial claim challenged by the*  
10 *operation.*

11              “(5) *A description of the excessive territorial*  
12 *claim that was challenged by the operation.*

13       “(c) *SUNSET.*—*This section shall terminate on Sep-*  
14 *tember 30, 2018.”.*

15       (b) *CLERICAL AMENDMENT.*—*The table of sections at*  
16 *the beginning of such chapter is amended by inserting after*  
17 *the item relating to section 130h the following new item:*

    “130i. *Quarterly report on freedom of navigation operations.”.*

18       (c) *EFFECTIVE DATE.*—*The amendments made by sub-*  
19 *sections (a) and (b) shall take effect on the date of the enact-*  
20 *ment of this Act and shall apply with respect to fiscal quar-*  
21 *ters beginning after such date.*

22   **SEC. 1256. ANNUAL REPORT ON FOREIGN MILITARY SALES**  
23                           **TO TAIWAN.**

24       *Section 36 of the Arms Export Control Act (22 U.S.C.*  
25 *2776) is amended by adding at the end the following:*

1       “(j) *At the end of each fiscal year, the Secretary of*  
2 *Defense shall submit to the Committees on Armed Services*  
3 *and Foreign Relations of the Senate and the Committees*  
4 *on Armed Services and Foreign Affairs of the House of Rep-*  
5 *resentatives a report that lists each request received from*  
6 *Taiwan and each letter of offer to sell any defense articles*  
7 *or services under this Act to Taiwan during such fiscal*  
8 *year. The report shall be submitted in unclassified form,*  
9 *but may contain a classified annex.”.*

10 **SEC. 1257. SENSE OF CONGRESS ON JULY 2016 NATO SUM-**  
11 **MIT IN WARSAW, POLAND.**

12       (a) *FINDINGS.—Congress finds the following:*

13           (1) *The North Atlantic Treaty Organization*  
14 *(NATO) has been the cornerstone of transatlantic se-*  
15 *curity cooperation and an enduring instrument for*  
16 *promoting stability in Europe and around the world*  
17 *for over 65 years.*

18           (2) *NATO currently faces a range of evolving se-*  
19 *curity challenges, including Russian aggression in*  
20 *Eastern Europe, and instability and conflict in the*  
21 *Middle East and North Africa. In the face of these*  
22 *varied challenges, NATO must deter threats and, if*  
23 *necessary, defend NATO member states against adver-*  
24 *saries.*

1           (3) *Since NATO's 2014 summit in Wales, NATO*  
2           *member states have made progress in implementing a*  
3           *Readiness Action Plan to enhance allied readiness*  
4           *and collective defense in response to Russian aggres-*  
5           *sion. However, much work remains to be done.*

6           (4) *NATO's solidarity is strengthened by the bol-*  
7           *stering of NATO's conventional and nuclear deter-*  
8           *rence, increased defense spending by NATO member*  
9           *states, and continued enlargement of the Alliance.*

10          (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
11          *that—*

12                 (1) *at the July 2016 NATO Summit in Warsaw,*  
13                 *Poland and beyond, the United States should—*

14                         (A) *welcome Montenegro's accession to*  
15                         *NATO;*

16                         (B) *continue to work with aspirant coun-*  
17                         *tries to prepare them for entry into NATO;*

18                         (C) *continue supporting a Membership Ac-*  
19                         *tion Plan (MAP) for Georgia;*

20                         (D) *encourage the leaders of Macedonia and*  
21                         *Greece to find a mutually agreeable solution to*  
22                         *the name dispute between the two countries;*

23                         (E) *seek a Dayton II agreement to resolve*  
24                         *the constitutional issues of Bosnia and*  
25                         *Herzegovina;*

1           (F) work with the Republic of Kosovo to  
2           prepare the country for entrance into the Part-  
3           nership for Peace (PfP) program;

4           (G) take a leading role in working with  
5           NATO member states to identify, through con-  
6           sensus, the current and future security threats  
7           facing the Alliance; and

8           (H) take a leading role to work with other  
9           NATO member states to ensure the alliance  
10          maintains the required capabilities, including  
11          the gains in interoperability from combat in Af-  
12          ghanistan, necessary to meet the security threats  
13          to the Alliance;

14          (2) in Warsaw, NATO member states should  
15          build upon the progress made since the 2014 Wales  
16          Summit, by committing additional resources to  
17          NATO's Readiness Action Plan and related measures  
18          to enhance allied readiness and deterrence;

19          (3) NATO member states should review defense  
20          spending to ensure sufficient funding is obligated to  
21          meet NATO responsibilities, including to allocate at  
22          least 2 percent of Gross Domestic Product (GDP) to  
23          defense spending, and to devote at least 20 percent of  
24          defense spending to defense modernization and new  
25          equipment;

1           (4) *the United States should commit to main-*  
2 *taining a robust military presence in Europe as a*  
3 *means of promoting allied interoperability, providing*  
4 *visible assurance to NATO allies, and deterring Rus-*  
5 *sian aggression in the region; and*

6           (5) *the United States reaffirms and remains*  
7 *committed to the policies enumerated by NATO mem-*  
8 *ber states in the Deterrence and Defense Posture Re-*  
9 *view, dated May 20, 2012, and the Wales Summit*  
10 *Declaration of September 2014, including the fol-*  
11 *lowing statement: “Deterrence, based on an appro-*  
12 *priate mix of nuclear, conventional, and missile*  
13 *defence capabilities, remains a core element of our*  
14 *overall strategy.”.*

15 **SEC. 1258. REPORT ON VIOLENCE AND CARTEL ACTIVITY IN**  
16 **MEXICO.**

17           *The Secretary of Defense shall submit to the congres-*  
18 *sional defense committees a report on violence and cartel*  
19 *activity in Mexico and the impact of such on United States*  
20 *national security.*

21 **SEC. 1259. UNITED STATES POLICY ON TAIWAN.**

22           (a) *FINDINGS.—Congress finds the following:*

23           (1) *For more than 50 years, the United States*  
24 *and Taiwan have had a unique and close relation-*



1       *ship, which has supported the economic, cultural, and*  
2       *strategic advantage to both countries.*

3           (2) *The United States has vital security and*  
4       *strategic interests in the Taiwan Strait.*

5           (3) *The Taiwan Relations Act (Public Law 96–*  
6       *8; 22 U.S.C. 3301 et seq.) has been instrumental in*  
7       *maintaining peace, security, and stability in the Tai-*  
8       *wan Strait since its enactment in 1979.*

9           (4) *The Taiwan Relations Act states that it is*  
10       *the policy of the United States to provide Taiwan*  
11       *with arms of a defensive character and to maintain*  
12       *the capacity of the United States to defend against*  
13       *any forms of coercion that would jeopardize the secu-*  
14       *rity, or the social or economic system, of the people*  
15       *on Taiwan.*

16       (b) *STATEMENT OF POLICY.—The Taiwan Relations*  
17       *Act (Public Law 96–8; 22 U.S.C. 3301 et seq.) forms the*  
18       *cornerstone of United States policy and relations with Tai-*  
19       *wan.*

20       (c) *REPORT.—*

21           (1) *IN GENERAL.—Not later than February 15,*  
22       *2017, the Secretary of Defense and the Secretary of*  
23       *State shall jointly submit to the appropriate commit-*  
24       *tees of Congress a report that contains a description*  
25       *of the steps the United States has taken, plans to take,*

1       *and will take to provide Taiwan with arms of a de-*  
2       *fensive character in accordance with the Taiwan Re-*  
3       *lations Act (Public Law 96–8; 22 U.S.C. 3301 et*  
4       *seq.).*

5               (2) *APPROPRIATE COMMITTEES OF CONGRESS*  
6       *DEFINED.—In this subsection, the term “appropriate*  
7       *committees of Congress” means—*

8               (A) *the congressional defense committees;*  
9               *and*

10              (B) *Committee on Foreign Relations of the*  
11              *Senate and the Committee on Foreign Affairs of*  
12              *the House of Representatives.*

13       **SEC. 1259A. LIMITATION ON AVAILABILITY OF FUNDS TO IM-**  
14                               **PLEMENT THE ARMS TRADE TREATY.**

15              (a) *IN GENERAL.—None of the funds authorized to be*  
16       *appropriated by this Act or otherwise made available for*  
17       *fiscal year 2017 for the Department of Defense may be obli-*  
18       *gated or expended to fund a Secretariat or any other inter-*  
19       *national organization established to support the implemen-*  
20       *tation of the Arms Trade Treaty, to sustain domestic pros-*  
21       *ecutions based on any charge related to the Treaty, or to*  
22       *implement the Treaty until the Senate approves a resolu-*  
23       *tion of ratification for the Treaty and implementing legisla-*  
24       *tion for the Treaty has been enacted into law.*

1           **(b) RULE OF CONSTRUCTION.**—*Nothing in this section*  
2 *shall be construed to preclude the Department of Defense*  
3 *from assisting foreign countries in bringing their laws, reg-*  
4 *ulations, and practices related to export control up to*  
5 *United States standards.*

6 **SEC. 1259B. LIMITATION ON MILITARY CONTACT AND CO-**  
7 **OPERATION BETWEEN THE UNITED STATES**  
8 **AND CUBA.**

9           **(a) LIMITATION.**—*Except as provided in subsection*  
10 *(b), none of the funds authorized to be appropriated or oth-*  
11 *erwise made available for fiscal year 2017 for the Depart-*  
12 *ment of Defense may be used for any bilateral military-*  
13 *to-military contact or cooperation between the Governments*  
14 *of the United States and Cuba until the Secretary of De-*  
15 *fense and the Secretary of State, in consultation with the*  
16 *Director of National Intelligence, certify to the appropriate*  
17 *congressional committees that—*

18                   **(1) the Government of Cuba has—**

19                           **(A) met the requirements and satisfied the**  
20 *factors specified in sections 205 and 206 of the*  
21 *Cuban Liberty and Democratic Solidarity*  
22 *(LIBERTAD) Act of 1996 (22 U.S.C. 6065 and*  
23 *6066); and*

24                           **(B) resolved, to the full satisfaction of**  
25 *United States law, all outstanding claims and*

1           *judgments belonging to United States nationals*  
2           *against the Government of Cuba, including but*  
3           *not limited to claims regarding property con-*  
4           *fiscated by the Government of Cuba;*

5           *(2) the Cuban military and other security forces*  
6           *in Cuba have ceased committing human right abuses,*  
7           *including arbitrary arrests, beatings, and other acts*  
8           *of repudiation, against those who express opposition*  
9           *to the Castro regime, civil rights activists and other*  
10          *citizens of Cuba, as well as all persecution, intimidati-*  
11          *on, arrest, imprisonment, and assassination of dis-*  
12          *sidents and members of faith-based organizations;*

13          *(3) the Cuban military has ceased providing*  
14          *military intelligence, weapons training, strategic*  
15          *planning, and security logistics to the military and*  
16          *security forces of Venezuela;*

17          *(4) the Government of Cuba no longer demands*  
18          *that the United States relinquish control of Guanta-*  
19          *namo Bay, in violation of an international treaty;*

20          *(5) the Government of Cuba returns to the*  
21          *United States fugitives wanted by the Department of*  
22          *Justice for crimes committed in the United States;*  
23          *and*

24          *(6) the officials of the Cuban military that were*  
25          *indicted in the murder of United States citizens dur-*

1        *ing the shoot down of planes operated by the Brothers*  
2        *to the Rescue humanitarian organization in 1996 are*  
3        *brought to justice.*

4        *(b) EXCEPTIONS.—The limitation on the use of funds*  
5        *under subsection (a) shall not apply with respect to—*

6                *(1) payments in furtherance of the lease agree-*  
7                *ment, or other financial transactions necessary for*  
8                *maintenance and improvements of the military base*  
9                *at Guantanamo Bay, Cuba, including any adjacent*  
10               *areas under the control or possession of the United*  
11               *States;*

12               *(2) assistance or support in furtherance of de-*  
13               *mocracy-building efforts for Cuba described in section*  
14               *109 of the Cuban Liberty and Democratic Solidarity*  
15               *(LIBERTAD) Act of 1996 (22 U.S.C. 6039); or*

16               *(3) customary and routine financial transactions*  
17               *necessary for the maintenance, improvements, or reg-*  
18               *ular duties of the United States mission in Havana,*  
19               *including outreach to the pro-democracy opposition.*

20        *(c) DEFINITIONS.—In this section:*

21               *(1) APPROPRIATE CONGRESSIONAL COMMIT-*  
22               *TEES.—The term “appropriate congressional commit-*  
23               *tees” means—*

1           (A) *the Committee on Armed Services and*  
2           *the Committee on Foreign Relations of the Sen-*  
3           *ate; and*

4           (B) *the Committee on Armed Services and*  
5           *the Committee on Foreign Affairs of the House*  
6           *of Representatives.*

7           (2) *BILATERAL MILITARY-TO-MILITARY CONTACT*  
8           *OR COOPERATION.—The term “bilateral military-to-*  
9           *military contact or cooperation”—*

10           (A) *means—*

11           (i) *reciprocal visits and meetings by*  
12           *high-ranking delegations;*

13           (ii) *information sharing, policy con-*  
14           *sultations, security dialogues or other forms*  
15           *of consultative discussions;*

16           (iii) *exchange of military instructors,*  
17           *training personnel, and students;*

18           (iv) *defense planning; and*

19           (v) *military training or exercises; but*

20           (B) *does not include any contact or co-*  
21           *operation that is in support of the United States*  
22           *stability operations.*

23           (3) *CUBAN MILITARY.—The term “Cuban mili-*  
24           *tary” means—*

1           (A) *the Ministry of the Revolutionary*  
2           *Armed Forces of Cuba, the Ministry of the Inte-*  
3           *rior of Cuba, or any subdivision of either such*  
4           *Ministry;*

5           (B) *any agency, instrumentality, or other*  
6           *entity that is owned, operated, or controlled by*  
7           *an entity specified in subparagraph (A); or*

8           (C) *an individual who is a senior member*  
9           *of the Ministry of the Revolutionary Armed*  
10           *Forces of Cuba or the Ministry of the Interior of*  
11           *Cuba.*

12       (d) *EFFECTIVE DATE.*—*This section takes effect on the*  
13       *date of the enactment of this Act and applies with respect*  
14       *to funds described in subsection (a) that are unobligated*  
15       *as of such date of enactment.*

16       **SEC. 1259C. GLOBAL ENGAGEMENT CENTER.**

17       (a) *ESTABLISHMENT.*—*Not later than 180 days after*  
18       *the date of the enactment of this Act, the Secretary of State,*  
19       *in coordination with the Secretary of Defense and the heads*  
20       *of other relevant Federal departments and agencies, shall*  
21       *establish a Global Engagement Center (in this section re-*  
22       *ferred to as the “Center”). The purposes of the Center are—*

23               (1) *to lead and coordinate the compilation and*  
24               *examination of information on foreign government*  
25               *information warfare efforts monitored and integrated*

1 *by the appropriate interagency entities with responsi-*  
2 *bility for such information, including information*  
3 *provided by recipients of information access fund*  
4 *grants awarded under subsection (f) and other*  
5 *sources;*

6 *(2) to establish a framework for the integration*  
7 *of critical data and analysis provided by the appro-*  
8 *priate interagency entities with responsibility for*  
9 *such information on foreign propaganda and*  
10 *disinformation efforts into the development of na-*  
11 *tional strategy;*

12 *(3) to develop, plan, and synchronize, in coordi-*  
13 *nation with the Secretary of Defense, and the heads*  
14 *of other relevant Federal departments and agencies,*  
15 *whole-of-government initiatives to expose and counter*  
16 *foreign propaganda and disinformation directed*  
17 *against United States national security interests and*  
18 *proactively advance fact-based narratives that sup-*  
19 *port United States allies and interests;*

20 *(4) to demonstrate new technologies, methodolo-*  
21 *gies and concepts relevant to the missions of the Cen-*  
22 *ter that can be transitioned to other departments or*  
23 *agencies of the United States Government, foreign*  
24 *partners or allies, or other nongovernmental entities;*



1           (5) *to establish cooperative or liaison relation-*  
2           *ships with foreign partners and allies in consultation*  
3           *with interagency entities with responsibility for such*  
4           *activities, and other entities, such as academia, non-*  
5           *governmental organizations, and the private sector;*  
6           *and*

7           (6) *to identify shortfalls in United States capa-*  
8           *bilities in any areas relevant to the United States*  
9           *Government's mission, and recommend necessary en-*  
10          *hancements or changes.*

11          (b) *FUNCTIONS.—The Center shall carry out the fol-*  
12          *lowing functions:*

13           (1) *Integrating interagency and international ef-*  
14           *forts to track and evaluate counterfactual narratives*  
15           *abroad that threaten the national security interests of*  
16           *the United States and United States allies.*

17           (2) *Integrating, and analyzing relevant informa-*  
18           *tion, data, analysis, and analytics from United*  
19           *States Government agencies, allied nations, think*  
20           *tanks, academic institutions, civil society groups, and*  
21           *other nongovernmental organizations.*

22           (3) *Developing and disseminating fact-based*  
23           *narratives and analysis to counter propaganda and*  
24           *disinformation directed at United States allies and*  
25           *partners.*

1           (4) *Identifying current and emerging trends in*  
2 *foreign propaganda and disinformation based on the*  
3 *information provided by the appropriate interagency*  
4 *entities with responsibility for such information, in-*  
5 *cluding information obtained from print, broadcast,*  
6 *online and social media, support for third-party out-*  
7 *lets such as think tanks, political parties, and non-*  
8 *governmental organizations, and the use of covert or*  
9 *clandestine special operators and agents to influence*  
10 *targeted populations and governments in order to co-*  
11 *ordinate and shape the development of tactics, tech-*  
12 *niques, and procedures to expose and refute foreign*  
13 *misinformation and disinformation and proactively*  
14 *promote fact-based narratives and policies to audi-*  
15 *ences outside the United States.*

16           (5) *Facilitating the use of a wide range of tech-*  
17 *nologies and techniques by sharing expertise among*  
18 *agencies, seeking expertise from external sources, and*  
19 *implementing best practices.*

20           (6) *Identifying gaps in United States capabili-*  
21 *ties in areas relevant to the Center's mission and rec-*  
22 *ommending necessary enhancements or changes.*

23           (7) *Identifying the countries and populations*  
24 *most susceptible to foreign government propaganda*

1        *and disinformation based on information provided by*  
2        *appropriate interagency entities.*

3            (8) *Administering the information access fund*  
4        *established pursuant to subsection (f).*

5            (9) *Coordinating with allied and partner na-*  
6        *tions, particularly those frequently targeted by foreign*  
7        *disinformation operations, and international organi-*  
8        *zations and entities such as the NATO Center of Ex-*  
9        *cellence on Strategic Communications, the European*  
10       *Endowment for Democracy, and the European Exter-*  
11       *nal Action Service Task Force on Strategic Commu-*  
12       *nications, in order to amplify the Center's efforts and*  
13       *avoid duplication.*

14        (c) *COORDINATOR.—The Secretary of State shall ap-*  
15       *point a full-time Coordinator to lead the Center.*

16        (d) *EMPLOYEES OF THE CENTER.—*

17            (1) *DETAILEES.—Any Federal Government em-*  
18        *ployee may be detailed to the Center without reim-*  
19        *bursement, and such detail shall be without interrup-*  
20        *tion or loss of civil service status or privilege for a*  
21        *period of not more than three years.*

22            (2) *PERSONAL SERVICE CONTRACTORS.—The*  
23        *Secretary of State may exercise the authority pro-*  
24        *vided under section 3161 of title 5, United States*  
25        *Code, to establish a program (referred to in this sub-*

1        *section as the “Program”)* for hiring United States  
2        *citizens or aliens as personal services contractors for*  
3        *purposes of personnel resources of the Center, if—*

4                *(A) the Secretary determines that existing*  
5                *personnel resources are insufficient;*

6                *(B) the period in which services are pro-*  
7                *vided by a personal services contractor under the*  
8                *Program, including options, does not exceed*  
9                *three years, unless the Secretary determines that*  
10               *exceptional circumstances justify an extension of*  
11               *up to one additional year;*

12               *(C) not more than 20 United States citizens*  
13               *or aliens are employed as personal services con-*  
14               *tractors under the Program at any time; and*

15               *(D) the Program is only used to obtain spe-*  
16               *cialized skills or experience or to respond to ur-*  
17               *gent needs.*

18        *(e) AUTHORIZATION OF APPROPRIATIONS.—Under*  
19        *“Diplomatic and Consular Programs”, for each of fiscal*  
20        *years 2017 and 2018, \$10,000,000 is authorized to be ap-*  
21        *propriated to the Department of State and may remain*  
22        *available until expended to carry out the functions, duties,*  
23        *and responsibilities of the Center.*

24        *(f) INFORMATION ACCESS FUND.—*

1           (1) *AUTHORITY FOR GRANTS.*—*The Center is au-*  
2 *thorized to provide grants or contracts of financial*  
3 *support to civil society groups, journalists, non-*  
4 *governmental organizations, federally-funded research*  
5 *and development centers, private companies, or aca-*  
6 *demie institutions for the following purposes:*

7           (A) *To support local independent media*  
8 *who are best placed to refute foreign*  
9 *disinformation and manipulation in their own*  
10 *communities.*

11           (B) *To collect and store examples in print,*  
12 *online, and social media, disinformation, misin-*  
13 *formation, and propaganda directed at the*  
14 *United States and its allies and partners.*

15           (C) *To analyze and report on tactics, tech-*  
16 *niques, and procedures of foreign government in-*  
17 *formation warfare with respect to*  
18 *disinformation, misinformation, and propa-*  
19 *ganda.*

20           (D) *To support efforts by the Center to*  
21 *counter efforts by foreign governments to use*  
22 *disinformation, misinformation, and propa-*  
23 *ganda to influence the policies and social and*  
24 *political stability of the United States and*  
25 *United States allies and partners.*

1           (2) *FUNDING AVAILABILITY AND LIMITATIONS.*—  
2           *The Secretary of State shall provide that each organi-*  
3           *zation that applies to receive funds under this sub-*  
4           *section undergoes a vetting process in accordance with*  
5           *the relevant existing regulations to ensure its bona*  
6           *fides, capability, and experience, and its compat-*  
7           *ibility with United States interests and objectives.*

8           (g) *LIMITATION.*—*None of the funds authorized to be*  
9           *appropriated by the Act to carry out this section shall be*  
10          *used for purposes other than countering foreign propaganda*  
11          *and misinformation that threatens United States national*  
12          *security.*

13          (h) *TERMINATION OF CENTER.*—*The Center shall ter-*  
14          *minate on the date that is 5 years after the date of the en-*  
15          *actment of this Act.*

16          **SEC. 1259D. ESTABLISHMENT OF THE BROADCASTING**  
17                                 **BOARD OF GOVERNORS CHIEF EXECUTIVE**  
18                                 **OFFICER POSITION.**

19          *The United States International Broadcasting Act of*  
20          *1994 (22 U.S.C. 6201 et seq.; Public Law 103–236) is*  
21          *amended—*

22                 (1) *by amending section 304 (22 U.S.C. 6203) to*  
23                 *read as follows:*

1 **“SEC. 304. ESTABLISHMENT OF THE CHIEF EXECUTIVE OF-**  
2 **FICER OF THE BROADCASTING BOARD OF**  
3 **GOVERNORS.**

4 “(a) *CONTINUED EXISTENCE WITHIN EXECUTIVE*  
5 *BRANCH.*—*The Broadcasting Board of Governors shall con-*  
6 *tinue to exist within the Executive branch of Government*  
7 *as an entity described in section 104 of title 5, United*  
8 *States Code.*

9 “(b) *CHIEF EXECUTIVE OFFICER.*—

10 “(1) *IN GENERAL.*—*The head of the Broad-*  
11 *casting Board of Governors shall be a Chief Executive*  
12 *Officer, who shall be appointed by the President, by*  
13 *and with the advice and consent of the Senate. The*  
14 *President shall nominate the Chief Executive Officer*  
15 *not later than 60 days after the date of the enactment*  
16 *of this section. Until such time as a Chief Executive*  
17 *Officer is appointed and has qualified, the current or*  
18 *acting Chief Executive Officer appointed by the*  
19 *Board may continue to serve and exercise the authori-*  
20 *ties and powers under this Act.*

21 “(2) *TERM.*—*The first Chief Executive Officer*  
22 *appointed pursuant to paragraph (1) shall serve for*  
23 *an initial term of three years.*

24 “(3) *COMPENSATION.*—*A Chief Executive Officer*  
25 *appointed pursuant to paragraph (1) shall be com-*  
26 *pensated at the annual rate of basic pay for level III*

1       of the Executive Schedule under section 5314 of title  
2       5, United States Code.

3       “(c) *TERMINATION OF DIRECTOR OF INTERNATIONAL*  
4 *BROADCASTING BUREAU.*—Immediately upon appointment  
5 of the Chief Executive Officer under subsection (b), the Di-  
6 rector of the International Broadcasting Bureau shall be  
7 terminated, and all of the responsibilities, authorities, and  
8 immunities of the Director or the Board under this or any  
9 other Act or authority before the date of the enactment of  
10 this section shall be transferred to and assumed or overseen  
11 by the Chief Executive Officer, as head of the agency.

12       “(d) *MEMBERS OF THE BROADCASTING BOARD OF*  
13 *GOVERNORS.*—Members of the Broadcasting Board of Gov-  
14 ernors in office as of the date of the enactment of this section  
15 may serve the remainder of their terms of office in an advi-  
16 sory capacity, but such terms may not be extended beyond  
17 the date on which such terms are set to expire.

18       “(e) *IMMUNITY FROM CIVIL LIABILITY.*—Notwith-  
19 standing any other provision of law, all limitations on li-  
20 ability that apply to the Chief Executive Officer shall also  
21 apply to members of the board of directors of RFE/RL, Inc.,  
22 Radio Free Asia, the Middle East Broadcasting Networks,  
23 or any organization that consolidates such entities when  
24 such members are acting in their official capacities.”; and

25               (2) in section 305 (22 U.S.C. 6204)—



1 (A) in subsection (a)—

2 (i) by striking “Board” each place it  
3 appears and inserting “Chief Executive Of-  
4 ficer”;

5 (ii) in paragraph (1), by inserting “di-  
6 rect and” before “supervise”;

7 (iii) in paragraph (5)—

8 (I) by inserting “and cooperative  
9 agreements” after “grants”; and

10 (II) by striking “sections 308 and  
11 309” and inserting “this Act, and on  
12 behalf of other agencies, accordingly”;

13 (iv) in paragraph (6), by striking  
14 “subject to the limitations in sections 308  
15 and 309 and”;

16 (v) in paragraph (11), by inserting  
17 “not” before “subject”;

18 (vi) in paragraph (15)(A), by strik-  
19 ing—

20 (I) “temporary and intermittent”;  
21 and

22 (II) “to the same extent as is au-  
23 thorized by section 3109 of title 5,  
24 United States Code,”; and

1                   (vii) by adding at the end the following  
2                   new paragraphs:

3                   “(20) Notwithstanding any other provision of  
4                   law, including section 308(a), to condition, if appro-  
5                   priate, any grant or cooperative agreement to RFE/  
6                   RL, Inc., Radio Free Asia, and the Middle East  
7                   Broadcasting Networks on authority to determine  
8                   membership of their respective boards, and the con-  
9                   solidation of such entities into a single grantee orga-  
10                  nization.

11                  “(21) To redirect funds within the scope of any  
12                  grant or cooperative agreement, or between grantees,  
13                  as necessary, and to condition grants or cooperative  
14                  agreements, if appropriate, on similar amendments  
15                  as authorized under section 308(a) to meet the pur-  
16                  poses of this Act.

17                  “(22) To change the name of the Board pursuant  
18                  to congressional notification 60 days prior to any  
19                  such change.”;

20                         (B) by striking subsections (b) and (c); and

21                         (C) by redesignating subsection (d) as sub-  
22                         section (b).

1 **SEC. 1259E. UNITED STATES INTERNATIONAL BROAD-**  
 2 **CASTING ACT OF 1994.**

3 *The United States International Broadcasting Act of*  
 4 *1994 (22 U.S.C. 6201 et seq.; Public Law 103–236) is*  
 5 *amended—*

6 (1) *in section 306 (22 U.S.C. 6205)—*

7 (A) *in subsection (a)—*

8 (i) *by striking the heading; and*

9 (ii) *by striking “Board” each place it*  
 10 *appears and inserting “Agency”; and*

11 (B) *by striking subsection (b);*

12 (2) *by striking section 307 (22 U.S.C. 6206);*

13 *and*

14 (3) *by inserting after section 309 the following*  
 15 *new sections:*

16 **“SEC. 310. BROADCAST ENTITIES REPORTING TO CHIEF EX-**  
 17 **ECUTIVE OFFICER.**

18 *“(a) GRANTEE ORGANIZATIONS.—Notwithstanding*  
 19 *any other provision of law, the following provisions shall*  
 20 *apply:*

21 *“(1) CONSOLIDATION.—The Chief Executive Offi-*  
 22 *cer, subject to the regular notification procedures of*  
 23 *the Committee on Appropriations and the Committee*  
 24 *on Foreign Affairs of the House of Representatives*  
 25 *and the Committee on Appropriations and the Com-*  
 26 *mittee on Foreign Relations of the Senate, who is au-*

1 *thorized to incorporate a grantee, may condition an-*  
2 *ual grants to RFE/RL, Inc., Radio Free Asia, and*  
3 *the Middle East Broadcasting Networks on the con-*  
4 *solidation of such grantees into a single, consolidated*  
5 *private, non-profit corporation (in accordance with*  
6 *section 501(c)(3) of the Internal Revenue Code and*  
7 *exempt from tax under section 501(a) of such Code),*  
8 *which may broadcast and provide news and informa-*  
9 *tion to audiences wherever the Agency may broadcast,*  
10 *for activities that the Chief Executive Officer deter-*  
11 *mines are consistent with the purposes of this Act, in-*  
12 *cluding the terms and conditions of subsections (g)(5),*  
13 *(h), (i), and (j) of section 308, except that the Agency*  
14 *may select any name for such a consolidated grantee.*

15 *“(2) FEDERAL STATUS.—Nothing in this or any*  
16 *other Act, or any action taken pursuant to this or*  
17 *any other Act, may be construed to make such a con-*  
18 *solidated grantee described in paragraph (1) or RFE/*  
19 *RL, Inc., Radio Free Asia, or the Middle East Broad-*  
20 *casting Networks or any other grantee or entity pro-*  
21 *vided funding by the Agency a Federal agency or in-*  
22 *strumentality. Employees or staff of such grantees or*  
23 *entities shall not be considered Federal employees. For*  
24 *purposes of this subsection and this Act, the term*  
25 *‘grant’ includes agreements under section 6305 of title*

1       31, United States Code, and the term ‘grantee’ in-  
2       cludes recipients of such agreements.

3           “(3) LEADERSHIP OF GRANTEE ORGANIZA-  
4       TIONS.—Officers of RFE/RL Inc., Radio Free Asia,  
5       and the Middle East Broadcasting Networks or any  
6       organization that is established through the consolida-  
7       tion of such entities, or authorized under this Act,  
8       shall serve at the pleasure of the Chief Executive Offi-  
9       cer of the Agency.

10       “(b) VOICE OF AMERICA.—

11           “(1) STATUS AS A FEDERAL ENTITY.—The Chief  
12       Executive Officer is authorized to establish an inde-  
13       pendent grantee organization, as a private nonprofit  
14       organization, to carry out all broadcasting and re-  
15       lated programs currently performed by the Voice of  
16       America. The Chief Executive Officer may make and  
17       supervise grants or cooperative agreements to such  
18       grantee, including under terms and conditions and in  
19       any manner authorized under section 305(a). Such  
20       grantee shall not be considered a Federal agency or  
21       instrumentality and shall adhere to the same stand-  
22       ards of professionalism and accountability required of  
23       all Board broadcasters and grantees. The Board is  
24       authorized to transfer any facilities or equipment to  
25       such grantee, and to utilize the provisions of sub-

1 *chapter VI of chapter 33 of title 5, United States*  
2 *Code.*

3 “(2) *SENSE OF CONGRESS.*—*It is the sense of the*  
4 *Congress that the Voice of America, operating as a*  
5 *nonprofit organization, should have the mission to—*

6 “(A) *serve as a consistently reliable and au-*  
7 *thoritative source of news on the United States,*  
8 *its policies, its people, and the international de-*  
9 *velopments that affect the United States;*

10 “(B) *provide accurate, objective, and com-*  
11 *prehensive information, with the understanding*  
12 *that these three values provide credibility among*  
13 *global news audiences;*

14 “(C) *present the official policies of the*  
15 *United States, and related discussions and opin-*  
16 *ions about those policies, clearly and effectively;*  
17 *and*

18 “(D) *represent the whole of the United*  
19 *States, and shall accordingly work to produce*  
20 *programming and content that presents a bal-*  
21 *anced and comprehensive projection of the diver-*  
22 *sity of thought and institutions of the United*  
23 *States.*

1 **“SEC. 311. INSPECTOR GENERAL AUTHORITIES.**

2       “(a) *IN GENERAL.*—*The Inspector General of the De-*  
 3 *partment of State and the Foreign Service shall exercise*  
 4 *the same authorities with respect to the Broadcasting Board*  
 5 *of Governors and the International Broadcasting Bureau*  
 6 *as the Inspector General exercises under the Inspector Gen-*  
 7 *eral Act of 1978 and section 209 of the Foreign Service Act*  
 8 *of 1980 with respect to the Department of State.*

9       “(b) *RESPECT FOR JOURNALISTIC INTEGRITY OF*  
 10 *BROADCASTERS.*—*The Inspector General shall respect the*  
 11 *journalistic integrity of all the broadcasters covered by this*  
 12 *title and may not evaluate the philosophical or political*  
 13 *perspectives reflected in the content of broadcasts.”.*

14 **SEC. 1259F. REDESIGNATION AND ENHANCEMENT OF**  
 15 **SOUTH CHINA SEA INITIATIVE.**

16       “(a) *SENSE OF CONGRESS.*—*It is the sense of the Con-*  
 17 *gress that the United States should continue supporting the*  
 18 *efforts to the Southeast Asian nations to strengthen their*  
 19 *maritime security capacity, domain awareness, and inte-*  
 20 *gration of their capabilities.*

21       “(b) *REDESIGNATION AS SOUTHEAST ASIA MARITIME*  
 22 *SECURITY INITIATIVE.*—*Subsection (a)(2) of section 1263*  
 23 *of the National Defense Authorization Act for Fiscal Year*  
 24 *2016 (Public Law 114–92; 129 Stat. 1073; 10 U.S.C. 2282*  
 25 *note) is amended by striking “the ‘South China Sea Initia-*

1 *tive’” and inserting “the ‘Southeast Asia Maritime Secu-*  
2 *riety Initiative’”.*

3 (c) *CONFORMING AMENDMENT.—The heading of such*  
4 *section is amended to read as follows:*

5 **“SEC. 1263. SOUTHEAST ASIA MARITIME SECURITY INITIA-**  
6 **TIVE.”.**

7 **SEC. 1259G. OPPORTUNITIES TO EQUIP CERTAIN FOREIGN**  
8 **MILITARY ENTITIES.**

9 *Not later than 180 days after the date of the enactment*  
10 *of this Act, the Secretary of Defense, in consultation with*  
11 *the Secretaries of the military departments and the Sec-*  
12 *retary of State, shall submit to Congress a report that de-*  
13 *scribes—*

14 (1) *efforts to make United States manufacturers*  
15 *aware of opportunities to equip foreign military enti-*  
16 *ties that have been approved to receive assistance*  
17 *from the United States; and*

18 (2) *any new plans or strategies to raise United*  
19 *States manufacturers’ awareness with respect to such*  
20 *opportunities.*

21 **SEC. 1259H. REPORTS ON INF TREATY AND OPEN SKIES**  
22 **TREATY.**

23 (a) *REPORTS.—Not later than 90 days after the date*  
24 *of the enactment of this Act, the Chairman of the Joint*



1 *Chiefs of Staff shall submit to the appropriate congressional*  
2 *committees the following reports:*

3           (1) *A report on the Open Skies Treaty con-*  
4 *taining—*

5                   (A) *an assessment, conducted by the Chair-*  
6 *man jointly with the Secretary of Defense and*  
7 *the Secretary of State, of whether and why, the*  
8 *Treaty remains in the national security interest*  
9 *of the United States, including if there are com-*  
10 *pliance concerns related to implementation by*  
11 *the Russian Federation of the Treaty;*

12                   (B) *a specific plan by the Chairman jointly*  
13 *with the Secretary of Defense and the Secretary*  
14 *of State on remedying any such compliance con-*  
15 *cerns; and*

16                   (C) *a military assessment conducted by the*  
17 *Chairman of such compliance concerns.*

18           (2) *A report on the INF Treaty containing—*

19                   (A) *an assessment, conducted by the Chair-*  
20 *man jointly with the Secretary of Defense and*  
21 *the Secretary of State, of whether and why, the*  
22 *Treaty remains in the national security interest*  
23 *of the United States, including how any ongoing*  
24 *violation bear on the assessment if such a viola-*  
25 *tion is not resolved in the near-term;*

1           (B) a specific plan by the Chairman jointly  
2           with the Secretary of Defense and the Secretary  
3           of State to remedy violation by the Russian Fed-  
4           eration of the Treaty, and a judgment of whether  
5           Russia intends to take the steps required to es-  
6           tablish verifiable evidence that Russia has re-  
7           sumed its compliance with the Treaty if such  
8           non-compliance and inconsistencies are not re-  
9           solved by the date of the enactment of this Act;  
10          and

11           (C) a military assessment conducted by the  
12          Chairman of the risks posed by Russia's viola-  
13          tion of the Treaty.

14          (b) *UPDATE.*—Not later than February 15, 2018, the  
15          Chairman, the Secretary of Defense, and the Secretary of  
16          State shall jointly submit to the appropriate congressional  
17          committees an update to each report under subsection (a).

18          (c) *DEFINITIONS.*—In this section:

19           (1) The term “appropriate congressional com-  
20           mittees” means—

21           (A) the Committee on Armed Services and  
22           the Committee on Foreign Affairs of the House  
23           of Representatives; and

1           (B) *the Committee on Armed Services and*  
2           *the Committee on Foreign Relations of the Sen-*  
3           *ate.*

4           (2) *The term “INF Treaty” means the Treaty*  
5           *Between the United States of America and the Union*  
6           *of Soviet Socialist Republics on the Elimination of*  
7           *Their Intermediate- Range and Shorter-Range Mis-*  
8           *siles, commonly referred to as the Intermediate-Range*  
9           *Nuclear Forces (INF) Treaty, signed at Washington*  
10           *December 8, 1987, and entered into force June 1,*  
11           *1988.*

12           (3) *The term “Open Skies Treaty” means the*  
13           *Treaty on Open Skies, done at Helsinki March 24,*  
14           *1992, and entered into force January 1, 2002.*

15 **SEC. 1259I. SENSE OF CONGRESS REGARDING THE ROLE OF**  
16           **THE UNITED STATES IN THE NORTH ATLAN-**  
17           **TIC TREATY ORGANIZATION.**

18           *It is the sense of Congress that continued United States*  
19           *leadership in the North Atlantic Treaty Organization is*  
20           *critical to the national security of the United States.*

21 **SEC. 1259J. AUTHORIZATION OF UNITED STATES ASSIST-**  
22           **ANCE TO ISRAEL.**

23           (a) *IN GENERAL.*—*The President is authorized to pro-*  
24           *vide assistance to Israel to improve maritime security and*  
25           *maritime domain awareness.*

1       (b) *ACTIVITIES SUPPORTED.*—Activities that may be  
2 supported by assistance under subsection (a) include the fol-  
3 lowing:

4           (1) *Procurement, maintenance, and sustainment*  
5 *of the David’s Sling Weapon System for purposes of*  
6 *intercepting short-range missiles.*

7           (2) *Payment of incremental expenses of Israel*  
8 *that are incurred by Israel as the direct result of par-*  
9 *ticipation in a bilateral or multilateral exercise of the*  
10 *United States Navy or Coast Guard.*

11          (3) *Visits of United States naval vessels at ports*  
12 *of Israel.*

13          (4) *Conduct of joint research and development*  
14 *for advanced maritime domain awareness capabili-*  
15 *ties.*

16       (c) *SUNSET.*—This section shall terminate on the date  
17 that is 5 years after the date of the enactment of this Act.

18 **SEC. 1259K. SENSE OF CONGRESS IN SUPPORT OF A**  
19 **DENUCLEARIZED KOREAN PENINSULA.**

20       *It is the sense of Congress that United States foreign*  
21 *policy should support a denuclearized Korean peninsula.*

1 **SEC. 1259L. MEASURES AGAINST PERSONS INVOLVED IN AC-**  
2 **TIVITIES THAT VIOLATE ARMS CONTROL**  
3 **TREATIES OR AGREEMENTS WITH THE**  
4 **UNITED STATES.**

5 *(a) IMPOSITION OF MEASURES.—*

6 *(1) IN GENERAL.—Except as provided in sub-*  
7 *section (c), on and after the date that is 90 days after*  
8 *the date of the enactment of this Act, the President*  
9 *shall impose the measures described in subsection (b)*  
10 *with respect to—*

11 *(A) a person the President determines—*

12 *(i)(I) is an individual who is a citizen,*  
13 *national, or permanent resident of a coun-*  
14 *try described in paragraph (2); or*

15 *(II) is an entity organized under the*  
16 *laws of a country described in paragraph*  
17 *(2); and*

18 *(ii) has engaged in any activity that*  
19 *contributed to or is a significant factor in*  
20 *the President's or the Secretary of State's*  
21 *determination that such country is not in*  
22 *full compliance with its obligations as fur-*  
23 *ther described in paragraph (2); and*

24 *(B) a person the President determines has*  
25 *provided material support to a person described*  
26 *in subparagraph (A).*

1           (2) *COUNTRY DESCRIBED.*—A country described  
2           in this paragraph is a country that the President or  
3           the Secretary of State has determined, in the most re-  
4           cent annual report submitted to Congress pursuant to  
5           section 403 of the Arms Control and Disarmament  
6           Act (22 U.S.C. 2593a), is not in full compliance with  
7           its obligations undertaken in all arms control, non-  
8           proliferation, and disarmament agreements or com-  
9           mitments to which the United States is a partici-  
10          pating state.

11          (b) *MEASURES DESCRIBED.*—

12           (1) *IN GENERAL.*—The measures to be imposed  
13           with respect to a person under subsection (a) are the  
14           head of any executive agency (as defined in section  
15           133 of title 41, United States Code) may not enter  
16           into, renew, or extend a contract for the procurement  
17           of goods or services with the person.

18           (2) *EXCEPTION FOR MAJOR ROUTES OF SUP-*  
19           *PLY.*—The requirement to impose measures under  
20           paragraph (1) shall not apply with respect to any  
21           contract for the procurement of goods or services along  
22           a major route of supply to a zone of active combat  
23           or major contingency operation.

24           (3) *REQUIREMENT TO REVISE REGULATIONS.*—

1           (A) *IN GENERAL.*—Not later than 90 days  
2 after the date of the enactment of this Act, the  
3 *Federal Acquisition Regulation, the Defense Fed-*  
4 *eral Acquisition Regulation Supplement, and the*  
5 *Uniform Administrative Requirements, Cost*  
6 *Principles, and Audit Requirements for Federal*  
7 *Awards shall be revised to implement paragraph*  
8 *(1)(B).*

9           (B) *CERTIFICATIONS.*—The revisions to the  
10 *Federal Acquisition Regulation under subpara-*  
11 *graph (A) shall include a requirement for a cer-*  
12 *tification from each person that is a prospective*  
13 *contractor that the person, and any person*  
14 *owned or controlled by the person, does not en-*  
15 *gage in any activity described in subsection*  
16 *(a)(1)(A)(ii).*

17           (C) *REMEDIES.*—If the head of an executive  
18 agency determines that a person has submitted a  
19 false certification under subparagraph (B) on or  
20 after the date on which the applicable revision of  
21 the *Federal Acquisition Regulation* required by  
22 this paragraph becomes effective—

23           (i) *the head of that executive agency*  
24 *shall terminate a contract with such person*  
25 *or debar or suspend such person from eligi-*

1            *bility for Federal contracts for a period of*  
2            *not less than 2 years;*

3            *(ii) any such debarment or suspension*  
4            *shall be subject to the procedures that apply*  
5            *to debarment and suspension under the*  
6            *Federal Acquisition Regulation under sub-*  
7            *part 9.4 of part 9 of title 48, Code of Fed-*  
8            *eral Regulations; and*

9            *(iii) the Administrator of General*  
10           *Services shall include on the List of Parties*  
11           *Excluded from Federal Procurement and*  
12           *Nonprocurement Programs maintained by*  
13           *the Administrator under part 9 of the Fed-*  
14           *eral Acquisition Regulation each person*  
15           *that is debarred, suspended, or proposed for*  
16           *debarment or suspension by the head of an*  
17           *executive agency on the basis of a deter-*  
18           *mination of a false certification under sub-*  
19           *paragraph (B).*

20           *(4) UNITED STATES PERSON DEFINED.—In this*  
21           *subsection, the term “United States person” means—*

22           *(A) a natural person who is a citizen or*  
23           *resident of the United States or a national of the*  
24           *United States (as defined in section 101(a) of the*



1           *Immigration and Nationality Act (8 U.S.C.*  
2           *1101(a)); and*

3                   *(B) an entity that is organized under the*  
4           *laws of the United States or any State.*

5           *(c) WAIVER.—*

6                   *(1) IN GENERAL.—The President may waive the*  
7           *application of measures on a case-by-case basis under*  
8           *subsection (a) with respect to a person if the Presi-*  
9           *dent—*

10                   *(A) determines that—*

11                           *(i)(I) in the case of a person described*  
12                   *in subsection (a)(1)(A), the person did not*  
13                   *knowingly engage in any activity described*  
14                   *in such subsection; or*

15                           *(II) in the case of a person described*  
16                   *in subsection (a)(1)(B), the person con-*  
17                   *ducted or facilitated a transaction or trans-*  
18                   *actions with, or provided financial services*  
19                   *to, a person described in subsection*  
20                   *(a)(1)(A) that did not knowingly engage in*  
21                   *any activity described in such subsection;*  
22                   *and*

23                           *(ii) the waiver is in the national secu-*  
24                   *rity interest of the United States; and*

1           (B) submits to the appropriate congress-  
2           sional committees a report on the determination  
3           and the reasons for the determination.

4           (2) *FORM OF REPORT.*—The report required by  
5           paragraph (1)(B) shall be submitted in unclassified  
6           form, but may include a classified annex.

7           (3) *APPROPRIATE CONGRESSIONAL COMMITTEES*  
8           *DEFINED.*—In this subsection, the term “appropriate  
9           congressional committees” means—

10           (A) the Committee on Armed Services, the  
11           Committee on Foreign Affairs, and the Perma-  
12           nent Select Committee on Intelligence of the  
13           House of Representatives; and

14           (B) the Committee on Armed Services, the  
15           Committee on Foreign Relations, and the Select  
16           Committee on Intelligence of the Senate.

17           (d) *TERMINATION.*—The measures imposed with re-  
18           spect to a person under subsection (a) shall terminate on  
19           the date on which the President submits to Congress a subse-  
20           quent annual report pursuant to section 403 of the Arms  
21           Control and Disarmament Act (22 U.S.C. 2593a) that does  
22           not contain a determination of the President that the coun-  
23           try described in subsection (a)(2) with respect to which the  
24           measures were imposed with respect to the person is a coun-  
25           try that is not in full compliance with its obligations under-

1 *taken in all arms control, nonproliferation, and disarmament*  
2 *agreements or commitments to which the United*  
3 *States is a participating state.*

4 **SEC. 1259M. DEPARTMENT OF DEFENSE REPORT ON CO-**  
5 **OPERATION BETWEEN IRAN AND THE RUS-**  
6 **SIAN FEDERATION.**

7 (a) *REPORT REQUIRED.*—*The Secretary of Defense*  
8 *and the Secretary of State shall jointly submit to Congress*  
9 *a report on cooperation between Iran and the Russian Fed-*  
10 *eration and how and to what extent such cooperation affects*  
11 *United States national security and strategic interests.*

12 (b) *MATTERS TO BE INCLUDED.*—*The report required*  
13 *by subsection (a) shall include the following:*

14 (1) *How and to what extent Iran and the Rus-*  
15 *sian Federation cooperate on matters relating to*  
16 *Iran's space program, including how and to what ex-*  
17 *tent such cooperation strengthens Iran's ballistic mis-*  
18 *sile program.*

19 (2) *How and to what extent Iran's interests and*  
20 *actions and the Russian Federation's interests and*  
21 *actions overlap with respect to Latin America.*

22 (3) *A description and analysis of the intel-*  
23 *ligence-sharing center established by Iran, the Rus-*  
24 *sian Federation, and Syria in Baghdad, Iraq and*  
25 *whether such center is being used for purposes other*

1        *than the purposes of the joint mission of such coun-*  
2        *tries in Syria.*

3            (4) *A description and analysis of—*

4                    (A) *naval cooperation between Iran and the*  
5                    *Russian Federation, including joint naval exer-*  
6                    *cises between the two countries; and*

7                    (B) *the implications of—*

8                            (i) *an increased Russian Federation*  
9                            *naval presence in the Eastern Mediterra-*  
10                            *nean; and*

11                            (ii) *an Iranian naval presence in the*  
12                            *Persian Gulf.*

13            (5) *A description of the increased cooperation be-*  
14            *tween Iran and the Russian Federation since the*  
15            *start of the current conflict in Syria.*

16            (6) *The steps Iran has taken to adopt the Rus-*  
17            *sian Federation model of hybrid warfare against po-*  
18            *tential targets such as Gulf Cooperation Council*  
19            *states with sizeable Shiite populations.*

20            (7) *The extent of Russian Federation cooperation*  
21            *with Hezbollah in Syria, Lebanon, and Iraq, includ-*  
22            *ing cooperation with respect to training and equip-*  
23            *ping and joint operations.*

24            (8) *A description of the weapons that have been*  
25            *provided by the Russian Federation to Iran that have*

1 *violated relevant United Nations Security Council*  
2 *resolutions imposing an arms embargo on Iran.*

3 *(c) SUBMISSION PERIOD.—The report required by sub-*  
4 *section (a) shall be submitted not later than 120 days after*  
5 *the date of the enactment of this Act, and annually there-*  
6 *after, for such period of time as the Joint Comprehensive*  
7 *Plan of Act remains in effect.*

8 *(d) FORM.—The report required by subsection (a) shall*  
9 *be submitted in unclassified form, but may contain a classi-*  
10 *fied annex.*

11 **SEC. 1259N. REPORT ON MAINTENANCE BY ISRAEL OF A RO-**  
12 **BUST INDEPENDENT CAPABILITY TO REMOVE**  
13 **EXISTENTIAL SECURITY THREATS.**

14 *(a) FINDINGS.—Congress makes the following findings:*

15 *(1) The United States-Israel Enhanced Security*  
16 *Cooperation Act of 2012 (22 U.S.C. 8601 et seq.) es-*  
17 *tablished the policy of the United States to support*  
18 *the inherent right of Israel to self-defense.*

19 *(2) The United States-Israel Enhanced Security*  
20 *Cooperation Act of 2012 expresses the sense of Con-*  
21 *gress that the Government of the United States should*  
22 *transfer to the Government of Israel defense articles*  
23 *and defense services.*

24 *(3) The inherent right of Israel to self-defense*  
25 *necessarily includes the ability to defend against*

1        *threats to its security and defend its vital national*  
2        *interests.*

3        (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
4        *that Israel should be able to defend its vital national inter-*  
5        *ests and protect its territory and population against exis-*  
6        *tential threats.*

7        (c) *REPORT.*—

8            (1) *IN GENERAL.*—*Not later than 180 days after*  
9        *the date of the enactment of this Act, the President*  
10       *shall submit to the specified congressional committees*  
11       *a report that—*

12            (A) *identifies defensive capabilities and*  
13        *platforms requested by the Government of Israel*  
14        *that would contribute to maintenance of Israel's*  
15        *defensive capability against threats to its terri-*  
16        *tory and population, including nuclear and bal-*  
17        *listic missile facilities in Iran, and defend its*  
18        *vital national interests;*

19            (B) *assesses the availability for sale or*  
20        *transfer of items requested by the Government of*  
21        *Israel to maintain the capability described in*  
22        *subparagraph (A), including the legal authorities*  
23        *available for making such transfers; and*

24            (C) *describes what steps the President is*  
25        *taking to transfer the items described in sub-*

1           *paragraph (B) for Israel to maintain the capa-*  
2           *bility described in subparagraph (A).*

3           (2) *FORM.—The report required by paragraph*  
4           *(1) shall be submitted in unclassified form, but may*  
5           *contain a classified annex if necessary.*

6           (3) *DEFINITION.—In this subsection, the term*  
7           *“specified congressional committees” means—*

8                     (A) *the congressional defense committees;*  
9                     *and*

10                    (B) *the Committee on Foreign Relations of*  
11                    *the Senate and the Committee of Foreign Affairs*  
12                    *of the House of Representatives.*

13 **SEC. 12590. REPORT ON USE BY THE GOVERNMENT OF**  
14                    **IRAN OF COMMERCIAL AIRCRAFT AND RE-**  
15                    **LATED SERVICES FOR ILLICIT MILITARY OR**  
16                    **OTHER ACTIVITIES.**

17           (a) *REPORT.—Not later than 180 days after the date*  
18           *of the enactment of this Act, and every 180 days thereafter,*  
19           *the President, in consultation with the Secretary of Defense*  
20           *and the Secretary of State, shall submit to the congressional*  
21           *defense committees and the Committee on Foreign Relations*  
22           *of the Senate and the Committee on Foreign Affairs of the*  
23           *House of Representatives a report on use by the Government*  
24           *of Iran of commercial aircraft and related services for illicit*

1 *military or other activities during the 5-year period ending*  
2 *of such date of enactment.*

3 (b) *ELEMENTS OF REPORT.*—*The report required*  
4 *under subsection (a) shall include a description of the extent*  
5 *to which—*

6 (1) *the Government of Iran has used commercial*  
7 *aircraft or related services to transport illicit cargo to*  
8 *or from Iran, including military goods, weapons,*  
9 *military personnel, military-related electronic parts*  
10 *and mechanical equipment, and rocket or missile*  
11 *components;*

12 (2) *the commercial aviation sector of Iran has*  
13 *provided financial, material, and technological sup-*  
14 *port to the Islamic Revolutionary Guard Corps*  
15 *(IRGC); and*

16 (3) *foreign governments and persons have facili-*  
17 *tated the activities described in paragraph (1), in-*  
18 *cluding allowing the use of airports, services, or other*  
19 *resources.*

20 **SEC. 1259P. AUTHORITY TO GRANT OBSERVER STATUS TO**  
21 **THE MILITARY FORCES OF TAIWAN AT**  
22 **RIMPAC EXERCISES.**

23 (a) *IN GENERAL.*—*The Secretary of Defense is author-*  
24 *ized to grant observer status to the military forces of Tai-*



1 *wan in any maritime exercise known as the Rim of the*  
2 *Pacific Exercise.*

3 (b) *EFFECTIVE DATE.*—*This section takes effect on the*  
4 *date of the enactment of this Act and applies with respect*  
5 *to any maritime exercise described in subsection (a) that*  
6 *begins on or after such date of enactment.*

7 **SEC. 1259Q. AGREEMENTS WITH FOREIGN GOVERNMENTS**  
8 **TO DEVELOP LAND-BASED WATER RE-**  
9 **SOURCES IN SUPPORT OF AND IN PREPARA-**  
10 **TION FOR CONTINGENCY OPERATIONS.**

11 *The Secretary of Defense, with the concurrence of the*  
12 *Secretary of State, is authorized to enter into agreements*  
13 *with the governments of foreign countries to develop land-*  
14 *based water resources in support of and in preparation for*  
15 *contingency operations, including water selection, pump-*  
16 *ing, purification, storage, distribution, cooling, consump-*  
17 *tion, water reuse, water source intelligence, research and*  
18 *development, training, acquisition of water support equip-*  
19 *ment, and water support operations.*

1 **SEC. 1259R. EXTENSION OF REPORTING REQUIREMENTS ON**  
2 **THE USE OF CERTAIN IRANIAN SEAPORTS BY**  
3 **FOREIGN VESSELS AND USE OF FOREIGN AIR-**  
4 **PORTS BY SANCTIONED IRANIAN AIR CAR-**  
5 **RIERS.**

6 *Section 1252(a) of the National Defense Authorization*  
7 *Act for Fiscal Year 2013 (22 U.S.C. 8808(a)) is amended*  
8 *in the matter preceding paragraph (1) by striking “2016”*  
9 *and inserting “2019”.*

10 **SEC. 1259S. NOTIFICATION AND ASSESSMENT OF BALLISTIC**  
11 **MISSILE LAUNCH BY IRAN.**

12 *(a) NOTIFICATION.—The President shall notify Con-*  
13 *gress within 48 hours of a suspected ballistic missile launch,*  
14 *including a test, by Iran based on credible information in-*  
15 *dicating that such a launch took place.*

16 *(b) ASSESSMENT.—*

17 *(1) IN GENERAL.—The President shall initiate*  
18 *an assessment within 48 hours of providing the noti-*  
19 *fication described in subsection (a) to determine*  
20 *whether a missile launch, including a test, described*  
21 *in subsection (a) took place.*

22 *(2) DETERMINATION AND NOTIFICATION.—Not*  
23 *later than 15 days after the date on which an assess-*  
24 *ment is initiated under paragraph (1), the President*  
25 *shall determine whether Iran engaged in a launch de-*

1       scribed in subsection (a) and shall notify Congress of  
2       the basis for any such determination.

3               (3) *AFFIRMATIVE DETERMINATION.*—*If the Presi-*  
4       *dent determines under paragraph (2) that a launch*  
5       *described in subsection (a) took place, the President*  
6       *shall further notify Congress of the following:*

7                       (A) *An identification of entities involved in*  
8       *the launch.*

9                       (B) *A description of steps the President will*  
10       *take in response to the launch, including—*

11                               (i) *imposing unilateral sanctions pur-*  
12       *suant to Executive Order 13382 (2005) or*  
13       *other relevant authorities against such enti-*  
14       *ties; or*

15                               (ii) *carrying out diplomatic efforts to*  
16       *impose multilateral sanctions against such*  
17       *entities, including through adoption of a*  
18       *United Nations Security Council resolution.*

19       **SEC. 1259T. SENSE OF CONGRESS ON INTEGRATED BAL-**  
20       **LISTIC MISSILE DEFENSE SYSTEM FOR GCC**  
21       **PARTNER COUNTRIES, JORDAN, EGYPT, AND**  
22       **ISRAEL.**

23       (a) *FINDINGS.*—*Congress finds that—*

24                       (1) *Iran has conducted numerous ballistic mis-*  
25       *sile tests; and*

1           (2) *such tests are in violation of United Nations*  
2           *Security Council Resolution 2231 and unnecessarily*  
3           *provoke Gulf Cooperation Council (GCC) partner*  
4           *countries and threaten Israel.*

5           (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
6           *that the United States should encourage and enable as ap-*  
7           *propriate an integrated ballistic missile defense system that*  
8           *links GCC partner countries, Jordan, Egypt, and Israel in*  
9           *order assist in preventing an attack by Iran against such*  
10          *countries.*

11 **SEC. 1259U. AUTHORITY TO PROVIDE ASSISTANCE AND**  
12                                   **TRAINING TO INCREASE MARITIME SECURITY**  
13                                   **AND DOMAIN AWARENESS OF FOREIGN COUN-**  
14                                   **TRIES BORDERING THE PERSIAN GULF, ARA-**  
15                                   **BIAN SEA, OR MEDITERRANEAN SEA.**

16          (a) *PURPOSE.—The purpose of this section is to au-*  
17          *thorize assistance and training to increase maritime secu-*  
18          *rity and domain awareness of foreign countries bordering*  
19          *the Persian Gulf, the Arabian Sea, or the Mediterranean*  
20          *Sea in order to deter and counter illicit smuggling and re-*  
21          *lated maritime activity by Iran, including illicit Iranian*  
22          *weapons shipments.*

23          (b) *AUTHORITY.—*

24                 (1) *IN GENERAL.—To carry out the purpose of*  
25                 *this section as described in subsection (a), the Sec-*

1        *retary of Defense, with the concurrence of the Sec-*  
2        *retary of State, is authorized—*

3                *(A) to provide training to the national*  
4                *military or other security forces of Israel, Bah-*  
5                *rain, Saudi Arabia, the United Arab Emirates,*  
6                *Oman, Kuwait, and Qatar that have among*  
7                *their functional responsibilities maritime secu-*  
8                *rity missions; and*

9                *(B) to provide training to ministry, agency,*  
10               *and headquarters level organizations for such*  
11               *forces.*

12               *(2) DESIGNATION.—The provision of assistance*  
13               *and training under this section may be referred to as*  
14               *the “Counter Iran Maritime Initiative”.*

15               *(c) TYPES OF TRAINING.—*

16               *(1) AUTHORIZED ELEMENTS OF TRAINING.—*  
17               *Training provided under subsection (b)(1)(A) may*  
18               *include the provision of de minimis equipment, sup-*  
19               *plies, and small-scale military construction.*

20               *(2) REQUIRED ELEMENTS OF TRAINING.—Train-*  
21               *ing provided under subsection (b) shall include ele-*  
22               *ments that promote the following:*

23               *(A) Observance of and respect for human*  
24               *rights and fundamental freedoms.*

1                   (B) *Respect for legitimate civilian authority*  
2                   *within the country to which the assistance is*  
3                   *provided.*

4           (d) *AVAILABILITY OF FUNDS.—Of the amount author-*  
5 *ized to be appropriated for fiscal year 2017 by section 301*  
6 *and available for operation and maintenance for Defense-*  
7 *wide activities as specified in the funding table in section*  
8 *4301, \$50,000,000 shall be available only for the provision*  
9 *of assistance and training under subsection (b).*

10           (e) *COST SHARING.—*

11                   (1) *SENSE OF CONGRESS.—It is the sense of*  
12 *Congress that, given income parity among recipient*  
13 *countries, the Secretary of Defense, with the concur-*  
14 *rence of the Secretary of State, should seek, through*  
15 *appropriate bilateral and multilateral arrangements,*  
16 *payments sufficient in amount to offset any training*  
17 *costs associated with implementation of subsection*  
18 *(b).*

19                   (2) *COST-SHARING AGREEMENT.—The Secretary*  
20 *of Defense, with the concurrence of the Secretary of*  
21 *State, shall negotiate a cost-sharing agreement with a*  
22 *recipient country regarding the cost of any training*  
23 *provided pursuant to section (b). The agreement shall*  
24 *set forth the terms of cost sharing that the Secretary*  
25 *of Defense determines are necessary and appropriate,*

1        *but such terms shall not be less than 50 percent of the*  
2        *overall cost of the training.*

3            (3) *CREDIT TO APPROPRIATIONS.—The portion*  
4        *of such cost-sharing received by the Secretary of De-*  
5        *fense pursuant to this subsection may be credited to-*  
6        *wards appropriations available for operation and*  
7        *maintenance for Defense-wide activities as specified*  
8        *in the funding table in section 4301.*

9            (f) *NOTICE TO CONGRESS ON TRAINING.—Not later*  
10       *than 15 days before exercising the authority under sub-*  
11       *section (b) with respect to a recipient country, the Secretary*  
12       *of Defense shall submit to the appropriate congressional*  
13       *committees a notification containing the following:*

14            (1) *An identification of the recipient country.*

15            (2) *A detailed justification of the program for*  
16        *the provision of the training concerned, and its rela-*  
17        *tionship to United States security interests.*

18            (3) *The budget for the program, including a*  
19        *timetable of planned expenditures of funds to imple-*  
20        *ment the program, an implementation time-line for*  
21        *the program with milestones (including anticipated*  
22        *delivery schedules for any assistance and training*  
23        *under the program), the military department or com-*  
24        *ponent responsible for management of the program,*  
25        *and the anticipated completion date for the program.*

1           (4) *A description of the arrangements, if any, to*  
2           *support recipient country sustainment of any capa-*  
3           *bility developed pursuant to the program, and the*  
4           *source of funds to support sustainment efforts and*  
5           *performance outcomes to be achieved under the pro-*  
6           *gram beyond its completion date, if applicable.*

7           (5) *A description of the program objectives and*  
8           *an assessment framework to be used to develop capa-*  
9           *bility and performance metrics associated with oper-*  
10          *ational outcomes for the recipient force.*

11          (6) *Such other matters as the Secretary considers*  
12          *appropriate.*

13          (g) *DEFINITION.—In this section, the term “appro-*  
14          *priate congressional committees” means—*

15                 (1) *the Committee on Armed Services, the Com-*  
16                 *mittee on Foreign Relations, and the Committee on*  
17                 *Appropriations of the Senate; and*

18                 (2) *the Committee on Armed Services, the Com-*  
19                 *mittee on Foreign Affairs, and the Committee on Ap-*  
20                 *propriations of the House of Representatives.*

21          (h) *TERMINATION.—Assistance and training may not*  
22          *be provided under this section after September 30, 2020.*



1 **SEC. 1259V. SENSE OF CONGRESS ON MILITARY RELATIONS**  
2 **BETWEEN VIETNAM AND THE UNITED**  
3 **STATES.**

4 (a) *FINDINGS.*—Congress finds the following:

5 (1) *The United States and Vietnam signed a*  
6 *Joint Vision Statement on Defense Relations on June*  
7 *1, 2015.*

8 (2) *In October 2014, the Administration par-*  
9 *tially relaxed United States restrictions on the trans-*  
10 *fer of lethal weapons to Vietnam.*

11 (3) *In 2014, the United States provided*  
12 *\$18,000,000 in maritime security assistance to Viet-*  
13 *nam.*

14 (4) *According to Reporters Without Borders,*  
15 *Vietnam ranks 175 out of 180 countries in press free-*  
16 *dom, as the Government of Vietnam continues to per-*  
17 *secute citizens for practicing the freedom of speech*  
18 *and expression.*

19 (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
20 *that—*

21 (1) *the United States Government should review*  
22 *its policy on the transfer of lethal weapons to Viet-*  
23 *nam; and*

24 (2) *the United States Government should evalu-*  
25 *ate certain human rights benchmarks when providing*  
26 *military assistance to Vietnam.*

1 **SEC. 1259W. REPORT ON EFFORTS TO COMBAT BOKO**  
2 **HARAM IN NIGERIA AND THE LAKE CHAD**  
3 **BASIN.**

4 (a) *SENSE OF CONGRESS.*—Congress—

5 (1) *strongly condemns the ongoing violence and*  
6 *the systematic gross human rights violations against*  
7 *the people of Nigeria and the Lake Chad Basin car-*  
8 *ried out by Boko Haram;*

9 (2) *expresses its support for the people of Nigeria*  
10 *and the Lake Chad Basin who wish to live in a*  
11 *peaceful, economically prosperous, and democratic re-*  
12 *gion; and*

13 (3) *calls on the President to support Nigerian,*  
14 *Lake Chad Basin, and International Community ef-*  
15 *forts to ensure accountability for crimes against hu-*  
16 *manity committed by Boko Haram against the people*  
17 *of Nigeria and the Lake Chad Basin, particularly*  
18 *young girls kidnapped from Chibok and other inter-*  
19 *nally displaced persons affected by the actions of Boko*  
20 *Haram.*

21 (b) *REPORT.*—

22 (1) *IN GENERAL.*—*Not later than 90 days after*  
23 *the date of the enactment of this Act, the Secretary of*  
24 *Defense, the Secretary of State, and the Attorney Gen-*  
25 *eral shall jointly submit to Congress a report on ef-*

1        *forts to combat Boko Haram in Nigeria and the Lake*  
2        *Chad Basin.*

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

5            (A) *A description of initiatives undertaken*  
6        *by the Department of Defense to assist the Gov-*  
7        *ernment of Nigeria and countries in the Lake*  
8        *Chad Basin to develop capacities to deploy spe-*  
9        *cial forces to combat Boko Haram.*

10          (B) *A description of United States' activi-*  
11        *ties to enhance the capacity of Nigeria and coun-*  
12        *tries in the Lake Chad Basin to investigate and*  
13        *prosecute human rights violations perpetrated*  
14        *against the people of Nigeria and the Lake Chad*  
15        *Basin by Boko Haram, al-Qaeda affiliates, and*  
16        *other terrorist organizations to promote respect*  
17        *for rule of law in Nigeria and the Lake Chad*  
18        *Basin.*

1 ***Subtitle F—Codification and Con-***  
 2 ***solidation of Department of De-***  
 3 ***fense Security Cooperation Au-***  
 4 ***thorities***

5 ***SEC. 1261. ENACTMENT OF NEW CHAPTER FOR DEPART-***  
 6 ***MENT OF DEFENSE SECURITY COOPERATION***  
 7 ***AUTHORITIES AND TRANSFER OF CERTAIN***  
 8 ***AUTHORITIES TO NEW CHAPTER.***

9 (a) *STATUTORY CODIFICATION.*—Chapter 11 of part I  
 10 of subtitle A of title 10, United States Code, is amended  
 11 to read as follows:

12 **“CHAPTER 11—SECURITY COOPERATION**

“SUBCHAPTER I—GENERAL MATTERS

“Sec.

“251. *Definitions.*

“252. *Annual report on programs carried out by the Department of Defense to provide training, equipment, or other assistance or reimbursement to foreign security forces.*

“SUBCHAPTER II—MILITARY-TO-MILITARY ENGAGEMENTS

“256. *Authority for non-reciprocal exchanges of defense personnel between the United States and foreign countries.*

“257. *Bilateral or regional cooperation programs: awards and mementos to recognize superior noncombat achievements or performance.*

“SUBCHAPTER III—TRAINING WITH FOREIGN FORCES

“263. *Participation of developing countries in combined exercises: payment of incremental expenses.*

“SUBCHAPTER IV—SUPPORT FOR OPERATIONS AND CAPACITY BUILDING

“271. *Allied forces participating in combined operations: authority to provide logistic support, supplies, and services.*

“272. *Authority to build the capacity of foreign security forces.*

“273. *Friendly foreign countries; international and regional organizations: defense institution capacity building.*

“SUBCHAPTER V—EDUCATIONAL AND TRAINING ACTIVITIES

“281. *Regional Centers for Security Studies.*

“282. *Western Hemisphere Institute for Security Cooperation.*

“283. *Participation in multinational military centers of excellence.*

“284. *Distribution to certain foreign personnel of education and training materials and information technology to enhance military interoperability with the armed forces.*

“285. *Aviation Leadership Program.*

“286. *Inter-American Air Forces Academy.*

“287. *Inter-European Air Forces Academy.*

“SUBCHAPTER VI—LIMITATIONS ON USE OF DEPARTMENT OF DEFENSE FUNDS

“293. *Prohibition on providing financial assistance to terrorist countries.*

“294. *Prohibition on use of funds for assistance to units of foreign security forces that have committed a gross violation of human rights.*

1                   **“Subchapter I—General Matters**

2   **“SEC. 251. DEFINITIONS.**

3           *“In this chapter:*

4                   *“(1) The terms ‘appropriate congressional com-*  
5                   *mittees’ and ‘appropriate committees of Congress’*  
6                   *mean the following:*

7                           *“(A) The congressional defense committees.*

8                           *“(B) The Committee on Foreign Relations*  
9                           *of the Senate and the Committee on Foreign Af-*  
10                           *fairs of the House of Representatives.*

11                   *“(2) The term ‘small-scale construction’ means,*  
12                   *with respect to a project, construction at a total cost*  
13                   *not to exceed \$750,000 for the project.*

1           **“Subchapter II—Military-to-Military**  
2                                   **Engagements**

3           **“Subchapter III—Training With Foreign**  
4                                   **Forces**

5           **“Subchapter IV—Support for Operations and**  
6                                   **Capacity Building**

7           **“Subchapter V—Educational and Training**  
8                                   **Activities**

9           **“Subchapter VI—Limitations on Use of**  
10                                  **Department of Defense Funds”.**

11           (b) *CODIFICATION OF SECTION 1207 OF FY 2010*  
12 *NDAA.*—

13                   (1) *CODIFICATION.*—Chapter 11 of title 10,  
14           *United States Code, as amended by subsection (a), is*  
15           *further amended by inserting after the heading of sub-*  
16           *chapter II a new section 256 consisting of—*

17                                   (A) *a heading as follows:*

18           **“§256. Authority for non-reciprocal exchanges of de-**  
19                                   **fense personnel between the United States**  
20                                   **and foreign countries”; and**

21                                   (B) *a text consisting of the text of section*  
22           *1207 of the National Defense Authorization Act*  
23           *for Fiscal Year 2010 (Public Law 111–84; 10*  
24           *U.S.C. 168 note).*

1           (2) *REPEAL OF REPORTING REQUIREMENT.*—  
2           *Section 256 of title 10, United States Code, as added*  
3           *by paragraph (1), is amended—*

4                     (A) *by striking subsection (e); and*

5                     (B) *by redesignating subsection (f) as sub-*  
6           *section (e).*

7           (3) *CONFORMING REPEAL.*—*Section 1207 of the*  
8           *National Defense Authorization Act for Fiscal Year*  
9           *2010 (Public Law 111–84; 10 U.S.C. 168 note) is re-*  
10          *pealed.*

11          (c) *TRANSFER OF SECTION 1051b.*—*Section 1051b of*  
12          *title 10, United States Code, is transferred to chapter 11*  
13          *of such title, as amended by subsection (a), inserted after*  
14          *section 256, as inserted by subsection (b), and redesignated*  
15          *as section 257.*

16          (d) *TRANSFER OF SECTION 2010.*—*Section 2010 of*  
17          *title 10, United States Code, is transferred to chapter 11*  
18          *of such title, as amended by subsection (a), inserted after*  
19          *the heading of subchapter III, and redesignated as section*  
20          *263.*

21          (e) *TRANSFER OF SECTION 127d.*—*Section 127d of*  
22          *title 10, United States Code, is transferred to chapter 11*  
23          *of such title, as amended by subsection (a), inserted after*  
24          *the heading of subchapter IV, and redesignated as section*  
25          *271.*

1       (f) *TRANSFER OF SECTION 2282.*—Section 2282 of  
2 *title 10, United States Code, is transferred to chapter 11*  
3 *of such title, as amended by subsection (a), inserted after*  
4 *section 271, as transferred and redesignated by subsection*  
5 *(e), and redesignated as section 272.*

6       (g) *CODIFICATION OF SECTION 1081 OF FY 2012*  
7 *NDAA.*—

8           (1) *CODIFICATION.*—Chapter 11 of title 10,  
9 *United States Code, as amended by subsection (a), is*  
10 *amended by inserting after section 272, as transferred*  
11 *and redesignated by subsection (f), a new section 273*  
12 *consisting of—*

13                   (A) *a heading as follows:*

14 **“§273. Friendly foreign countries; international and**  
15 **regional organizations: defense institu-**  
16 **tion capacity building”; and**

17                   (B) *a text consisting of the text of sub-*  
18 *sections (a) through (d) of section 1081 of the*  
19 *National Defense Authorization Act for Fiscal*  
20 *Year 2012 (Public Law 112–81; 10 U.S.C. 168*  
21 *note).*

22           (2) *EXTENSION OF AUTHORITY.*—Subsection  
23 *(c)(1) of section 273 of title 10, United States Code,*  
24 *as added by paragraph (1), is amended by striking*



1       *“at the close of December 31, 2017” and inserting “on*  
2       *December 31, 2019”.*

3               (3) *CONFORMING REPEAL.—Section 1081 of the*  
4       *National Defense Authorization Act for Fiscal Year*  
5       *2012 (Public Law 112–81; 10 U.S.C. 168 note) is re-*  
6       *pealed.*

7       (h) *TRANSFER OF SECTION 184 AND CODIFICATION OF*  
8       *RELATED PROVISIONS.—*

9               (1) *TRANSFER.—Section 184 of title 10, United*  
10       *States Code, is transferred to chapter 11 of title 10,*  
11       *United States Code, as amended by subsection (a), in-*  
12       *serted after the heading of subchapter V, and redesign-*  
13       *ated as section 281.*

14              (2) *CODIFICATION OF REIMBURSEMENT-RELATED*  
15       *PROVISIONS.—Subsection (f)(3) of section 281 of title*  
16       *10, United States Code, as transferred and redesign-*  
17       *ated by paragraph (1), is amended—*

18                       (A) *by inserting “(A)” after “(3)”;* and

19                       (B) *by adding at the end the following new*  
20       *subparagraph:*

21       *“(B)(i) In fiscal years 2017 through 2019, the Sec-*  
22       *retary of Defense may, with the concurrence of the Secretary*  
23       *of State, waive reimbursement otherwise required under this*  
24       *subsection of the costs of activities of Regional Centers*  
25       *under this section for personnel of nongovernmental and*

1 *international organizations who participate in activities of*  
2 *the Regional Centers that enhance cooperation of non-*  
3 *governmental organizations and international organiza-*  
4 *tions with United States forces if the Secretary of Defense*  
5 *determines that attendance of such personnel without reim-*  
6 *bursement is in the national security interests of the United*  
7 *States.*

8       “(ii) *The amount of reimbursement that may be*  
9 *waived under clause (i) in any fiscal year may not exceed*  
10 *\$1,000,000.*”.

11               (3) *CODIFICATION OF PROVISIONS RELATING TO*  
12 *SPECIFIC CENTERS.*—*Section 281 of title 10, United*  
13 *States Code, as transferred and redesignated by para-*  
14 *graph (1), is amended by adding at the end the fol-*  
15 *lowing new subsections:*

16       “(h) *AUTHORITIES SPECIFIC TO MARSHALL CEN-*  
17 *TER.*—(1) *The Secretary of Defense may authorize partici-*  
18 *pation by a European or Eurasian country in programs*  
19 *of the George C. Marshall European Center for Security*  
20 *Studies (in this subsection referred to as the ‘Marshall Cen-*  
21 *ter’)* if the Secretary determines, after consultation with the  
22 *Secretary of State, that such participation is in the na-*  
23 *tional interest of the United States.*

24       “(2)(A) *In the case of any person invited to serve with-*  
25 *out compensation on the Marshall Center Board of Visitors,*

1 *the Secretary of Defense may waive any requirement for*  
2 *financial disclosure that would otherwise apply to that per-*  
3 *son solely by reason of service on such Board.*

4       “(B) *A member of the Marshall Center Board of Visi-*  
5 *tors may not be required to register as an agent of a foreign*  
6 *government solely by reason of service as a member of the*  
7 *Board.*

8       “(C) *Notwithstanding section 219 of title 18, a non-*  
9 *United States citizen may serve on the Marshall Center*  
10 *Board of Visitors even though registered as a foreign agent.*

11       “(3)(A) *The Secretary of Defense may waive reim-*  
12 *bursement of the costs of conferences, seminars, courses of*  
13 *instruction, or similar educational activities of the Mar-*  
14 *shall Center for military officers and civilian officials from*  
15 *states located in Europe or the territory of the former Soviet*  
16 *Union if the Secretary determines that attendance by such*  
17 *personnel without reimbursement is in the national security*  
18 *interest of the United States.*

19       “(B) *Costs for which reimbursement is waived pursu-*  
20 *ant to subparagraph (A) shall be paid from appropriations*  
21 *available for the Center.*

22       “(i) *AUTHORITIES SPECIFIC TO INOUYE CENTER.—(1)*  
23 *The Secretary of Defense may waive reimbursement of the*  
24 *cost of conferences, seminars, courses of instruction, or simi-*  
25 *lar educational activities of the Daniel K. Inouye Asia-Pa-*

1 *cific Center for Security Studies for military officers and*  
2 *civilian officials of foreign countries if the Secretary deter-*  
3 *mines that attendance by such personnel, without reim-*  
4 *bursement, is in the national security interest of the United*  
5 *States.*

6 “(2) *Costs for which reimbursement is waived pursu-*  
7 *ant to paragraph (1) shall be paid from appropriations*  
8 *available for the Center.*”.

9 (4) *CONFORMING REPEALS.—The following pro-*  
10 *visions of law are repealed:*

11 (A) *Section 941(b) of the Duncan Hunter*  
12 *National Defense Authorization Act for Fiscal*  
13 *Year 2009 (Public Law 110–417; 10 U.S.C. 184*  
14 *note).*

15 (B) *Section 1065 of the National Defense*  
16 *Authorization Act for Fiscal Year 1997 (Public*  
17 *Law 104–201; 10 U.S.C. 113 note).*

18 (C) *Section 1306 of the National Defense*  
19 *Authorization Act for Fiscal Year 1995 (Public*  
20 *Law 103–337; 10 U.S.C. 113 note).*

21 (D) *Section 8073 of the Department of De-*  
22 *fense Appropriations Act, 2003 (Public Law*  
23 *107–248; 10 U.S.C. prec. 2161 note).*

24 (i) *TRANSFER OF SECTION 2166.—*

1           (1) *TRANSFER*.—Section 2166 of title 10, United  
2           States Code, is transferred to chapter 11 of such title,  
3           as amended by subsection (a), inserted after section  
4           281, as transferred, redesignated, and amended by  
5           subsection (h), and redesignated as section 282.

6           (2) *STYLISTIC AMENDMENTS*.—Section 282 of  
7           title 10, United States Code, as transferred and redesi-  
8           gnated by paragraph (1), is amended by striking  
9           “nations” each place it appears in subsections (b)  
10          and (c) and inserting “countries”.

11          (3) *CROSS-REFERENCE*.—Section 2612(a) of title  
12          10, United States Code, is amended by striking “sec-  
13          tion 2166(f)(4)” and inserting “section 282(f)(4)”.

14          (j) *TRANSFER OF SECTION 2350m*.—Section 2350m of  
15          title 10, United States Code, is transferred to chapter 11  
16          of such title, as amended by subsection (a), inserted after  
17          section 282, as transferred and redesignated by subsection  
18          (i), and redesignated as section 283.

19          (k) *TRANSFER OF SECTION 2249d*.—

20                 (1) *TRANSFER*.—Section 2249d of title 10,  
21                 United States Code, is transferred to chapter 11 of  
22                 such title, as amended by subsection (a), inserted after  
23                 section 283, as transferred and redesignated by sub-  
24                 section (j), and redesignated as section 284.

1           (2) *STYLISTIC AMENDMENTS.*—Section 284 of  
2           *title 10, United States Code, as transferred and reded-*  
3           *esignated by paragraph (1), is amended—*

4                   (A) *by striking “nations” in subsections (a)*  
5                   *and (d) and inserting “countries”; and*

6                   (B) *by striking subsection (g).*

7           (l) *CONSOLIDATION OF CHAPTER 905 AND SECTIONS*  
8           *9381, 9382, AND 9383.—*

9                   (1) *CONSOLIDATION.*—Chapter 11 of title 10,  
10           *United States Code, as amended by subsection (a), is*  
11           *further amended by inserting after section 284, as*  
12           *transferred and redesignated by subsection (k), the fol-*  
13           *lowing new section:*

14    **“§285. Aviation leadership program**

15           “(a) *ESTABLISHMENT OF PROGRAM.*—Under regula-  
16           *tions prescribed by the Secretary of Defense, the Secretary*  
17           *of the Air Force may establish and maintain an Aviation*  
18           *Leadership Program to provide undergraduate pilot train-*  
19           *ing and necessary related training to personnel of the air*  
20           *forces of friendly, developing foreign countries. Training*  
21           *under this section shall include language training and pro-*  
22           *grams to promote better awareness and understanding of*  
23           *the democratic institutions and social framework of the*  
24           *United States.*

1       “(b) *SUPPLIES AND CLOTHING.*—(1) *The Secretary of*  
2 *the Air Force may, under such conditions as the Secretary*  
3 *may prescribe, provide to a person receiving training under*  
4 *this section—*

5             “(A) *transportation incident to the training;*

6             “(B) *supplies and equipment to be used during*  
7 *the training;*

8             “(C) *flight clothing and other special clothing re-*  
9 *quired for the training; and*

10            “(D) *billeting, food, and health services.*

11       “(2) *The Secretary of the Air Force may authorize*  
12 *such expenditures from the appropriations of the Air Force*  
13 *as the Secretary considers necessary for the efficient and*  
14 *effective maintenance of the Program in accordance with*  
15 *this section.*

16       “(c) *ALLOWANCES.*—*The Secretary of the Air Force*  
17 *may pay to a person receiving training under this section*  
18 *a living allowance at a rate to be prescribed by the Sec-*  
19 *retary, taking into account the amount of living allowances*  
20 *authorized for a member of the armed forces under similar*  
21 *circumstances.”.*

22            “(2) *CONFORMING REPEAL.*—*Chapter 905 of title*  
23 *10, United States Code, is repealed.*

24            “(m) *TRANSFER OF SECTION 9415.*—*Section 9415 of*  
25 *title 10, United States Code, is transferred to chapter 11*

1 *of such title, as amended by subsection (a), inserted after*  
 2 *section 285, as added by subsection (l), and redesignated*  
 3 *as section 286.*

4 (n) *CODIFICATION OF SECTION 1268 OF FY 2015*  
 5 *NDAA.—*

6 (1) *CODIFICATION.—Chapter 11 of title 10,*  
 7 *United States Code, as amended by subsection (a), is*  
 8 *further amended by inserting after section 286, as*  
 9 *transferred and redesignated by subsection (m), a new*  
 10 *section 287 consisting of—*

11 (A) *a heading as follows:*

12 **“§287. *Inter-European Air Forces Academy*”; and**

13 (B) *a text consisting of the text of section*  
 14 *1268 of the Carl Levin and Howard P. “Buck”*  
 15 *McKeon National Defense Authorization Act for*  
 16 *Fiscal Year 2015 (Public Law 113–291; 10*  
 17 *U.S.C. 9411 note).*

18 (2) *REPEAL OF REPORTING REQUIREMENT.—*  
 19 *Section 287 of title 10, United States Code, as added*  
 20 *by paragraph (1), is amended—*

21 (A) *by striking subsection (g); and*

22 (B) *by redesignating subsection (h) as sub-*  
 23 *section (g).*

24 (3) *CONFORMING REPEAL.—Section 1268 of the*  
 25 *Carl Levin and Howard P. “Buck” McKeon National*



1 *Defense Authorization Act for Fiscal Year 2015 (Pub-*  
2 *lic Law 113–291; 10 U.S.C. 9411 note) is repealed.*

3 *(o) TRANSFER OF SECTIONS 2249A AND 2249E.—*

4 *(1) TRANSFER.—Sections 2249a and 2249e of*  
5 *title 10, United States Code, are transferred to chap-*  
6 *ter 11 of such title, as amended by subsection (a), in-*  
7 *serted after the heading of subchapter VI, and redesign-*  
8 *ated as sections 293 and 294, respectively.*

9 *(2) CONFORMING AMENDMENT.—Section 294 of*  
10 *title 10, United States Code, as transferred and reded-*  
11 *ignated by paragraph (1), is amended by striking*  
12 *subsection (f).*

13 *(3) CROSS-REFERENCE.—Section 1204(b) of the*  
14 *Carl Levin and Howard P. “Buck” McKeon National*  
15 *Defense Authorization Act for Fiscal Year 2015 (Pub-*  
16 *lic Law 113–291; 128 Stat. 3533; 10 U.S.C. 2249e*  
17 *note) is amended—*

18 *(A) in paragraph (1)—*

19 *(i) in subparagraph (A), by striking*  
20 *“section 2249e of title 10, United States*  
21 *Code (as added by subsection (a))” and in-*  
22 *serting “section 294 of title 10, United*  
23 *States Code”; and*

24 *(ii) in subparagraphs (D) and (E), by*  
25 *striking “section 2249e of title 10, United*

1           *States Code (as so added)” and inserting*  
 2           *“section 294 of such title”; and*  
 3           *(B) in paragraph (3), by striking “sub-*  
 4           *section (f) of section 2249e of title 10, United*  
 5           *States Code (as so added)” and inserting “sec-*  
 6           *tion 251(1) of such title”.*

7           *(p) CLERICAL AMENDMENTS.—Title 10, United States*  
 8           *Code, is amended as follows:*

9           *(1) The tables of chapters at the beginning of*  
 10          *subtitle A, and at the beginning of part I of subtitle*  
 11          *A, are amended by striking the item relating to chap-*  
 12          *ter 11 and inserting the following new item:*

*“11. Security cooperation ..... 251”.*

13          *(2) The table of sections at the beginning of*  
 14          *chapter 3 is amended by striking the item relating to*  
 15          *section 127d.*

16          *(3) The table of sections at the beginning of*  
 17          *chapter 7 is amended by striking the item relating to*  
 18          *section 184.*

19          *(4) The table of sections at the beginning of*  
 20          *chapter 53 is amended by striking the item relating*  
 21          *to section 1051b.*

22          *(5) The table of sections at the beginning of*  
 23          *chapter 101 is amended by striking the item relating*  
 24          *to section 2010.*

1           (6) *The table of sections at the beginning of*  
2 *chapter 108 is amended by striking the item relating*  
3 *to section 2166.*

4           (7) *The table of sections at the beginning of sub-*  
5 *chapter I of chapter 134 is amended by striking the*  
6 *items relating to sections 2249a, 2249d, and 2249e.*

7           (8) *The table of sections at the beginning of*  
8 *chapter 136 is amended by striking the item relating*  
9 *to section 2282.*

10          (9) *The table of sections at the beginning of sub-*  
11 *chapter II of chapter 138 is amended by striking the*  
12 *item relating to section 2350m.*

13          (10) *The tables of chapters at the beginning of*  
14 *subtitle D, and at the beginning of part III of subtitle*  
15 *D, are amended by striking the item relating to chap-*  
16 *ter 905.*

17          (11) *The table of sections at the beginning of*  
18 *chapter 907 is amended by striking the item relating*  
19 *to section 9415.*

20 **SEC. 1262. ENHANCING DEFENSE AND SECURITY COOPERA-**  
21 **TION WITH INDIA.**

22 (a) *REQUIRED ACTIONS.*—

23           (1) *IN GENERAL.*—*The Secretary of Defense and*  
24 *Secretary of State shall jointly take such actions as*  
25 *may be necessary to—*

1           (A) recognize India’s status as a major de-  
2           fense partner of the United States;

3           (B) designate an individual within the Ex-  
4           ecutive branch who has experience in defense ac-  
5           quisition and technology—

6                 (i) to reinforce and ensure, through  
7                 interagency policy coordination, the success  
8                 of the Framework for the United States-  
9                 India Defense Relationship; and

10                (ii) to help resolve remaining issues  
11                impeding United States-India defense trade,  
12                security cooperation, and co-production and  
13                co-development opportunities;

14           (C) approve and facilitate the transfer of  
15           advanced technology, consistent with United  
16           States conventional arms transfer policy, to sup-  
17           port combined military planning with the In-  
18           dian military for missions such as humani-  
19           tarian assistance and disaster relief, counter pi-  
20           racy, and maritime domain awareness missions;

21           (D) strengthen the effectiveness of the DTTI  
22           and the durability of the Department of De-  
23           fense’s “India Rapid Reaction Cell”;

24           (E) collaborate with the Government of  
25           India to develop mutually agreeable mechanisms

1           to verify the security of defense articles and re-  
2           lated technology, such as appropriate cyber secu-  
3           rity and end use monitoring arrangements, con-  
4           sistent with United States export control laws  
5           and policy;

6           (F) promote policies that will encourage the  
7           efficient review and authorization of defense sales  
8           and exports to India;

9           (G) encourage greater government-to-govern-  
10          ment and commercial military transactions be-  
11          tween the United States and India;

12          (H) support the development and alignment  
13          of India's export control and procurement re-  
14          gimes with those of the United States and multi-  
15          lateral control regimes; and

16          (I) continue to enhance defense and security  
17          cooperation with India in order to advance  
18          United States interests in the South Asia and  
19          greater Indo-Pacific regions.

20          (2) *REPORT.*—Not later than 180 days after the  
21          date of the enactment of this Act, and annually there-  
22          after, the Secretary of Defense and Secretary of State  
23          shall jointly submit to the congressional defense com-  
24          mittees and the Committee on Foreign Relations of  
25          the Senate and the Committee on Foreign Affairs of

1        *the House of Representatives a report on how the*  
2        *United States is supporting its defense relationship*  
3        *with India in relation to the actions described in*  
4        *paragraph (1).*

5        *(b) MILITARY PLANNING.—The Secretary of Defense is*  
6        *encouraged to coordinate with the Ministry of Defense for*  
7        *the Government of India to develop combined military*  
8        *plans for missions such as humanitarian assistance and*  
9        *disaster relief, maritime domain awareness, and other mis-*  
10       *sions in the national security interests of both countries.*

11       *(c) ASSESSMENT REQUIRED.—*

12                *(1) IN GENERAL.—The Secretary of Defense and*  
13        *Secretary of State shall jointly, on an annual basis,*  
14        *conduct an assessment of the extent to which India*  
15        *possesses strategic operational capabilities to support*  
16        *military operations of mutual interest between the*  
17        *United States and India.*

18                *(2) USE OF ASSESSMENT.—The President shall*  
19        *ensure that the assessment described in paragraph (1)*  
20        *is used, consistent with United States conventional*  
21        *arms transfer policy, to inform the review by the*  
22        *United States of sales of defense articles and services*  
23        *to the Government of India.*

1           (3) *FORM.*—*The assessment described in para-*  
2           *graph (1) shall, to the maximum extent practicable,*  
3           *be in classified form.*

4           ***TITLE XIII—COOPERATIVE***  
5           ***THREAT REDUCTION***

6           ***SEC. 1301. SPECIFICATION OF COOPERATIVE THREAT RE-***  
7           ***DUCTION FUNDS.***

8           (a) *FISCAL YEAR 2017 COOPERATIVE THREAT REDUC-*  
9           *TION FUNDS DEFINED.*—*In this title, the term “fiscal year*  
10           *2017 Cooperative Threat Reduction funds” means the funds*  
11           *appropriated pursuant to the authorization of appropria-*  
12           *tions in section 301 and made available by the funding*  
13           *table in division D for the Department of Defense Coopera-*  
14           *tive Threat Reduction Program established under section*  
15           *1321 of the Department of Defense Cooperative Threat Re-*  
16           *duction Act (50 U.S.C. 3711).*

17           (b) *AVAILABILITY OF FUNDS.*—*Funds appropriated*  
18           *pursuant to the authorization of appropriations in section*  
19           *301 and made available by the funding table in division*  
20           *D for the Department of Defense Cooperative Threat Reduc-*  
21           *tion Program shall be available for obligation for fiscal*  
22           *years 2017, 2018, and 2019.*

23           ***SEC. 1302. FUNDING ALLOCATIONS.***

24           (a) *IN GENERAL.*—*Of the \$325,604,000 authorized to*  
25           *be appropriated to the Department of Defense for fiscal year*

1 2017 in section 301 and made available by the funding  
2 table in division D for the Department of Defense Coopera-  
3 tive Threat Reduction Program established under section  
4 1321 of the Department of Defense Cooperative Threat Re-  
5 duction Act (50 U.S.C. 3711), the following amounts may  
6 be obligated for the purposes specified:

7           (1) For strategic offensive arms elimination,  
8           \$11,791,000.

9           (2) For chemical weapons destruction,  
10          \$2,942,000.

11          (3) For global nuclear security, \$16,899,000.

12          (4) For cooperative biological engagement,  
13          \$213,984,000.

14          (5) For proliferation prevention, \$50,709,000, of  
15          which—

16                (A) \$4,000,000 may be obligated for pur-  
17                poses relating to nuclear nonproliferation as-  
18                sisted or caused by additive manufacture tech-  
19                nology (commonly referred to as “3D printing”);

20                (B) \$4,000,000 may be obligated for moni-  
21                toring the “proliferation pathways” under the  
22                Joint Comprehensive Plan of Action;

23                (C) \$4,000,000 may be obligated for en-  
24                hancing law enforcement cooperation and intel-  
25                ligence sharing; and



1           (D) \$4,000,000 may be obligated for the  
2           Proliferation Security Initiative under subtitle B  
3           of title XVIII of the Implementing Recommenda-  
4           tions of the 9/11 Commission Act of 2007 (50  
5           U.S.C. 2911 et seq.).

6           (6) For threat reduction engagement, \$2,000,000.

7           (7) For activities designated as Other Assess-  
8           ments/Administrative Costs, \$27,279,000.

9           (b) MODIFICATIONS TO CERTAIN REQUIREMENTS.—  
10          The Department of Defense Cooperative Threat Reduction  
11          Act (50 U.S.C. 3701 et seq.) is amended as follows:

12           (1) Section 1321(g)(1) (50 U.S.C. 3711(g)(1)) is  
13           amended by striking “15 days” and inserting “45  
14           days”.

15           (2) Section 1322(b) (50 U.S.C. 3712(b)) is  
16           amended—

17           (A) by striking “At the time at which” and  
18           inserting “Not later than 15 days before the date  
19           on which”;

20           (B) in paragraph (1), by striking “; and”  
21           and inserting a semicolon;

22           (C) in paragraph (2), by striking the period  
23           and inserting “; and”; and

24           (D) by adding at the end the following new  
25           paragraph:

1           “(3) a discussion of—

2                   “(A) whether authorities other than the au-  
3           thority under this section are available to the  
4           Secretaries to perform such project or activity to  
5           meet the threats or goals identified under sub-  
6           section (a)(1); and

7                   “(B) if such other authorities exist, why the  
8           Secretaries were not able to use such authorities  
9           for such project or activity.”.

10           (3) Section 1323(b)(3) (50 U.S.C. 3713(b)(3)) is  
11           amended by striking “at the time at which” and in-  
12           serting “not later than seven days before the date on  
13           which”.

14           (4) Section 1324 (50 U.S.C. 3714) is amended—

15                   (A) in subsection (a)(1)(C), by striking “15  
16           days” and inserting “45 days”; and

17                   (B) in subsection (b)(3), by striking “15  
18           days” and inserting “45 days”.

19           (c) *JOINT COMPREHENSIVE PLAN OF ACTION DE-*  
20 *FINED.*—*In this section, the term “Joint Comprehensive*  
21 *Plan of Action” means the Joint Comprehensive Plan of*  
22 *Action, signed at Vienna July 14, 2015, by Iran and by*  
23 *the People’s Republic of China, France, Germany, the Rus-*  
24 *sian Federation, the United Kingdom and the United*  
25 *States, with the High Representative of the European*

1 *Union for Foreign Affairs and Security Policy, and all im-*  
2 *plementing materials and agreements related to the Joint*  
3 *Comprehensive Plan of Action, and transmitted by the*  
4 *President to Congress on July 19, 2015, pursuant to section*  
5 *135(a) of the Atomic Energy Act of 1954, as amended by*  
6 *the Iran Nuclear Agreement Review Act of 2015 (Public*  
7 *Law 114–17; 129 Stat. 201).*

8 **SEC. 1303. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
9 **COOPERATIVE THREAT REDUCTION IN PEOP-**  
10 **LE’S REPUBLIC OF CHINA.**

11 *The Department of Defense Cooperative Threat Reduc-*  
12 *tion Act (50 U.S.C. 3701 et seq.) is amended by inserting*  
13 *after section 1334 the following new section:*

14 **“SEC. 1335. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
15 **COOPERATIVE THREAT REDUCTION ACTIVI-**  
16 **TIES IN PEOPLE’S REPUBLIC OF CHINA.**

17 *“(a) QUARTERLY INSTALLMENTS.—In carrying out*  
18 *activities under the Program in the People’s Republic of*  
19 *China, the Secretary of Defense shall ensure that Cooper-*  
20 *ative Threat Reduction funds for such activities are obligated*  
21 *or expended in quarterly installments.*

22 *“(b) QUARTERLY CERTIFICATIONS.—*

23 *“(1) LIMITATION.—The Secretary of Defense*  
24 *may not obligate or expend any Cooperative Threat*  
25 *Reduction funds for activities in the People’s Repub-*

1        *lic of China during a quarter unless the Secretary*  
2        *submits to the congressional defense committees and*  
3        *the Committee on Foreign Affairs of the House of*  
4        *Representatives and the Committee on Foreign Rela-*  
5        *tions of the Senate the certification under paragraph*  
6        *(2) with respect to such quarter.*

7            “(2) *SUBMISSION.—On a quarterly basis, the*  
8        *Secretary shall submit to the committees specified in*  
9        *paragraph (1) a certification, made in concurrence*  
10       *with the Secretary of State, of the following:*

11            “(A) *China has taken material steps to—*

12            “(i) *disrupt the proliferation activities*  
13        *of Li Fangwei (also known as Karl Lee, or*  
14        *any other alias known by the United*  
15        *States); and*

16            “(ii) *arrest Li Fangwei pursuant the*  
17        *indictment charged in the United States*  
18        *District Court for the Southern District of*  
19        *New York on April 29, 2014.*

20            “(B) *China has not proliferated to any non-*  
21        *nuclear weapons state, or any nuclear weapons*  
22        *state in violation of the Treaty on the Non-Pro-*  
23        *liferation of Nuclear Weapons, any item that*  
24        *contributes to a ballistic missile or nuclear*  
25        *weapons delivery system.*

1           “(3) *COVERAGE.*—*The first notification made*  
 2           *under paragraph (2) shall cover the preceding 12-*  
 3           *month period before the date of such notification.*  
 4           *Each subsequent notification shall cover the quarter*  
 5           *preceding the date of such notification.”.*

6                           **TITLE XIV—OTHER**  
 7                           **AUTHORIZATIONS**

8                   ***Subtitle A—Military Programs***

9   **SEC. 1401. WORKING CAPITAL FUNDS.**

10           *Funds are hereby authorized to be appropriated for fis-*  
 11           *cal year 2017 for the use of the Armed Forces and other*  
 12           *activities and agencies of the Department of Defense for*  
 13           *providing capital for working capital and revolving funds,*  
 14           *as specified in the funding table in section 4501.*

15   **SEC. 1402. NATIONAL DEFENSE SEALIFT FUND.**

16           *Funds are hereby authorized to be appropriated for fis-*  
 17           *cal year 2017 for the National Defense Sealift Fund, as*  
 18           *specified in the funding table in section 4501.*

19   **SEC. 1403. CHEMICAL AGENTS AND MUNITIONS DESTRUC-**  
 20                           **TION, DEFENSE.**

21           *(a) AUTHORIZATION OF APPROPRIATIONS.*—*Funds are*  
 22           *hereby authorized to be appropriated for the Department*  
 23           *of Defense for fiscal year 2017 for expenses, not otherwise*  
 24           *provided for, for Chemical Agents and Munitions Destruc-*

1 tion, Defense, as specified in the funding table in section  
2 4501.

3 (b) *USE.*—Amounts authorized to be appropriated  
4 under subsection (a) are authorized for—

5 (1) the destruction of lethal chemical agents and  
6 munitions in accordance with section 1412 of the De-  
7 partment of Defense Authorization Act, 1986 (50  
8 U.S.C. 1521); and

9 (2) the destruction of chemical warfare materiel  
10 of the United States that is not covered by section  
11 1412 of such Act.

12 **SEC. 1404. DRUG INTERDICTION AND COUNTER-DRUG AC-**  
13 **TIVITIES, DEFENSE-WIDE.**

14 *Funds are hereby authorized to be appropriated for the*  
15 *Department of Defense for fiscal year 2017 for expenses, not*  
16 *otherwise provided for, for Drug Interdiction and Counter-*  
17 *Drug Activities, Defense-wide, as specified in the funding*  
18 *table in section 4501.*

19 **SEC. 1405. DEFENSE INSPECTOR GENERAL.**

20 *Funds are hereby authorized to be appropriated for the*  
21 *Department of Defense for fiscal year 2017 for expenses, not*  
22 *otherwise provided for, for the Office of the Inspector Gen-*  
23 *eral of the Department of Defense, as specified in the fund-*  
24 *ing table in section 4501.*

1 **SEC. 1406. DEFENSE HEALTH PROGRAM.**

2 *Funds are hereby authorized to be appropriated for fis-*  
 3 *cal year 2017 for the Defense Health Program, as specified*  
 4 *in the funding table in section 4501, for use of the Armed*  
 5 *Forces and other activities and agencies of the Department*  
 6 *of Defense in providing for the health of eligible bene-*  
 7 *ficiaries.*

8 **SEC. 1407. NATIONAL SEA-BASED DETERRENCE FUND.**

9 *Funds are hereby authorized to be appropriated for fis-*  
 10 *cal year 2017 for the National Sea-Based Deterrence Fund*  
 11 *as specified in the funding table in section 4501.*

12 ***Subtitle B—National Defense***  
 13 ***Stockpile***

14 **SEC. 1411. AUTHORITY TO DISPOSE OF CERTAIN MATE-**  
 15 **RIALS FROM AND TO ACQUIRE ADDITIONAL**  
 16 **MATERIALS FOR THE NATIONAL DEFENSE**  
 17 **STOCKPILE.**

18 *(a) DISPOSAL AUTHORITY.—Pursuant to section 5(b)*  
 19 *of the Strategic and Critical Materials Stock Piling Act (50*  
 20 *U.S.C. 98d(b)), the National Defense Stockpile Manager*  
 21 *may dispose of the following materials contained in the Na-*  
 22 *tional Defense Stockpile in the following quantities:*

- 23 (1) 27 short tons of beryllium.  
 24 (2) 111,149 short tons of chromium, ferroalloy.  
 25 (3) 2,973 short tons of chromium metal.  
 26 (4) 8,380 troy ounces of platinum.

1           (5) 275,741 pounds of contained tungsten metal  
2 powder.

3           (6) 12,433,796 pounds of contained tungsten ores  
4 and concentrates.

5           (b) ACQUISITION AUTHORITY.—

6           (1) AUTHORITY.—Using funds available in the  
7 National Defense Stockpile Transaction Fund, the  
8 National Defense Stockpile Manager may acquire the  
9 following materials determined to be strategic and  
10 critical materials required to meet the defense, indus-  
11 trial, and essential civilian needs of the United  
12 States:

13                   (A) High modulus and high strength carbon  
14 fibers.

15                   (B) Tantalum.

16                   (C) Germanium.

17                   (D) Tungsten rhenium metal.

18                   (E) Boron carbide powder.

19                   (F) Europium.

20                   (G) Silicon carbide fiber.

21           (2) AMOUNT OF AUTHORITY.—The National De-  
22 fense Stockpile Manager may use up to \$55,000,0000  
23 in the National Defense Stockpile Transaction Fund  
24 for acquisition of the materials specified paragraph  
25 (1).



1           (3) *FISCAL YEAR LIMITATION.*—*The authority*  
2           *under paragraph (1) is available for purchases dur-*  
3           *ing fiscal year 2017 through fiscal year 2021.*

4 **SEC. 1412. REVISIONS TO THE STRATEGIC AND CRITICAL**  
5           **MATERIALS STOCK PILING ACT.**

6           (a) *MATERIALS CONSTITUTING THE NATIONAL DE-*  
7           *FENSE STOCKPILE.*—*Section 4 of the Strategic and Critical*  
8           *Materials Stock Piling Act (50 U.S.C. 98c) is amended—*  
9           (1) *in subsection (b), by striking “required for”*  
10           *and inserting “suitable for transfer to or disposal*  
11           *through”; and*

12           (2) *in subsection (c)—*

13                   (A) *by striking “(1)” and all that follows*  
14                   *through “(2)”;* and

15                   (B) *by striking “this subsection” and in-*  
16                   *serting “subsection (b)”.*

17           (b) *QUALIFICATION OF DOMESTIC SOURCES.*—*Section*  
18           *15(a) of such Act (50 U.S.C. 98h–6(a)) is amended—*

19           (1) *by striking “and” at the end of paragraph*  
20           (1);

21           (2) *by striking the period at the end of para-*  
22           *graph (2) and inserting a semicolon; and*

23           (3) *by adding at the end the following new para-*  
24           *graphs:*

1           “(3) by qualifying existing domestic facilities  
 2           and domestically produced strategic and critical ma-  
 3           terials to meet the requirements of defense and essen-  
 4           tial civilian industries in times of national emer-  
 5           gencies when existing domestic sources of supply are  
 6           either insufficient or vulnerable to single points of  
 7           failure; and

8           “(4) by contracting with domestic facilities to re-  
 9           cycle strategic and critical materials, thereby increas-  
 10          ing domestic supplies when those materials would oth-  
 11          erwise be insufficient to support defense and essential  
 12          civilian industries in times of national emergencies.”.

### 13           ***Subtitle C—Other Matters***

14   ***SEC. 1421. AUTHORITY FOR TRANSFER OF FUNDS TO JOINT***  
 15                   ***DEPARTMENT OF DEFENSE-DEPARTMENT OF***  
 16                   ***VETERANS AFFAIRS MEDICAL FACILITY DEM-***  
 17                   ***ONSTRATION FUND FOR CAPTAIN JAMES A.***  
 18                   ***LOVELL HEALTH CARE CENTER, ILLINOIS.***

19           (a) *AUTHORITY FOR TRANSFER OF FUNDS.*—Of the  
 20 *funds authorized to be appropriated for section 506 and*  
 21 *available for the Defense Health Program for operation and*  
 22 *maintenance, \$122,375,000 may be transferred by the Sec-*  
 23 *retary of Defense to the Joint Department of Defense—De-*  
 24 *partment of Veterans Affairs Medical Facility Demonstra-*  
 25 *tion Fund established by subsection (a)(1) of section 1704*

1 *of the National Defense Authorization Act for Fiscal Year*  
2 *2010 (Public Law 111–84; 123 Stat. 2571). For purposes*  
3 *of subsection (a)(2) of such section 1704, any funds so*  
4 *transferred shall be treated as amounts authorized and ap-*  
5 *propriated specifically for the purpose of such a transfer.*

6       **(b) USE OF TRANSFERRED FUNDS.**—*For the purposes*  
7 *of subsection (b) of such section 1704, facility operations*  
8 *for which funds transferred under subsection (a) may be*  
9 *used are operations of the Captain James A. Lovell Federal*  
10 *Health Care Center, consisting of the North Chicago Vet-*  
11 *erans Affairs Medical Center, the Navy Ambulatory Care*  
12 *Center, and supporting facilities designated as a combined*  
13 *Federal medical facility under an operational agreement*  
14 *covered by section 706 of the Duncan Hunter National De-*  
15 *fense Authorization Act for Fiscal Year 2009 (Public Law*  
16 *110-417; 122 Stat. 4500).*

17 **SEC. 1422. AUTHORIZATION OF APPROPRIATIONS FOR**  
18 **ARMED FORCES RETIREMENT HOME.**

19       *There is hereby authorized to be appropriated for fiscal*  
20 *year 2017 from the Armed Forces Retirement Home Trust*  
21 *Fund the sum of \$64,300,000 for the operation of the Armed*  
22 *Forces Retirement Home.*

1 **TITLE XV—AUTHORIZATION OF**  
2 **ADDITIONAL APPROPRIA-**  
3 **TIONS FOR OVERSEAS CON-**  
4 **TINGENCY OPERATIONS**  
5 ***Subtitle A—Authorization of***  
6 ***Appropriations***

7 **SEC. 1501. PURPOSE AND TREATMENT OF CERTAIN AU-**  
8 **THORIZATIONS OF APPROPRIATIONS.**

9 *(a) PURPOSE.—The purpose of this subtitle is to au-*  
10 *thorize appropriations for the Department of Defense for*  
11 *fiscal year 2017 to provide additional funds—*

12 *(1) for overseas contingency operations being*  
13 *carried out by the Armed Forces; and*

14 *(2) pursuant to sections 1502, 1503, 1504, 1505,*  
15 *and 1507 for expenses, not otherwise provided for, for*  
16 *procurement, research, development, test, and evalua-*  
17 *tion, operation and maintenance, military personnel,*  
18 *and defense-wide drug interdiction and counter-drug*  
19 *activities, as specified in the funding tables in sec-*  
20 *tions 4103, 4203, 4303, 4403, and 4503.*

21 *(b) SUPPORT OF BASE BUDGET REQUIREMENTS;*  
22 *TREATMENT.—Funds identified in subsection (a)(2) are*  
23 *being authorized to be appropriated in support of base*  
24 *budget requirements as requested by the President for fiscal*  
25 *year 2017 pursuant to section 1105(a) of title 31, United*

1 *States Code. The Director of the Office of Management and*  
2 *Budget shall apportion the funds identified in such sub-*  
3 *section to the Department of Defense without restriction,*  
4 *limitation, or constraint on the execution of such funds in*  
5 *support of base requirements, including any restriction,*  
6 *limitation, or constraint imposed by, or described in, the*  
7 *document entitled “Criteria for War/Overseas Contingency*  
8 *Operations Funding Requests” transmitted by the Director*  
9 *to the Department of Defense on September 9, 2010, or any*  
10 *successor or related guidance.*

11 **SEC. 1502. PROCUREMENT.**

12 *Funds are hereby authorized to be appropriated for fis-*  
13 *cal year 2017 for procurement accounts for the Army, the*  
14 *Navy and the Marine Corps, the Air Force, and Defense-*  
15 *wide activities, as specified in—*

16 *(1) the funding table in section 4102; or*

17 *(2) the funding table in section 4103.*

18 **SEC. 1503. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**

19 **TION.**

20 *Funds are hereby authorized to be appropriated for fis-*  
21 *cal year 2017 for the use of the Department of Defense for*  
22 *research, development, test, and evaluation, as specified*  
23 *in—*

24 *(1) the funding table in section 4202; or*

25 *(2) the funding table in section 4203.*

1 **SEC. 1504. OPERATION AND MAINTENANCE.**

2 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are  
3 hereby authorized to be appropriated for fiscal year 2017  
4 for the use of the Armed Forces and other activities and  
5 agencies of the Department of Defense for expenses, not oth-  
6 erwise provided for, for operation and maintenance, as  
7 specified in—

8 (1) *the funding table in section 4302, or*

9 (2) *the funding table in section 4303.*

10 (b) *PERIOD OF AVAILABILITY.*—Amounts specified in  
11 the funding table in section 4302 shall remain available for  
12 obligation only until April 30, 2017, at a rate for oper-  
13 ations as provided in the Department of Defense Appro-  
14 priations Act, 2016 (division C of Public Law 114–113).

15 (c) *CONDITION ON USE OF FUNDS FOR SYRIA TRAIN*  
16 *AND EQUIP PROGRAMS.*—Amounts authorized to be appro-  
17 priated by this section for the Syria Train and Equip pro-  
18 grams, as specified in the funding table in section 4302,  
19 may not be provided to any recipient that the Secretary  
20 of Defense has reported, pursuant to a quarterly progress  
21 report submitted pursuant to section 1209 of the National  
22 Defense Authorization Act for Fiscal Year 2015 (Public  
23 Law 113–291; 128 Stat. 3541), as having misused provided  
24 training and equipment.

1 **SEC. 1505. MILITARY PERSONNEL.**

2 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are  
3 hereby authorized to be appropriated for fiscal year 2017  
4 for the use of the Armed Forces and other activities and  
5 agencies of the Department of Defense for expenses, not oth-  
6 erwise provided for, for military personnel, as specified  
7 in—

8 (1) *the funding table in section 4402; or*

9 (2) *the funding table in section 4403.*

10 (b) *PERIOD OF AVAILABILITY.*—Amounts specified in  
11 the funding table in section 4402 shall remain available for  
12 obligation only until April 30, 2017, at a rate for oper-  
13 ations as provided in the Department of Defense Appro-  
14 priations Act, 2016 (division C of Public Law 114–113).

15 **SEC. 1506. WORKING CAPITAL FUNDS.**

16 (a) *AUTHORIZATION OF APPROPRIATIONS.*—Funds are  
17 hereby authorized to be appropriated for fiscal year 2017  
18 for the use of the Armed Forces and other activities and  
19 agencies of the Department of Defense for providing capital  
20 for working capital and revolving funds, as specified in the  
21 funding table in section 4502.

22 (b) *PERIOD OF AVAILABILITY.*—Amounts specified in  
23 the funding table in section 4502 for providing capital for  
24 working capital and revolving funds shall remain available  
25 for obligation only until April 30, 2017, at a rate for oper-

1 ations as provided in the Department of Defense Appro-  
2 priations Act, 2016 (division C of Public Law 114–113).

3 **SEC. 1507. DRUG INTERDICTION AND COUNTER-DRUG AC-**  
4 **TIVITIES, DEFENSE-WIDE.**

5 *Funds are hereby authorized to be appropriated for the*  
6 *Department of Defense for fiscal year 2017 for expenses, not*  
7 *otherwise provided for, for Drug Interdiction and Counter-*  
8 *Drug Activities, Defense-wide, as specified in—*

9 *(1) the funding table in section 4502; or*

10 *(2) the funding table in section 4503.*

11 **SEC. 1508. DEFENSE INSPECTOR GENERAL.**

12 *Funds are hereby authorized to be appropriated for the*  
13 *Department of Defense for fiscal year 2017 for expenses, not*  
14 *otherwise provided for, for the Office of the Inspector Gen-*  
15 *eral of the Department of Defense, as specified in the fund-*  
16 *ing table in section 4502.*

17 **SEC. 1509. DEFENSE HEALTH PROGRAM.**

18 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*  
19 *hereby authorized to be appropriated for the Department*  
20 *of Defense for fiscal year 2017 for expenses, not otherwise*  
21 *provided for, for the Defense Health Program, as specified*  
22 *in the funding table in section 4502.*

23 *(b) PERIOD OF AVAILABILITY.—Amounts specified in*  
24 *the funding table in section 4502 for the Defense Health*  
25 *Program shall remain available for obligation only until*



1 *April 30, 2017, at a rate for operations as provided in the*  
2 *Department of Defense Appropriations Act, 2016 (division*  
3 *C of Public Law 114–113).*

4 **SEC. 1510. COUNTERTERRORISM PARTNERSHIPS FUND.**

5 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*  
6 *hereby authorized to be appropriated for the Department*  
7 *of Defense for fiscal year 2017 for expenses, not otherwise*  
8 *provided for, for the Counterterrorism Partnerships Fund,*  
9 *as specified in the funding table in section 4502.*

10 *(b) DURATION OF AVAILABILITY.—Amounts appro-*  
11 *priated pursuant to the authorization of appropriations in*  
12 *subsection (a) shall remain available for obligation through*  
13 *September 30, 2018.*

14 ***Subtitle B—Financial Matters***

15 **SEC. 1521. TREATMENT AS ADDITIONAL AUTHORIZATIONS.**

16 *The amounts authorized to be appropriated by this*  
17 *title are in addition to amounts otherwise authorized to be*  
18 *appropriated by this Act.*

19 **SEC. 1522. SPECIAL TRANSFER AUTHORITY.**

20 *(a) AUTHORITY TO TRANSFER AUTHORIZATIONS.—*

21 *(1) AUTHORITY.—Upon determination by the*  
22 *Secretary of Defense that such action is necessary in*  
23 *the national interest, the Secretary may transfer*  
24 *amounts of authorizations made available to the De-*  
25 *partment of Defense in this title for fiscal year 2017*

1       *between any such authorizations for that fiscal year*  
2       *(or any subdivisions thereof).*

3           (2) *EFFECT OF TRANSFER.*—*Amounts of author-*  
4       *izations transferred under this subsection shall be*  
5       *merged with and be available for the same purposes*  
6       *as the authorization to which transferred.*

7           (3) *LIMITATIONS.*—*The total amount of author-*  
8       *izations that the Secretary may transfer under the*  
9       *authority of this subsection may not exceed*  
10       *\$4,500,000,000.*

11          (4) *EXCEPTION.*—*In the case of the authoriza-*  
12       *tions of appropriations contained in sections 1502,*  
13       *1503, 1504, 1505, and 1507 that are provided for the*  
14       *purpose specified in section 1501(a)(2), the transfer*  
15       *authority provided under section 1001, rather than*  
16       *the transfer authority provided by this subsection,*  
17       *shall apply to any transfer of amounts of such au-*  
18       *thorizations.*

19          (b) *TERMS AND CONDITIONS.*—*Transfers under this*  
20       *section shall be subject to the same terms and conditions*  
21       *as transfers under section 1001.*

22          (c) *ADDITIONAL AUTHORITY.*—*The transfer authority*  
23       *provided by this section is in addition to the transfer au-*  
24       *thority provided under section 1001.*

1 **SEC. 1523. CODIFICATION OF OFFICE OF MANAGEMENT AND**  
2 **BUDGET CRITERIA.**

3 *The Secretary of Defense shall implement the following*  
4 *criteria in requests for overseas contingency operations:*

5 (1) *Geographic Area Covered – For theater of op-*  
6 *erations for non-classified war overseas contingency*  
7 *operations funding, the geographic areas in which*  
8 *combat or direct combat support operations occur are:*  
9 *Iraq, Afghanistan, Pakistan, Kazakhstan, Tajikistan,*  
10 *Kyrghyzstan, the Horn of Africa, Persian Gulf and*  
11 *Gulf nations, Arabian Sea, the Indian Ocean, the*  
12 *Philippines, and other countries on a case-by-case*  
13 *basis.*

14 (2) *Permitted Inclusions in the Overseas Contin-*  
15 *gency Operation Budget*

16 (A) *Major Equipment*

17 (i) *Replacement of loses that have oc-*  
18 *curred but only for items not already pro-*  
19 *grammed for replacement in the Future*  
20 *Years Defense Plan (FYDP), but not includ-*  
21 *ing accelerations, which must be made in*  
22 *the base budget.*

23 (ii) *Replacement or repair to original*  
24 *capability (to upgraded capability if that is*  
25 *currently available) of equipment returning*  
26 *from theater. The replacement may be a*

1 similar end item if the original item is no  
2 longer in production. Incremental cost of  
3 non-war related upgrades, if made, should  
4 be included in the base.

5 (iii) Purchase of specialized, theater-  
6 specific equipment.

7 (iv) Funding for major equipment  
8 must be obligated within 12 months.

9 (B) Ground Equipment Replacement

10 (i) For combat losses and returning  
11 equipment that is not economical to repair,  
12 the replacement of equipment may be given  
13 to coalition partners, if consistent with ap-  
14 proved policy.

15 (ii) In-theater stocks above customary  
16 equipping levels on a case-by-case basis.

17 (C) Equipment Modifications

18 (i) Operationally-required modifica-  
19 tions to equipment used in theater or in di-  
20 rect support of combat operations and that  
21 is not already programmed in FYDP.

22 (ii) Funding for equipment modifica-  
23 tions must be able be obligated in 12  
24 months.

25 (D) Munitions

1           (i) *Replenishment of munitions ex-*  
2 *pended in combat operations in theater.*

3           (ii) *Training ammunition for theater-*  
4 *unique training events.*

5           (iii) *While forecasted expenditures are*  
6 *not permitted, a case-by-case assessment for*  
7 *munitions where existing stocks are insuffi-*  
8 *cient to sustain theater combat operations.*

9           *(E) Aircraft Replacement*

10          (i) *Combat losses by accident that*  
11 *occur in the theater of operations.*

12          (ii) *Combat losses by enemy action*  
13 *that occur in the theater of operations.*

14          *(F) Military Construction*

15          (i) *Facilities and infrastructure in the*  
16 *theater of operations in direct support of*  
17 *combat operations. The level of construction*  
18 *should be the minimum to meet operational*  
19 *requirements.*

20          (ii) *At non-enduring locations, facili-*  
21 *ties and infrastructure for temporary use.*

22          (iii) *At enduring locations, facilities*  
23 *and infrastructure for temporary use.*

24          (iv) *At enduring locations, construc-*  
25 *tion requirements must be tied to surge op-*

1                    *erations or major changes in operational re-*  
2                    *quirements and will be considered on a*  
3                    *case-by-case basis.*

4                    *(G) Research and development projects for*  
5                    *combat operations in these specific theaters that*  
6                    *can be delivered in 12 months.*

7                    *(H) Operations*

8                    *(i) Direct War costs:*

9                    *(I) Transport of personnel, equip-*  
10                    *ment, and supplies to, from and within*  
11                    *the theater of operations.*

12                    *(II) Deployment-specific training*  
13                    *and preparation for unites and per-*  
14                    *sonnel (military and civilian) to as-*  
15                    *sume their directed missions as defined*  
16                    *in the orders for deployment into the*  
17                    *theater of operations.*

18                    *(ii) Within the theater, the incremental*  
19                    *costs above the funding programmed in the*  
20                    *base budget to:*

21                    *(I) Support commanders in the*  
22                    *conduct of their directed missions (to*  
23                    *include Emergency Response Pro-*  
24                    *grams).*

1                   (II) *Build and maintain tem-*  
2                   *porary facilities.*

3                   (III) *Provide food, fuel, supplies,*  
4                   *contracted services and other support.*

5                   (IV) *Cover the operational costs of*  
6                   *coalition partners supporting US mili-*  
7                   *tary missions, as mutually agreed.*

8                   (iii) *Indirect war costs incurred out-*  
9                   *side the theater of operations will be evalu-*  
10                  *ated on a case-by-case basis.*

11                  (I) *Health*

12                  (i) *Short-term care directly related to*  
13                  *combat.*

14                  (ii) *Infrastructure that is only to be*  
15                  *used during the current conflict.*

16                  (J) *Personnel*

17                  (i) *Incremental special pays and al-*  
18                  *lowances for Service members and civilians*  
19                  *deployed to a combat zone.*

20                  (ii) *Incremental pay, special pays and*  
21                  *allowances for Reserve Component personnel*  
22                  *mobilized to support war missions.*

23                  (K) *Special Operations Command*

24                  (i) *Operations that meet the criteria in*  
25                  *this guidance.*

1                   (ii) *Equipment that meets the criteria*  
2                   *in this guidance.*

3                   (L) *Prepositioned Supplies and*  
4                   *equipment for resetting in-theater*  
5                   *stocks of supplies and equipment to*  
6                   *pre-war levels.*

7                   (M) *Security force funding to train, equip,*  
8                   *and sustain Iraqi and Afghan military and po-*  
9                   *lice forces.*

10                  (N) *Fuel*

11                   (i) *War fuel costs and funding to en-*  
12                   *sure that logistical support to combat oper-*  
13                   *ations is not degraded due to cash losses in*  
14                   *the Department of Defense's baseline fuel*  
15                   *program.*

16                   (ii) *Enough of any base fuel shortfall*  
17                   *attributable to fuel price increases to main-*  
18                   *tain sufficient on-hand cash for the Defense*  
19                   *Working Capital Funds to cover seven days*  
20                   *disbursements.*

21                  (3) *Excluded items from Overseas Contingency*  
22                  *Funding that must be funded from the base budget*

23                   (A) *Training vehicles, aircraft, ammuni-*  
24                   *tion, and simulators, but not training base stocks*  
25                   *of specialized, theater-specific equipment that is*



1           *required to support combat operations in the the-*  
2           *ater of operations, and support to deployment-*  
3           *specific training described above.*

4           *(B) Acceleration of equipment service life*  
5           *extension programs already in the Future Years*  
6           *Defense Plan.*

7           *(C) Base Realignment and Closure projects.*

8           *(D) Family support initiatives*

9           *(i) Construction of childcare facilities.*

10           *(ii) Funding for private-public par-*  
11           *tisanships to expand military families' ac-*  
12           *cess to childcare.*

13           *(iii) Support for service members'*  
14           *spouses professional development.*

15           *(E) Programs to maintain industrial base*  
16           *capacity including "war-stoppers."*

17           *(F) Personnel*

18           *(i) Recruiting and retention bonuses to*  
19           *maintain end-strength.*

20           *(ii) Basic Pay and the Basic allow-*  
21           *ances for Housing and Subsistence for per-*  
22           *manently authorized end strength.*

23           *(iii) Individual augmentees on a case-*  
24           *by-case basis.*

1           (G) Support for the personnel, operations,  
2           or the construction or maintenance of facilities,  
3           at U.S. Offices of Security Cooperation in the-  
4           ater.

5           (H) Costs for reconfiguring prepositioned  
6           supplies and equipment or for maintaining  
7           them.

8           (4) Special Situations – Items proposed for in-  
9           creases in reprogrammings or as payback for prior  
10          reprogrammings must meet the criteria above.

11          ***Subtitle C—Limitations, Reports,***  
12          ***and Other Matters***

13          ***SEC. 1531. AFGHANISTAN SECURITY FORCES FUND.***

14          (a) *IN GENERAL.*—Funds available to the Department  
15          of Defense for the Afghanistan Security Forces Fund during  
16          the period beginning on the date of the enactment of this  
17          Act and ending on December 31, 2017, shall be subject to  
18          the conditions contained in subsections (b) through (f) of  
19          section 1513 of the National Defense Authorization Act for  
20          Fiscal Year 2008 (Public Law 110–181; 122 Stat. 428), as  
21          amended by section 1531(b) of the Ike Skelton National De-  
22          fense Authorization Act for Fiscal Year 2011 (Public Law  
23          111–383; 124 Stat. 4424).

24          (b) *ALLOCATION OF FUNDS.*—

1           (1) *IN GENERAL.*—*Of the funds available to the*  
2 *Department of Defense for the Afghan Security Forces*  
3 *Fund for fiscal year 2017, it is the goal that*  
4 *\$25,000,000 shall be used for—*

5                   (A) *the recruitment, integration, retention,*  
6 *training, and treatment of women in the Afghan*  
7 *National Security Forces; and*

8                   (B) *the recruitment, training, and con-*  
9 *tracting of female security personnel for future*  
10 *elections.*

11           (2) *TYPES OF PROGRAMS AND ACTIVITIES.*—*Such*  
12 *programs and activities may include—*

13                   (A) *efforts to recruit women into the Afghan*  
14 *National Security Forces, including the special*  
15 *operations forces;*

16                   (B) *programs and activities of the Afghan*  
17 *Ministry of Defense Directorate of Human*  
18 *Rights and Gender Integration and the Afghan*  
19 *Ministry of Interior Office of Human Rights,*  
20 *Gender and Child Rights;*

21                   (C) *development and dissemination of gen-*  
22 *der and human rights educational and training*  
23 *materials and programs within the Afghan Min-*  
24 *istry of Defense and the Afghan Ministry of Inte-*  
25 *rior;*

1           (D) efforts to address harassment and vio-  
2           lence against women within the Afghan National  
3           Security Forces;

4           (E) improvements to infrastructure that ad-  
5           dress the requirements of women serving in the  
6           Afghan National Security Forces, including ap-  
7           propriate equipment for female security and po-  
8           lice forces, and transportation for policewomen  
9           to their station;

10           (F) support for Afghanistan National Police  
11           Family Response Units; and

12           (G) security provisions for high-profile fe-  
13           male police and army officers.

14           (c) *REPORTING REQUIREMENT.*—

15           (1) *SEMI-ANNUAL REPORTS.*—Not later than  
16           January 31 and July 31 of each year through Janu-  
17           ary 31, 2021, the Secretary of Defense shall submit to  
18           the congressional defense committees a report summa-  
19           rizing the details of any obligation or transfer of  
20           funds from the Afghanistan Security Forces Fund  
21           during the preceding six-calendar month period.

22           (2) *CONFORMING REPEALS.*—(A) Section 1513 of  
23           the National Defense Authorization Act for Fiscal  
24           Year 2008 (Public Law 110–181; 122 Stat. 428), as  
25           amended by section 1531(b) of the Ike Skelton Na-

1        *tional Defense Authorization Act for Fiscal Year 2011*  
 2        *(Public Law 111–383; 124 Stat. 4424), is further*  
 3        *amended by striking subsection (g).*

4                *(B) Section 1517 of the John Warner National*  
 5        *Defense Authorization Act for Fiscal Year 2007 (Pub-*  
 6        *lic Law 109–364; 120 Stat. 2442) is amended by*  
 7        *striking subsection (f).*

8        **SEC. 1532. JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT**  
 9                **FUND.**

10        *(a) USE AND TRANSFER OF FUNDS.—Subsection*  
 11        *1532(a) of the National Defense Authorization Act for Fis-*  
 12        *cal Year 2016 (Public Law 114–92; 129 Stat. 1091) is*  
 13        *amended by striking “fiscal year 2016” and inserting “fis-*  
 14        *cal years 2016 and 2017”.*

15        *(b) EXTENSION OF INTERDICTION OF IMPROVISED EX-*  
 16        *PLOSIVE DEVICE PRECURSOR CHEMICALS AUTHORITY.—*  
 17        *Section 1532(c) of the National Defense Authorization Act*  
 18        *for Fiscal Year 2013 (Public Law 112–239; 126 Stat. 2057)*  
 19        *is amended—*

20                *(1) in paragraph (1)—*

21                        *(A) by striking “for fiscal year 2013 and*  
 22                        *for fiscal year 2016,” and inserting “for fiscal*  
 23                        *years 2013, 2016, and 2017”;*

1           (B) by inserting “with the concurrence of  
2           the Secretary of State” after “may be available  
3           to the Secretary of Defense”;

4           (C) by striking “of the Government of Paki-  
5           stan” and inserting “of foreign governments”;  
6           and

7           (D) by striking “from Pakistan to locations  
8           in Afghanistan”;

9           (2) in paragraph (2), by striking “of the Govern-  
10          ment of Pakistan” and inserting “of foreign govern-  
11          ments”;

12          (3) in paragraph (3)—

13           (A) in the matter preceding subparagraph  
14           (A), by striking “the congressional defense com-  
15           mittees” and inserting “Congress”; and

16           (B) in subparagraph (B)—

17           (i) by striking “the Government of  
18           Pakistan” and inserting “foreign govern-  
19           ments”; and

20           (ii) by striking “from Pakistan to loca-  
21           tions in Afghanistan”; and

22          (4) in paragraph (4), as most recently amended  
23          by section 1532(b)(2) of the National Defense Author-  
24          ization Act for Fiscal Year 2016 (Public Law 114—

1       92; 129 Stat. 1091), by striking “December 31, 2016”  
 2       and inserting “December 31, 2017”.

3   **SEC. 1533. EXTENSION OF AUTHORITY TO USE JOINT IM-**  
 4                   **PROVISED EXPLOSIVE DEVICE DEFEAT FUND**  
 5                   **FOR TRAINING OF FOREIGN SECURITY**  
 6                   **FORCES TO DEFEAT IMPROVISED EXPLOSIVE**  
 7                   **DEVICES.**

8       Section 1533(e) of the National Defense Authorization  
 9 Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.  
 10 1093) is amended by striking “September 30, 2018” and  
 11 inserting “September 30, 2020”.

12   **TITLE XVI—STRATEGIC PRO-**  
 13           **GRAMS, CYBER, AND INTEL-**  
 14           **LIGENCE MATTERS**

15           **Subtitle A—Space Activities**

16   **SEC. 1601. ROCKET PROPULSION SYSTEM TO REPLACE RD-**  
 17                   **180.**

18       (a) *USE OF FUNDS.*—Section 1604 of the Carl Levin  
 19 and Howard P. “Buck” McKeon National Defense Author-  
 20 ization Act for Fiscal Year 2015 (Public Law 113–291; 128  
 21 Stat. 3623; 10 U.S.C. 2273 note), as amended by section  
 22 1606 of the National Defense Authorization Act for Fiscal  
 23 Year 2016 (Public Law 114–92; 129 Stat. 1099), is further  
 24 amended by striking subsection (d) and inserting the fol-  
 25 lowing new subsections:

1       “(d) *USE OF FUNDS UNDER DEVELOPMENT PRO-*  
2 *GRAM.—*

3               “(1) *DEVELOPMENT OF ROCKET PROPULSION*  
4 *SYSTEM.—The funds described in paragraph (2)—*

5                       “(A) *may be obligated or expended for—*

6                               “(i) *the development of the rocket pro-*  
7 *pulsion system to replace non-allied space*  
8 *launch engines pursuant to subsection (a);*  
9 *and*

10                               “(ii) *the necessary interfaces to, or in-*  
11 *tegration of, the rocket propulsion system*  
12 *with an existing or new launch vehicle; and*

13                       “(B) *may not be obligated or expended to*  
14 *develop or procure a launch vehicle, an upper*  
15 *stage, a strap-on motor, or related infrastructure.*

16               “(2) *FUNDS DESCRIBED.—The funds described*  
17 *in this paragraph are the following:*

18                       “(A) *Funds authorized to be appropriated*  
19 *by the National Defense Authorization Act for*  
20 *Fiscal Year 2017 or otherwise made available for*  
21 *fiscal year 2017 for the Department of Defense*  
22 *for the development of the rocket propulsion sys-*  
23 *tem under subsection (a).*

24                       “(B) *Funds authorized to be appropriated*  
25 *by this Act or the National Defense Authoriza-*



1            *tion Act for Fiscal Year 2016 or otherwise made*  
2            *available for fiscal years 2015 or 2016 for the*  
3            *Department of Defense for the development of the*  
4            *rocket propulsion system under subsection (a)*  
5            *that are unobligated as of the date of the enact-*  
6            *ment of the National Defense Authorization Act*  
7            *for Fiscal Year 2017.*

8            *“(3) OTHER PURPOSES.—The Secretary may ob-*  
9            *ligate or expend not more than a total of 31 percent*  
10           *of the funds that are authorized to be appropriated or*  
11           *otherwise made available for fiscal year 2017 for the*  
12           *rocket propulsion system and launch system invest-*  
13           *ment for activities not authorized by paragraph*  
14           *(1)(A), including for developing a launch vehicle, an*  
15           *upper stage, a strap-on motor, or related infrastruc-*  
16           *ture. The Secretary may exceed such limit in fiscal*  
17           *year 2017 for such purposes if—*

18                    *“(A) the Secretary certifies to the appro-*  
19                    *priate congressional committees that, as of the*  
20                    *date of the certification—*

21                            *“(i) the development of the rocket pro-*  
22                            *pulsion system is being carried out pursu-*  
23                            *ant to paragraph (1)(A) in a manner that*  
24                            *ensures that the rocket propulsion system*

1           *will meet each requirement under subsection*  
2           *(a)(2); and*

3           *“(ii) such obligation or expenditure*  
4           *will not negatively affect the development of*  
5           *the rocket propulsion system, including with*  
6           *respect to meeting such requirements; and*

7           *“(B) the reprogramming or transfer is car-*  
8           *ried out in accordance with established proce-*  
9           *dures for reprogramming or transfers, including*  
10          *with respect to presenting a request for a re-*  
11          *programming of funds.*

12          “(e) *DEFINITIONS.—In this section:*

13           “(1) *The term ‘appropriate congressional com-*  
14          *mittees’ means—*

15           “(A) *the congressional defense committees;*  
16          *and*

17           “(B) *the Permanent Select Committee on*  
18          *Intelligence of the House of Representatives and*  
19          *the Select Committee on Intelligence of the Sen-*  
20          *ate.*

21           “(2) *The term ‘rocket propulsion system’ means,*  
22          *with respect to the development authorized by sub-*  
23          *section (a), a main booster, first-stage rocket engine*  
24          *or motor. The term does not include a launch vehicle,*

1        *an upper stage, a strap-on motor, or related infra-*  
2        *structure.”.*

3        *(b) RIGHTS TO INTELLECTUAL PROPERTY.—Sub-*  
4        *section (a) of such section 1604 is amended by adding at*  
5        *the end the following new paragraph:*

6                *“(3) PLAN TO PROTECT GOVERNMENT INVEST-*  
7                *MENT AND ASSURED ACCESS TO SPACE.—*

8                        *“(A) In developing the rocket propulsion*  
9                        *system under paragraph (1), and in any devel-*  
10                        *opment conducted pursuant to subsection (d)(3),*  
11                        *the Secretary shall develop a plan to protect the*  
12                        *investment of the United States and the assured*  
13                        *access to space, including, consistent with section*  
14                        *2320 of title 10, United States Code, and in ac-*  
15                        *cordance with other applicable provisions of law,*  
16                        *acquiring the rights, as appropriate, for the pur-*  
17                        *pose of developing alternative sources of supply*  
18                        *and manufacture in the event such alternative*  
19                        *sources are necessary and in the best interest of*  
20                        *the United States, such as in the event that a*  
21                        *company goes out of business or the system is*  
22                        *otherwise unavailable after the Federal Govern-*  
23                        *ment has invested significant resources to use*  
24                        *and rely on such system for launch services.*

1           “(B) Not later than 90 days after the date  
2           of the enactment of the National Defense Author-  
3           ization Act for Fiscal Year 2017, the Secretary  
4           shall submit to the appropriate congressional  
5           committees the plan developed under subpara-  
6           graph (A).”.

7 **SEC. 1602. EXCEPTION TO THE PROHIBITION ON CON-**  
8           **TRACTING WITH RUSSIAN SUPPLIERS OF**  
9           **ROCKET ENGINES FOR THE EVOLVED EX-**  
10          **PENDABLE LAUNCH VEHICLE PROGRAM.**

11          Section 1608 of the Carl Levin and Howard P. “Buck”  
12          McKeon National Defense Authorization Act for Fiscal Year  
13          2015 (Public Law 113–291; 128 Stat. 3626; 10 U.S.C. 2271  
14          note), as amended by section 1607 of the National Defense  
15          Authorization Act for Fiscal Year 2016 (Public Law 114–  
16          92; 129 Stat. 1100), is further amended by striking sub-  
17          section (c) and inserting the following new subsection:

18          “(c) *EXCEPTION.*—The prohibition in subsection (a)  
19          shall not apply to any of the following:

20                 “(1) The placement of orders or the exercise of  
21                 options under the contract numbered FA8811–13–C–  
22                 0003 and awarded on December 18, 2013.

23                 “(2) Contracts that are awarded for the procure-  
24                 ment of property or services for space launch activi-  
25                 ties that include the use of a total of eighteen rocket

1 *engines designed or manufactured in the Russian*  
2 *Federation, in addition to Russian-designed or -manu-*  
3 *factured engines to which paragraph (1) applies.”.*

4 **SEC. 1603. ANALYSIS OF ALTERNATIVES FOR WIDE-BAND**  
5 **COMMUNICATIONS.**

6 *Section 1611 of the National Defense Authorization*  
7 *Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.*  
8 *1103) is amended by striking subsection (b) and inserting*  
9 *the following new subsections:*

10 “(b) *SCOPE.—*

11 “(1) *STUDY GUIDANCE.—In conducting the anal-*  
12 *ysis of alternatives under subsection (a), the Secretary*  
13 *shall develop study guidance that requires such anal-*  
14 *ysis to include the full range of military and commer-*  
15 *cial satellite communications capabilities, acquisition*  
16 *processes, and service delivery models.*

17 “(2) *OTHER CONSIDERATIONS.—The Secretary*  
18 *shall ensure that—*

19 “(A) *any cost assessments of military or*  
20 *commercial satellite communications systems in-*  
21 *cluded in the analysis of alternatives conducted*  
22 *under subsection (a) include detailed full life-*  
23 *cycle costs, as applicable, including with respect*  
24 *to—*

1           “(i) *military personnel, military con-*  
2           *struction, military infrastructure operation,*  
3           *maintenance costs, and ground and user*  
4           *terminal impacts; and*

5           “(ii) *any other costs regarding mili-*  
6           *tary or commercial satellite communica-*  
7           *tions systems the Secretary determines ap-*  
8           *propriate; and*

9           “(B) *such analysis identifies any consider-*  
10           *ations relating to the use of military versus com-*  
11           *mercial systems.*

12       “(c) *COMPTROLLER GENERAL REVIEW.—*

13           “(1) *SUBMISSION.—Upon completion of the*  
14           *analysis of alternatives conducted under subsection*  
15           *(a), the Secretary shall submit such analysis to the*  
16           *Comptroller General of the United States.*

17           “(2) *REVIEW.—Not later than 120 days after the*  
18           *date on which the Comptroller General receives the*  
19           *analysis of alternatives under paragraph (1), the*  
20           *Comptroller General shall submit to the congressional*  
21           *defense committees a review of the analysis.*

22           “(3) *MATTERS INCLUDED.—The review under*  
23           *paragraph (2) of the analysis of alternatives con-*  
24           *ducted under subsection (a) shall include the fol-*  
25           *lowing:*

1           “(A) Whether, and to what extent, the Sec-  
2           retary—

3                   “(i) conducted such analysis using best  
4           practices;

5                   “(ii) fully addressed the concerns of the  
6           acquisition, operational, and user commu-  
7           nities; and

8                   “(iii) complied with subsection (b).

9           “(B) A description of how the Secretary  
10          identified the requirements and assessed and ad-  
11          dressed the cost, schedule, and risks posed for  
12          each alternative included in such analysis.

13          “(d) BRIEFINGS.—Not later than 90 days after the  
14          date of the enactment of the National Defense Authorization  
15          Act for Fiscal Year 2017, and semiannually thereafter until  
16          the date on which the analysis of alternatives conducted  
17          under subsection (a) is completed, the Secretary shall pro-  
18          vide the Committees on Armed Services of the House of Rep-  
19          resentatives and the Senate (and any other congressional  
20          defense committee upon request) a briefing on such anal-  
21          ysis.”.

1 **SEC. 1604. MODIFICATION TO PILOT PROGRAM FOR ACQUI-**  
2 **SITION OF COMMERCIAL SATELLITE COMMU-**  
3 **NICATION SERVICES.**

4 *Section 1605 of the Carl Levin and Howard P. “Buck”*  
5 *McKeon National Defense Authorization Act for Fiscal Year*  
6 *2015 (Public Law 113–291; 10 U.S.C. 2208 note), as*  
7 *amended by section 1612 of the National Defense Authoriza-*  
8 *tion Act for Fiscal Year 2016 (Public Law 114–92; 129*  
9 *Stat. 1103), is further amended by adding at the end the*  
10 *following new subsection:*

11 *“(e) IMPLEMENTATION OF GOALS.—In developing*  
12 *and carrying out the pilot program under subsection*  
13 *(a)(1), by not later than September 30, 2017, the Sec-*  
14 *retary shall take actions to begin the implementation*  
15 *of each goal specified in subsection (b).”.*

16 **SEC. 1605. SPACE-BASED ENVIRONMENTAL MONITORING.**

17 *(a) ROLES OF DOD AND NOAA.—*

18 *(1) MECHANISMS.—The Secretary of Defense and*  
19 *the Director of the National Oceanic and Atmospheric*  
20 *Administration shall jointly establish mechanisms to*  
21 *collaborate and coordinate in defining the roles and*  
22 *responsibilities of the Department of Defense and the*  
23 *National Oceanic and Atmospheric Administration*  
24 *to—*

25 *(A) carry out space-based environmental*  
26 *monitoring; and*



1                   (B) plan for future non-governmental space-  
2                   based environmental monitoring capabilities.

3                   (2) *RULE OF CONSTRUCTION.*—Nothing in para-  
4                   graph (1) may be construed to authorize a joint sat-  
5                   ellite program of the Department of Defense and the  
6                   National Oceanic and Atmospheric Administration.

7                   (b) *REPORT.*—Not later than 120 days after the date  
8                   of the enactment of this Act, the Secretary and the Director  
9                   shall jointly submit to the appropriate congressional com-  
10                  mittees a report on the mechanisms established under sub-  
11                  section (a)(1).

12                  (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
13                  *FINED.*—In this section, the term “appropriate congres-  
14                  sional committees” means—

15                         (1) the congressional defense committees;

16                         (2) the Committee on Science, Space, and Tech-  
17                         nology of the House of Representatives; and

18                         (3) the Committee on Commerce, Science, and  
19                         Transportation of the Senate.

20 **SEC. 1606. PROHIBITION ON USE OF CERTAIN NON-ALLIED**  
21                                 **POSITIONING, NAVIGATION, AND TIMING SYS-**  
22                                 **TEMS.**

23                   (a) *PROHIBITION.*—During the period beginning not  
24                   later than 60 days after the date of the enactment of this  
25                   Act and ending on September 30, 2018, the Secretary of

1 *Defense shall ensure that the Armed Forces and each ele-*  
2 *ment of the Department of Defense do not use a non-allied*  
3 *positioning, navigation, and timing system or service pro-*  
4 *vided by such a system.*

5 (b) *WAIVER.*—*The Secretary may waive the prohibi-*  
6 *tion in subsection (a) if—*

7 (1) *the Secretary determines that the waiver is—*

8 (A) *in the national security interest of the*  
9 *United States; and*

10 (B) *necessary to mitigate exigent oper-*  
11 *ational concerns;*

12 (2) *the Secretary notifies, in writing, the appro-*  
13 *priate congressional committees of such waiver; and*

14 (3) *a period of 30 days has elapsed following the*  
15 *date of such notification.*

16 (c) *ASSESSMENT.*—*Not later than 120 days after the*  
17 *date of the enactment of this Act, the Secretary of Defense,*  
18 *the Chairman of the Joint Chiefs of Staff, and the Director*  
19 *of National Intelligence shall jointly submit to the appro-*  
20 *priate congressional committees an assessment of the risks*  
21 *to national security and to the operations and plans of the*  
22 *Department of Defense from using a non-allied positioning,*  
23 *navigation, and timing system or service provided by such*  
24 *a system. Such assessment shall—*

25 (1) *address risks regarding—*

1           (A) espionage, counterintelligence, and tar-  
2           geting;

3           (B) the use of the Global Positioning Sys-  
4           tem by allies and partners of the United States  
5           and others; and

6           (C) harmful interference to the Global Posi-  
7           tioning System; and

8           (2) include any other matters the Secretary, the  
9           Chairman, and the Director determine appropriate.

10       (d) DEFINITIONS.—In this section:

11           (1) The term “appropriate congressional com-  
12           mittees” means—

13           (A) the congressional defense committees;  
14           and

15           (B) the Permanent Select Committee on In-  
16           telligence of the House of Representatives and the  
17           Select Committee on Intelligence of the Senate.

18           (2) The term “non-allied positioning, naviga-  
19           tion, and timing system” means any of the following  
20           systems:

21           (A) The Beidou system.

22           (B) The Glonass global navigation satellite  
23           system.

1 **SEC. 1607. LIMITATION OF AVAILABILITY OF FUNDS FOR**  
2 **THE JOINT SPACE OPERATIONS CENTER MIS-**  
3 **SION SYSTEM.**

4 *Of the funds authorized to be appropriated by this Act*  
5 *or otherwise made available for fiscal year 2017 for incre-*  
6 *ment 3 of the Joint Space Operations Center Mission Sys-*  
7 *tem, not more than 25 percent may be obligated or expended*  
8 *until the date on which the Secretary of the Air Force, in*  
9 *coordination with the Commander of the United States*  
10 *Strategic Command, submits to the congressional defense*  
11 *committees a report on such increment, including—*

- 12 *(1) an acquisition strategy for such increment;*  
13 *(2) the requirements of such increment;*  
14 *(3) the funding and schedule for such increment;*  
15 *(4) the strategy for use of commercially available*  
16 *capabilities, as appropriate, relating to such incre-*  
17 *ment to rapidly address warfighter requirements, in-*  
18 *cluding the market research and evaluation of such*  
19 *commercial capabilities; and*  
20 *(5) the relationship of such increment with the*  
21 *other related activities and investments of the Depart-*  
22 *ment of Defense.*

23 **SEC. 1608. SPACE-BASED INFRARED SYSTEM AND AD-**  
24 **VANCED EXTREMELY HIGH FREQUENCY PRO-**  
25 **GRAM.**

26 *(a) FINDINGS.—Congress finds the following:*

1           (1) *The recently completed analysis of alter-*  
2 *natives for the space-based infrared system program*  
3 *identified the cost and capability trades of various al-*  
4 *ternatives, however the criteria and assessment for re-*  
5 *silience and mission assurance was undefined.*

6           (2) *The analysis of alternatives for the advanced*  
7 *extremely high frequency program is ongoing.*

8           (b) *LIMITATION ON DEVELOPMENT AND ACQUISITION*  
9 *OF ALTERNATIVES.—*

10           (1) *LIMITATION.—Except as provided by para-*  
11 *graph (4), the Secretary of Defense may not develop*  
12 *or acquire an alternative to the space-based infrared*  
13 *system program of record or develop or acquire an al-*  
14 *ternative to the advanced extremely high frequency*  
15 *program of record until the date on which the Com-*  
16 *mander of the United States Strategic Command and*  
17 *the Director of the Space Security and Defense Pro-*  
18 *gram, in consultation with the Defense Intelligence*  
19 *Officer for Science and Technology of the Defense In-*  
20 *telligence Agency, jointly submit to the appropriate*  
21 *congressional committees the assessments described in*  
22 *paragraph (2) for the respective program.*

23           (2) *ASSESSMENT.—The assessments described in*  
24 *this paragraph are—*

1           (A) *an assessment of the resilience and mis-*  
2           *sion assurance of each alternative to the space-*  
3           *based infrared system being considered by the*  
4           *Secretary of the Air Force; and*

5           (B) *an assessment of the resilience and mis-*  
6           *sion assurance of each alternative to the ad-*  
7           *vanced extremely high frequency program being*  
8           *considered by the Secretary of the Air Force.*

9           (3) *ELEMENTS.—An assessment described in*  
10          *paragraph (2) shall include, with respect to each al-*  
11          *ternative to the space-based infrared system program*  
12          *of record and each alternative to the advanced ex-*  
13          *tremely high frequency program of record being con-*  
14          *sidered by the Secretary of the Air Force, the fol-*  
15          *lowing:*

16               (A) *The requirements for resilience and*  
17               *mission assurance.*

18               (B) *The criteria to measure such resilience*  
19               *and mission assurance.*

20               (C) *How the alternative affects—*

21                       (i) *deterrence and full spectrum*  
22                       *warfighting;*

23                       (ii) *warfighter requirements and rel-*  
24                       *ative costs to include ground station and*  
25                       *user terminals;*

1                   (iii) the potential order of battle of ad-  
2                   versaries; and

3                   (iv) the required capabilities of the  
4                   broader space security and defense enter-  
5                   prise.

6                   (4) *EXCEPTION.*—The limitation in paragraph  
7                   (1) shall not apply to efforts to examine and develop  
8                   technology insertion opportunities for the space-based  
9                   infrared system program of record or the satellite  
10                  communications programs of record.

11                  (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
12 *FINED.*—In this section, the term “appropriate congres-  
13 *sional committees*” means the following:

14                  (1) With respect to the submission of the assess-  
15                  ment described in subparagraph (A) of subsection  
16                  (b)(2), the—

17                         (A) the congressional defense committees;

18                         and

19                         (B) the Permanent Select Committee on In-  
20                         telligence of the House of Representatives.

21                  (2) With respect to the submission of the assess-  
22                  ment described in subparagraph (B) of subsection  
23                  (b)(2), the congressional defense committees.

1 **SEC. 1609. PLANS ON TRANSFER OF ACQUISITION AND**  
2 **FUNDING AUTHORITY OF CERTAIN WEATHER**  
3 **MISSIONS TO NATIONAL RECONNAISSANCE**  
4 **OFFICE.**

5 (a) *LIMITATION.*—

6 (1) *IN GENERAL.*—*Of the funds authorized to be*  
7 *appropriated or otherwise made available for fiscal*  
8 *year 2017 for research, development, test, and evalua-*  
9 *tion, Air Force, for the weather satellite follow-on sys-*  
10 *tem, not more than 50 percent may be obligated or*  
11 *expended until the date on which the Secretary of the*  
12 *Air Force submits to the appropriate congressional*  
13 *committees the plan under paragraph (2).*

14 (2) *AIR FORCE PLAN.*—*The Secretary shall de-*  
15 *velop a plan for the Air Force to transfer, beginning*  
16 *with fiscal year 2018, the acquisition authority and*  
17 *the funding authority for covered space-based environ-*  
18 *mental monitoring missions from the Air Force to the*  
19 *National Reconnaissance Office, including a descrip-*  
20 *tion of the amount of funds that would be necessary*  
21 *to be transferred from the Air Force to the National*  
22 *Reconnaissance Office during fiscal years 2018*  
23 *through 2022 to carry out such plan.*

24 (b) *NRO PLAN.*—

25 (1) *IN GENERAL.*—*The Director of the National*  
26 *Reconnaissance Office shall develop a plan for the Na-*



1        *tional Reconnaissance Office to address how to carry*  
2        *out covered space-based environmental monitoring*  
3        *missions. Such plan shall include—*

4                (A) *a description of the related national se-*  
5                *curity requirements for such missions;*

6                (B) *a description of the appropriate man-*  
7                *ner to meet such requirements; and*

8                (C) *the amount of funds that would be nec-*  
9                *essary to be transferred from the Air Force to the*  
10               *National Reconnaissance Office during fiscal*  
11               *years 2018 through 2022 to carry out such plan.*

12               (2) *ACTIVITIES.—In developing the plan under*  
13               *paragraph (1), the Director may conduct pre-acquisi-*  
14               *tion activities, including with respect to requests for*  
15               *information, analyses of alternatives, study contracts,*  
16               *modeling and simulation, and other activities the Di-*  
17               *rector determines necessary to develop such plan.*

18               (3) *SUBMISSION.—Not later than the date on*  
19               *which the President submits to Congress the budget*  
20               *for fiscal year 2018 under section 1105(a) of title 31,*  
21               *United States Code, the Director shall submit to the*  
22               *appropriate congressional committees the plan under*  
23               *paragraph (1).*

24               (c) *INDEPENDENT COST ESTIMATE.—The Director of*  
25        *the Cost Assessment Improvement Group of the Office of the*

1 *Director of National Intelligence, in coordination with the*  
2 *Director of Cost Assessment and Program Evaluation, shall*  
3 *certify to the appropriate congressional committees that the*  
4 *amounts of funds identified under subsections (a)(2) and*  
5 *(b)(1)(C) as being necessary to transfer are appropriate and*  
6 *include funding for positions and personnel to support pro-*  
7 *gram office costs.*

8 (d) *DEFINITIONS.—In this section:*

9 (1) *The term “appropriate congressional com-*  
10 *mittees” means—*

11 (A) *the congressional defense committees;*

12 (B) *the Permanent Select Committee on In-*  
13 *telligence of the House of Representatives; and*

14 (C) *the Select Committee on Intelligence of*  
15 *the Senate.*

16 (2) *The term “covered space-based environmental*  
17 *monitoring missions” means the acquisition programs*  
18 *necessary to meet the national security requirements*  
19 *for cloud characterization and theater weather im-*  
20 *agery.*

21 **SEC. 1610. PILOT PROGRAM ON COMMERCIAL WEATHER**  
22 **DATA.**

23 (a) *IN GENERAL.—Not later than 180 days after the*  
24 *date of the enactment of this Act, the Secretary of Defense*  
25 *shall establish a pilot program to assess the viability of*

1 *commercial satellite weather data to support requirements*  
2 *of the Department of Defense.*

3       (b) *COMMERCIAL WEATHER DATA.*—*Of the funds au-*  
4 *thorized to be appropriated by this Act or otherwise made*  
5 *available for fiscal year 2017 for the Secretary of Defense*  
6 *to carry out the pilot program under subsection (a), not*  
7 *more than \$3,000,000 may be obligated or expended to*  
8 *carry out such pilot program by purchasing and evaluating*  
9 *commercial weather data that meets the standards and*  
10 *specifications set by the Department of Defense.*

11       (c) *DURATION.*—*The Secretary may carry out the pilot*  
12 *program under subsection (a) for a period not exceeding*  
13 *one year.*

14       (d) *BRIEFINGS.*—

15           (1) *INTERIM BRIEFING.*—*Not later than 60 days*  
16 *after the date of the enactment of this Act, the Sec-*  
17 *retary of Defense shall provide a briefing to the Com-*  
18 *mittees on Armed Services of the House of Represent-*  
19 *atives and the Senate (and to any other congressional*  
20 *defense committee upon request) demonstrating how*  
21 *the Secretary plans to implement the pilot program*  
22 *under subsection (a).*

23           (2) *FINAL BRIEFING.*—*Not later than 90 days*  
24 *after the pilot program under subsection (a) is com-*  
25 *pleted, the Secretary shall provide a briefing to the*

1 *Committees on Armed Services of the House of Rep-*  
2 *resentatives and the Senate (and to any other congres-*  
3 *sional defense committee upon request) on the utility,*  
4 *cost, and other considerations regarding the purchase*  
5 *of commercial satellite weather data to support the re-*  
6 *quirements of the Department of Defense.*

7 **SEC. 1611. ORGANIZATION AND MANAGEMENT OF NA-**  
8 **TIONAL SECURITY SPACE ACTIVITIES OF THE**  
9 **DEPARTMENT OF DEFENSE.**

10 *(a) FINDINGS.—Congress finds the following:*

11 *(1) National security space capabilities are a*  
12 *vital element of the national defense of the United*  
13 *States.*

14 *(2) The advantages of the United States in na-*  
15 *tional security space are now threatened to an un-*  
16 *precedented degree by growing and serious*  
17 *counterspace capabilities of potential foreign adver-*  
18 *saries, and the space advantages of the United States*  
19 *must be protected.*

20 *(3) The Department of Defense has recognized*  
21 *the threat and has taken initial steps necessary to de-*  
22 *fend space, however the organization and manage-*  
23 *ment may not be strategically postured to fully ad-*  
24 *dress this changed domain of operations over the long*  
25 *term.*

1           (4) *The defense of space is currently a priority*  
2           *for the leaders of the Department, however the space*  
3           *mission is managed within competing priorities of*  
4           *each of the Armed Forces.*

5           (5) *Space elements provide critical capabilities*  
6           *to all of the Armed Forces in the joint fight, however*  
7           *the disparate activities throughout the Department*  
8           *have no single leader that is empowered to make deci-*  
9           *sions affecting the space forces of the Department.*

10          (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
11          *that, to modernize and fully address the growing threat to*  
12          *the national security space advantage of the United States,*  
13          *the Secretary of Defense must evaluate the range of options*  
14          *and take further action to strengthen the leadership, man-*  
15          *agement, and organization of the national security space*  
16          *activities of the Department of Defense, including with re-*  
17          *spect to—*

18               (1) *unifying, integrating, and de-conflicting ac-*  
19               *tivities to provide for stronger prioritization, account-*  
20               *ability, coherency, focus, strategy, and integration of*  
21               *the joint space program of the Department;*

22               (2) *streamlining decision-making, limiting un-*  
23               *necessary bureaucracy, and empowering the appro-*  
24               *priate level of authority, while enabling effective over-*  
25               *sight;*

1           (3) *maintaining the involvement of each of the*  
2           *Armed Forces and adapting the culture and improv-*  
3           *ing the capabilities of the workforce to ensure the*  
4           *workforce has the appropriate training, experience,*  
5           *and tools to accomplish the mission; and*

6           (4) *reviewing authorities and preparing for a*  
7           *conflict that could extend to space.*

8           (c) *RECOMMENDATIONS.—Not later than 180 days*  
9           *after the date of the enactment of this Act, the Secretary*  
10           *of Defense and the Director of the Office of Management*  
11           *and Budget shall each separately submit to the appropriate*  
12           *congressional committees recommendations, in accordance*  
13           *with subsection (b), to strengthen the leadership, manage-*  
14           *ment, and organization of the Department of Defense with*  
15           *respect to the national security space activities of the De-*  
16           *partment.*

17           (d) *APPROPRIATE CONGRESSIONAL COMMITTEES.—In*  
18           *this section, the term “appropriate congressional commit-*  
19           *tees” means the following:*

20           (1) *The congressional defense committees.*

21           (2) *The Permanent Select Committee on Intel-*  
22           *ligence of the House of Representatives and the Select*  
23           *Committee on Intelligence of the Senate.*

1 **SEC. 1612. REVIEW OF CHARTER OF OPERATIONALLY RE-**  
2 **SPONSIVE SPACE PROGRAM OFFICE.**

3 (a) *REVIEW.*—*The Secretary of Defense shall conduct*  
4 *a review of charter of the Operationally Responsive Space*  
5 *Program Office established by section 2273a of title 10,*  
6 *United States Code (in this section referred to as the “Of-*  
7 *fice”).*

8 (b) *ELEMENTS.*—*The review under subsection (a) shall*  
9 *include the following:*

10 (1) *A review of the key operationally responsive*  
11 *space needs with respect to the warfighter and with*  
12 *respect to national security.*

13 (2) *How the Office could fit into the broader re-*  
14 *silience and space security strategy of the Department*  
15 *of Defense.*

16 (3) *An assessment of the potential of the Office*  
17 *to focus on the reconstitution capabilities with small*  
18 *satellites using low-cost launch vehicles and existing*  
19 *infrastructure.*

20 (4) *An assessment of the potential of the Office*  
21 *to leverage existing or planned commercial capabili-*  
22 *ties.*

23 (5) *A review of the necessary workforce special-*  
24 *ties and acquisition authorities of the Office.*

25 (6) *A review of the funding profile of the Office.*

1           (7) *A review of the organizational placement and*  
2           *reporting structure of the Office.*

3           (c) *REPORT.—Not later than 180 days after the date*  
4           *of the enactment of this Act, the Secretary shall submit to*  
5           *the congressional defense committees a report containing the*  
6           *review under subsection (a), including any recommenda-*  
7           *tions for legislative actions based on such review.*

8   **SEC. 1613. BACKUP AND COMPLEMENTARY POSITIONING,**  
9                           **NAVIGATION, AND TIMING CAPABILITIES OF**  
10                           **GLOBAL POSITIONING SYSTEM.**

11           (a) *STUDY.—*

12           (1) *IN GENERAL.—The covered Secretaries shall*  
13           *jointly conduct a study to assess and identify the*  
14           *technology-neutral requirements to backup and com-*  
15           *plement the positioning, navigation, and timing ca-*  
16           *pabilities of the Global Positioning System for na-*  
17           *tional security and critical infrastructure.*

18           (2) *REPORT.—Not later than one year after the*  
19           *date of the enactment of this Act, the covered Secre-*  
20           *taries shall submit to the appropriate congressional*  
21           *committees a report on the study under paragraph*  
22           *(1). Such report shall include—*

23                           (A) *with respect to the Department of each*  
24                           *covered Secretary, the identification of the re-*  
25                           *spective requirements to backup and complement*



1           *the positioning, navigation, and timing capabili-*  
2           *ties of the Global Positioning System for na-*  
3           *tional security and critical infrastructure;*

4           *(B) an analysis of alternatives to meet such*  
5           *requirements, including, at a minimum—*

6                   *(i) an analysis of the viability of a*  
7                   *public-private partnership to establish a*  
8                   *complementary positioning, navigation, and*  
9                   *timing system; and*

10                   *(ii) an analysis of the viability of serv-*  
11                   *ice level agreements to operate a com-*  
12                   *plementary positioning, navigation, and*  
13                   *timing system; and*

14           *(C) a plan and estimated costs, schedule,*  
15           *and system level technical considerations, includ-*  
16           *ing end user equipment and integration consid-*  
17           *erations, to meet such requirements.*

18           *(b) SINGLE DESIGNATED OFFICIAL.—Each covered*  
19           *Secretary shall designate a single senior official of the De-*  
20           *partment of the Secretary to act as the primary representa-*  
21           *tive of such Department for purposes of conducting the*  
22           *study under subsection (a)(1).*

23           *(c) DEFINITIONS.—In this section:*

24                   *(1) The term “appropriate congressional com-*  
25                   *mittees” means—*

1           (A) the congressional defense committees;

2           (B) the Committee on Science, Space, and  
3           Technology, the Committee on Transportation  
4           and Infrastructure, and the Committee on  
5           Homeland Security of the House of Representa-  
6           tives; and

7           (C) the Committee on Commerce, Science,  
8           and Transportation and the Committee on  
9           Homeland Security and Governmental Affairs of  
10          the Senate.

11          (2) The term “covered Secretaries” means the  
12          Secretary of Defense, the Secretary of Transportation,  
13          and the Secretary of Homeland Security.

14 **SEC. 1614. REPORT ON USE OF SPACECRAFT ASSETS OF**  
15                           **THE SPACE-BASED INFRARED SYSTEM WIDE-**  
16                           **FIELD-OF-VIEW PROGRAM.**

17          (a) *REPORT.*—Not later than 180 days after the date  
18          of the enactment of this Act, the Secretary of Defense, in  
19          coordination with the Director of National Intelligence,  
20          shall submit to the appropriate congressional committees a  
21          report on the feasibility of using available spacecraft assets  
22          of the space-based infrared system wide-field-of-view pro-  
23          gram to satisfy other mission requirements of the Depart-  
24          ment of Defense or the intelligence community.

1       (b) *MATTERS COVERED.*—*The report required by sub-*  
2 *section (a) shall include, at a minimum, the following:*

3           (1) *An evaluation of using the space-based infra-*  
4 *red system wide-field-of-view spacecraft bus for other*  
5 *urgent national security space priorities.*

6           (2) *An evaluation of the cost and schedule im-*  
7 *pect, if any, to the space-based infrared system wide-*  
8 *field-of-view program if the spacecraft bus is used for*  
9 *another purpose.*

10       (c) *FORM.*—*The report required by subsection (a) shall*  
11 *be submitted in unclassified form, but may contain a classi-*  
12 *fied annex if necessary to protect the national security in-*  
13 *terests of the United States.*

14       (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
15 *FINED.*—*In this section, the term “appropriate congres-*  
16 *sional committees” means—*

17           (1) *the congressional defense committees; and*

18           (2) *the Permanent Select Committee on Intel-*  
19 *ligence of the House of Representatives and the Select*  
20 *Committee on Intelligence of the Senate.*

1     ***Subtitle B—Defense Intelligence***  
 2     ***and Intelligence-Related Activities***

3     **SEC. 1621. LIMITATION ON AVAILABILITY OF FUNDS FOR IN-**  
 4                             **TELLIGENCE MANAGEMENT.**

5             (a) *LIMITATION.*—Of the funds authorized to be appro-  
 6     priated by this Act or otherwise made available for fiscal  
 7     year 2017 for operation and maintenance, Defense-wide, for  
 8     intelligence management, not more than 95 percent may be  
 9     obligated or expended until the date on which the Under  
 10    Secretary of Defense for Intelligence submits to the appro-  
 11    priate congressional committees the reports on counterintel-  
 12    ligence activities described in any classified annex accom-  
 13    panying this Act.

14            (b) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
 15    FINED.—In this section, the term “appropriate congres-  
 16    sional committees” means the following:

17                    (1) *The congressional defense committees.*

18                    (2) *The Permanent Select Committee on Intel-*  
 19    ligence of the House of Representatives.

20     **SEC. 1622. LIMITATIONS ON AVAILABILITY OF FUNDS FOR**  
 21                             **UNITED STATES CENTRAL COMMAND INTEL-**  
 22                             **LIGENCE FUSION CENTER.**

23             (a) *LIMITATIONS.*—Of the funds authorized to be ap-  
 24    propriated by this Act or otherwise made available for fiscal

1 *year 2017 for the Intelligence Fusion Center of the United*  
2 *States Central Command—*

3 (1) *25 percent may not be obligated or expended*  
4 *until—*

5 (A) *the Commander of the United States*  
6 *Central Command submits to the appropriate*  
7 *congressional committees the report under sub-*  
8 *section (b); and*

9 (B) *a period of 15 days has elapsed fol-*  
10 *lowing the date of such submission; and*

11 (2) *25 percent may not be obligated or expended*  
12 *until—*

13 (A) *the Commander submits to such com-*  
14 *mittees the report under subsection (c); and*

15 (B) *a period of 15 days has elapsed fol-*  
16 *lowing the date of such submission.*

17 (b) *REPORT ON PROCEDURES.—The Commander shall*  
18 *submit to the appropriate congressional committees a report*  
19 *on the steps taken by the Commander to formalize and dis-*  
20 *seminate procedures for establishing, staffing, and oper-*  
21 *ating the Intelligence Fusion Center of the United States*  
22 *Central Command.*

23 (c) *REPORT ON IG FINDINGS.—The Commander shall*  
24 *submit to the appropriate congressional committees a report*  
25 *on the steps taken by the Commander to address the find-*

1 *ings of the final report of the Inspector General of the De-*  
 2 *partment of Defense regarding the processing of intelligence*  
 3 *information by the Intelligence Directorate of the United*  
 4 *States Central Command.*

5 *(d) APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
 6 *FINED.—In this section, the term “appropriate congres-*  
 7 *sional committees” means—*

8 *(1) the congressional defense committees; and*  
 9 *(2) the Permanent Select Committee on Intel-*  
 10 *ligence of the House of Representatives.*

11 **SEC. 1623. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
 12 **JOINT INTELLIGENCE ANALYSIS COMPLEX.**

13 *(a) LIMITATION.—Of the funds authorized to be appro-*  
 14 *priated by this Act or otherwise made available for fiscal*  
 15 *year 2017 for increased intelligence manpower positions for*  
 16 *operation of the Joint Intelligence Analysis Complex at*  
 17 *Royal Air Force Molesworth, United Kingdom, not more*  
 18 *than 85 percent may be obligated or expended during fiscal*  
 19 *year 2017 until the date on which the Secretary of Defense*  
 20 *submits to the appropriate congressional committees the*  
 21 *analysis under subsection (b)(1).*

22 *(b) ANALYSIS.—*

23 *(1) IN GENERAL.—Not later than 120 days after*  
 24 *the date of the enactment of this Act, the Secretary of*  
 25 *Defense, in coordination with the Director of National*

1 *Intelligence, shall submit to the appropriate congress-*  
2 *sional committees a revised analysis of alternatives*  
3 *for the basing of a new Joint Intelligence Analysis*  
4 *Complex that is—*

5 *(A) based on the analysis of the operational*  
6 *requirements and costs of the United States; and*

7 *(B) informed by the findings of the report*  
8 *of the Comptroller General of the United States*  
9 *on the cost estimating and basing decision proc-*  
10 *ess of the Joint Intelligence Analysis Complex.*

11 *(2) REQUIREMENTS.—The analysis under para-*  
12 *graph (1) shall, at a minimum—*

13 *(A) be conducted in a manner that—*

14 *(i) uses best practices;*

15 *(ii) appropriately accounts for non-re-*  
16 *curring and life cycle costs, including with*  
17 *respect to cost of living and projected*  
18 *growth in cost of living;*

19 *(iii) uses objective and measurable cri-*  
20 *teria for evaluating alternative locations*  
21 *against mission requirements; and*

22 *(iv) uses reasonable and verifiable as-*  
23 *sumptions;*

24 *(B) include the identification and assess-*  
25 *ments of—*

1                   (i) possible alternative locations for the  
2                   Joint Intelligence Analysis Complex at ex-  
3                   isting military installations used by the  
4                   United States; and

5                   (ii) other possible cost-saving alter-  
6                   natives;

7                   (C) evaluate alternative practices to mini-  
8                   mize the number of support personnel required;

9                   (D) evaluate alternatives to building a new  
10                  facility, including modifying existing facilities  
11                  and using prefabricated facilities; and

12                  (E) evaluate the possibility of separating  
13                  the European Command Intelligence Analytic  
14                  Center, the Africa Command Intelligence Ana-  
15                  lytic Center, or the NATO Intelligence Fusion  
16                  Center from the rest of the Joint Intelligence  
17                  Analysis Complex at other viable locations.

18                  (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
19                  *FINED.*—In this section, the term “appropriate congres-  
20                  sional committees” means—

21                         (1) the congressional defense committees; and

22                         (2) the Permanent Select Committee on Intel-  
23                         ligence of the House of Representatives.



1           ***Subtitle C—Cyberspace-Related***  
2                                   ***Matters***

3   ***SEC. 1631. SPECIAL EMERGENCY PROCUREMENT AUTHOR-***  
4                                   ***ITY TO FACILITATE THE DEFENSE AGAINST***  
5                                   ***OR RECOVERY FROM A CYBER ATTACK.***

6           *Section 1903(a)(2) of title 41, United States Code, is*  
7   *amended by inserting “cyber,” before “nuclear,”.*

8   ***SEC. 1632. CHANGE IN NAME OF NATIONAL DEFENSE UNI-***  
9                                   ***VERSITY’S INFORMATION RESOURCES MAN-***  
10                                  ***AGEMENT COLLEGE TO COLLEGE OF INFOR-***  
11                                  ***MATION AND CYBERSPACE.***

12           *Section 2165(b)(5) of title 10, United States Code, is*  
13   *amended by striking “Information Resources Management*  
14   *College” and inserting “College of Information and Cyber-*  
15   *space”.*

16   ***SEC. 1633. REQUIREMENT TO ENTER INTO AGREEMENTS***  
17                                  ***RELATING TO USE OF CYBER OPPOSITION***  
18                                  ***FORCES.***

19           *(a) REQUIREMENT FOR AGREEMENTS.—Not later than*  
20   *September 30, 2017, the Secretary of Defense shall enter*  
21   *into an agreement with each combatant command relating*  
22   *to the use of cyber opposition forces. Each agreement shall*  
23   *require the command—*

24                    (1) *to support a high state of mission readiness*  
25                    *in the command through the use of one or more cyber*

1        *opposition forces in continuous exercises and other*  
2        *training activities as considered appropriate by the*  
3        *commander of the command; and*

4                *(2) in conducting such exercises and training ac-*  
5        *tivities, meet the standard required under subsection*  
6        *(b).*

7        *(b) JOINT STANDARD FOR CYBER OPPOSITION*  
8        *FORCES.—Not later than March 31, 2017, the Secretary of*  
9        *Defense shall issue a joint training and certification stand-*  
10       *ard for use by all cyber opposition forces within the Depart-*  
11       *ment of Defense.*

12       *(c) BRIEFING REQUIRED.—Not later than September*  
13       *30, 2017, the Secretary of Defense shall provide to the con-*  
14       *gressional defense committees a briefing on—*

15                *(1) a list of each combatant command that has*  
16        *entered into an agreement required by subsection (a);*

17                *(2) with respect to each such agreement—*

18                        *(A) special conditions in the agreement*  
19        *placed on any cyber opposition force used by the*  
20        *command;*

21                        *(B) the process for making decisions about*  
22        *deconfliction and risk mitigation of cyber oppo-*  
23        *sition force activities in continuous exercises and*  
24        *training;*

1           (C) identification of cyber opposition forces  
2           trained and certified to operate at the joint  
3           standard, as issued under subsection (b);

4           (D) identification of the annual exercises  
5           that will include participation of the cyber oppo-  
6           sition forces;

7           (E) identification of any shortfalls in re-  
8           sources that may prevent annual exercises using  
9           cyber opposition forces; and

10          (3) any other matters the Secretary of Defense  
11          considers appropriate.

12 **SEC. 1634. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
13                   **CRYPTOGRAPHIC SYSTEMS AND KEY MAN-**  
14                   **AGEMENT INFRASTRUCTURE.**

15          (a) *LIMITATION.*—Of the funds authorized to be appro-  
16          priated by this Act or otherwise made available for fiscal  
17          year 2017 for cryptographic systems and key management  
18          infrastructure, not more than 75 percent may be obligated  
19          or expended until the date on which the Secretary of De-  
20          fense, in consultation with the Director of the National Se-  
21          curity Agency, submits to the appropriate congressional  
22          committees a report on the integration of the cryptographic  
23          modernization and key management infrastructure pro-  
24          grams of the military departments, including a description  
25          of how the military departments have implemented stronger

1 *leadership, increased integration, and reduced redundancy*  
2 *with respect to such modernization and programs.*

3 (b) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
4 *FINED.—In this section, the term “appropriate congres-*  
5 *sional committees” means the following:*

6 (1) *The congressional defense committees.*

7 (2) *The Permanent Select Committee on Intel-*  
8 *ligence of the House of Representatives.*

9 **SEC. 1635. PILOT PROGRAMS ON DIRECT COMMISSIONS TO**  
10 **CYBER POSITIONS.**

11 (a) *AUTHORITY.—The Secretary of the Army and the*  
12 *Secretary of the Air Force shall each carry out a pilot pro-*  
13 *gram to improve the ability of the Army and the Air Force,*  
14 *respectively, to recruit cyber professionals.*

15 (b) *ELEMENTS.—Under the pilot program, the Secre-*  
16 *taries shall each allow individuals who meet educational,*  
17 *physical, and other requirements determined appropriate*  
18 *by the Secretary to receive original appointments as com-*  
19 *missioned officers in a cyber specialty.*

20 (c) *CONSULTATION.—In developing the pilot program,*  
21 *the Secretaries may consult with the Secretary of the Navy*  
22 *with respect to a similar program carried out by the Sec-*  
23 *retary of the Navy.*

24 (d) *SENSE OF CONGRESS.—It is the sense of Congress*  
25 *that Congress supports the direct commission of individuals*

1 *trained in cyber specialties because the demand for skilled*  
2 *cyber personnel outstrips the supply of such personnel, and*  
3 *there is great competition for such personnel with private*  
4 *industry.*

5 **SEC. 1636. REPORT ON POLICIES FOR RESPONDING TO MA-**  
6 **LICIOUS CYBER ACTIVITIES CARRIED OUT**  
7 **AGAINST THE UNITED STATES OR UNITED**  
8 **STATES PERSONS BY FOREIGN STATES OR**  
9 **NON-STATE ACTORS.**

10 (a) *REPORT REQUIRED.*—Not later than 180 days  
11 *after the date of the enactment of this Act, the Secretary*  
12 *of Defense shall submit to the congressional defense commit-*  
13 *tees a report on policies, doctrine, procedures, and authori-*  
14 *ties governing Department of Defense activities in response*  
15 *to malicious cyber activities carried out against the United*  
16 *States or United States persons by foreign states or non-*  
17 *state actors.*

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

20 (1) *Specific citations to appropriate associated*  
21 *Executive branch and agency directives, guidance, in-*  
22 *structions, and other authoritative policy documents.*

23 (2) *Descriptions of relevant authorities, rules of*  
24 *engagement, command and control structures, and re-*  
25 *sponse plans.*

1 **SEC. 1637. ASSESSMENT ON SECURITY OF INFORMATION**  
2 **HELD BY CLEARED DEFENSE CONTRACTORS.**

3 (a) *ASSESSMENT.*—

4 (1) *IN GENERAL.*—*The Secretary of Defense shall*  
5 *conduct an assessment of the sufficiency of the regu-*  
6 *latory mechanisms of the Department of Defense to se-*  
7 *cure defense information held by cleared defense con-*  
8 *tractors to determine whether there are any gaps that*  
9 *may undermine the protection of such information.*

10 (2) *SUBMISSION.*—*Not later than 180 days after*  
11 *the date of the enactment of this Act, the Secretary*  
12 *shall submit to the congressional defense committees a*  
13 *report on the findings of the assessment conducted*  
14 *under paragraph (1).*

15 (b) *REGULATIONS.*—*Not later than 270 days after the*  
16 *date of the enactment of this Act, the Secretary shall pre-*  
17 *scribe regulations that the Secretary determines appro-*  
18 *priate to improve the security of defense information held*  
19 *by cleared defense contractors.*

20 (c) *CLEARED DEFENSE CONTRACTOR DEFINED.*—*In*  
21 *this section, the term “cleared defense contractor” has the*  
22 *meaning given that term in section 393(e) of title 10,*  
23 *United States Code.*

1 **SEC. 1638. SENSE OF CONGRESS ON CYBER RESILIENCY OF**  
2 **THE NETWORKS AND COMMUNICATIONS SYS-**  
3 **TEMS OF THE NATIONAL GUARD.**

4 (a) *FINDINGS.*—Congress finds the following:

5 (1) *Army and Air National Guard personnel*  
6 *need to have situational awareness and reliable com-*  
7 *munications during any of the following events occur-*  
8 *ring in the United States:*

9 (A) *A terrorist attack.*

10 (B) *An intentional or unintentional release*  
11 *of chemical, biological, radiological, nuclear, or*  
12 *high-yield explosive materials.*

13 (C) *A natural or man-made disaster.*

14 (2) *During such an event, it is vital that Army*  
15 *and Air National Guard personnel are able to com-*  
16 *municate and coordinate response efforts with their*  
17 *own units and appropriate civilian emergency re-*  
18 *sponse forces.*

19 (3) *Current networks and communications sys-*  
20 *tems of the National Guard, including commercial*  
21 *wireless solutions (such as mobile wireless kinetic*  
22 *mesh), and other systems that are interoperable with*  
23 *the systems of civilian first responders, should provide*  
24 *the necessary robustness, interoperability, reliability,*  
25 *and resilience to extend needed situational awareness*  
26 *and communications to all users and under all oper-*

1        *ating conditions, including degraded communications*  
2        *environments where infrastructure is damaged or de-*  
3        *stroyed or under cyber attack or disruption.*

4        *(b) SENSE OF CONGRESS.—It is the sense of Congress*  
5        *that the National Guard should be constantly seeking ways*  
6        *to improve and expand its communications and networking*  
7        *capabilities to provide for enhanced performance and resil-*  
8        *ience in the face of cyber attacks or disruptions, as well*  
9        *as other instances of degradation.*

10    **SEC. 1639. REQUIREMENT FOR ARMY NATIONAL GUARD**  
11                            **STRATEGY TO INCORPORATE CYBER PROTEC-**  
12                            **TION TEAMS INTO DEPARTMENT OF DEFENSE**  
13                            **CYBER MISSION FORCE.**

14        *(a) STRATEGY REQUIRED.—Not later than 180 days*  
15        *after the date of the enactment of this Act, the Secretary*  
16        *of the Army, if the Secretary has not already done so, shall*  
17        *provide a briefing to the congressional defense committees*  
18        *outlining a strategy for incorporating Army National*  
19        *Guard cyber protection teams into the Department of De-*  
20        *fense cyber mission force.*

21        *(b) ELEMENTS OF STRATEGY.—The strategy required*  
22        *by subsection (a) shall include, at minimum, the following:*

23                    *(1) A timeline for incorporating Army National*  
24        *Guard cyber protection teams into the Department of*



1 *Defense cyber mission force, including a timeline for*  
 2 *receiving appropriate training.*

3 (2) *Identification of specific units to be incor-*  
 4 *porated.*

5 (3) *An assessment of how incorporation of Army*  
 6 *National Guard cyber protection teams into the De-*  
 7 *partment of Defense cyber mission force might be used*  
 8 *to enhance readiness through improved individual*  
 9 *and collective training capabilities.*

10 (4) *A status report on the Army's progress in*  
 11 *issuing additional guidance that clarifies how Army*  
 12 *National Guard cyber protection teams can support*  
 13 *State and civil operations in National Guard status*  
 14 *under title 32, United States Code.*

15 (5) *Other matters as considered appropriate by*  
 16 *the Secretary of the Army.*

## 17 ***Subtitle D—Nuclear Forces***

### 18 **SEC. 1641. IMPROVEMENTS TO COUNCIL ON OVERSIGHT OF** 19 **NATIONAL LEADERSHIP COMMAND, CON-** 20 **TROL, AND COMMUNICATIONS SYSTEM.**

21 (a) *RESPONSIBILITIES.*—*Subsection (d) of section*  
 22 *171a of title 10, United States Code, is amended—*

23 (1) *in paragraph (1), by inserting before the pe-*  
 24 *riod the following: “, and including with respect to*  
 25 *the integrated tactical warning and attack assessment*

1        *systems, processes, and enablers, and continuity of the*  
2        *governmental functions of the Department of De-*  
3        *fense”; and*

4                (2) *in paragraph (2)(C), by inserting before the*  
5        *period the following: “(including space system archi-*  
6        *tectures and associated user terminals and ground*  
7        *segments)”.*

8        (b) *ENSURING CAPABILITIES.—Such section is further*  
9        *amended—*

10                (1) *by redesignating subsection (i) as subsection*  
11        *(k); and*

12                (2) *by inserting after subsection (h) the following*  
13        *new subsections:*

14        “(i) *REPORTS ON SPACE ARCHITECTURE DEVELOP-*  
15        *MENT.—(1) Not less than 90 days before each of the dates*  
16        *on which a system described in paragraph (2) achieves*  
17        *Milestone A or Milestone B approval, the Under Secretary*  
18        *of Defense for Acquisitions, Technology, and Logistics shall*  
19        *submit to the congressional defense committees a report pre-*  
20        *pared by the Council detailing the implications of any*  
21        *changes to the architecture of such a system with respect*  
22        *to the systems, capabilities, and programs covered under*  
23        *subsection (d).*

24        “(2) *A system described in this paragraph is any of*  
25        *the following:*

1           “(A) *Advanced extremely high frequency sat-*  
2           *ellites.*

3           “(B) *The space-based infrared system.*

4           “(C) *The integrated tactical warning and attack*  
5           *assessment system and its command and control sys-*  
6           *tem.*

7           “(D) *The enhanced polar system.*

8           “(3) *In this subsection, the terms ‘Milestone A ap-*  
9           *proval’ and ‘Milestone B approval’ have the meanings given*  
10          *such terms in section 2366(e) of this title.*

11          “(j) *NOTIFICATION OF REDUCTION OF CERTAIN WARN-*  
12          *ING TIME.—(1) None of the funds authorized to be appro-*  
13          *priated or otherwise made available to the Department of*  
14          *Defense for any fiscal year may be used to change any com-*  
15          *mand, control, and communications system described in*  
16          *subsection (d)(1) in a manner that reduces the warning*  
17          *time provided to the national leadership of the United*  
18          *States with respect to a warning of a strategic missile at-*  
19          *tack on the United States unless—*

20                 “(A) *the Secretary of Defense notifies the con-*  
21                 *gressional defense committees of such proposed change*  
22                 *and reduction; and*

23                 “(B) *a period of one year elapses following the*  
24                 *date of such notification.*

1       “(2) Not later than March 1, 2017, and each year  
2 thereafter, the Council shall determine whether the inte-  
3 grated tactical warning and attack assessment system and  
4 its command and control system have met all warfighter  
5 requirements for operational availability, survivability,  
6 and durability. If the Council determines that such sys-  
7 tems have not met such requirements, the Secretary of De-  
8 fense and the Chairman shall jointly submit to the congres-  
9 sional defense committees—

10           “(A) an explanation for such negative deter-  
11 mination;

12           “(B) a description of the mitigations that are in  
13 place or being put in place as a result of such nega-  
14 tive determination; and

15           “(C) the plan of the Secretary and the Chairman  
16 to ensure that the Council is able to make a positive  
17 determination in the following year.”.

18       (d) *REPORTING REQUIREMENTS.*—Subsection (e) of  
19 such section is amended by striking “At the same time”  
20 and all that follows through “title 31,” and inserting the  
21 following: “During the period preceding January 31, 2021,  
22 at the same time each year that the budget of the President  
23 is submitted to Congress pursuant to section 1105(a) of title  
24 31, and from time to time after such period at the discretion  
25 of the Council.”.

1 **SEC. 1642. TREATMENT OF CERTAIN SENSITIVE INFORMA-**  
2 **TION BY STATE AND LOCAL GOVERNMENTS.**

3 (a) *SPECIAL NUCLEAR MATERIAL.*—Section 128 of  
4 title 10, United States Code, is amended by adding at the  
5 end the following new subsection:

6 “(d) Information that the Secretary prohibits to be dis-  
7 seminated pursuant to subsection (a) that is provided to  
8 a State or local government shall remain under the control  
9 of the Department of Defense, and a State or local law au-  
10 thorizing or requiring a State or local government to dis-  
11 close such information shall not apply to such informa-  
12 tion.”.

13 (b) *CRITICAL INFRASTRUCTURE SECURITY INFORMA-*  
14 *TION.*—Section 130e of such title is amended—

15 (1) by redesignating subsection (c) as subsection  
16 (f) and moving such subsection, as so redesignated, to  
17 appear after subsection (e); and

18 (2) by striking subsection (b) and inserting the  
19 following new subsections:

20 “(b) *DESIGNATION OF DEPARTMENT OF DEFENSE*  
21 *CRITICAL INFRASTRUCTURE SECURITY INFORMATION.*—In  
22 addition to any other authority or requirement regarding  
23 protection from dissemination of information, the Secretary  
24 may designate information as being Department of Defense  
25 critical infrastructure security information, including dur-  
26 ing the course of creating such information, to ensure that

1 *such information is not disseminated without authoriza-*  
2 *tion. Information so designated is subject to the determina-*  
3 *tion process under subsection (a) to determine whether to*  
4 *exempt such information from disclosure described in such*  
5 *subsection.*

6       “(c) *INFORMATION PROVIDED TO STATE AND LOCAL*  
7 *GOVERNMENTS.—(1) Department of Defense critical infra-*  
8 *structure security information covered by a written deter-*  
9 *mination under subsection (a) or designated under sub-*  
10 *section (b) that is provided to a State or local government*  
11 *shall remain under the control of the Department of De-*  
12 *fense.*

13       “(2)(A) *A State or local law authorizing or requiring*  
14 *a State or local government to disclose Department of De-*  
15 *fense critical infrastructure security information that is*  
16 *covered by a written determination under subsection (a)*  
17 *shall not apply to such information.*

18       “(B) *If a person requests pursuant to a State or local*  
19 *law that a State or local government disclose information*  
20 *that is designated as Department of Defense critical infra-*  
21 *structure security information under subsection (b), the*  
22 *State or local government shall provide the Secretary an*  
23 *opportunity to carry out the determination process under*  
24 *subsection (a) to determine whether to exempt such informa-*  
25 *tion from disclosure pursuant to subparagraph (A).”.*

1 (c) *CONFORMING AMENDMENTS.*—

2 (1) *SECTION 128.*—Section 128 of such title is  
3 further amended in the section heading by striking  
4 “**Physical**” and inserting “**Control and phys-**  
5 **ical**”.

6 (2) *SECTION 130E.*—Section 130e of such title is  
7 further amended—

8 (A) by striking the section heading and in-  
9 serting the following new section heading:  
10 “**Control and protection of critical in-**  
11 **frastructure security information**”;

12 (B) in subsection (a), by striking the sub-  
13 section heading and inserting the following new  
14 subsection heading; “*EXEMPTION FROM FREE-*  
15 *DOM OF INFORMATION ACT.*—”;

16 (C) in subsection (d), by striking the sub-  
17 section heading and inserting the following new  
18 subsection heading: “*DELEGATION OF DETER-*  
19 *MINATION AUTHORITY.*—”; and

20 (D) in subsection (e), by striking the sub-  
21 section heading and inserting the following new  
22 subsection heading: “*TRANSPARENCY OF DETER-*  
23 *MINATIONS.*—”.

24 (d) *CLERICAL AMENDMENTS.*—The table of sections at  
25 the beginning of chapter 3 of such title is amended—

1           (1) *by striking the item relating to section 128*  
 2           *and inserting the following new item:*

“128. *Control and physical protection of special nuclear material: limitation on dissemination of unclassified information.*”; and

3           (2) *by striking the item relating to section 130e*  
 4           *and inserting the following new item:*

“130e. *Control and protection of critical infrastructure security information.*”.

5 **SEC. 1643. PROCUREMENT AUTHORITY FOR CERTAIN PARTS**  
 6                                   **OF INTERCONTINENTAL BALLISTIC MISSILE**  
 7                                   **FUZES.**

8           (a) *AVAILABILITY OF FUNDS.*—*Notwithstanding sec-*  
 9 *tion 1502(a) of title 31, United States Code, of the amount*  
 10 *authorized to be appropriated for fiscal year 2017 by sec-*  
 11 *tion 101 and available for Missile Procurement, Air Force,*  
 12 *as specified in the funding table in section 4101,*  
 13 *\$17,095,000 shall be available for the procurement of cov-*  
 14 *ered parts pursuant to contracts entered into under section*  
 15 *1645(a) of the Carl Levin and Howard P. “Buck” Mckeon*  
 16 *National Defense Authorization Act for Fiscal Year 2015*  
 17 *(Public Law 113–291; 128 Stat. 3651).*

18           (b) *COVERED PARTS DEFINED.*—*In this section, the*  
 19 *term “covered parts” means commercially available off-the-*  
 20 *shelf items as defined in section 104 of title 41, United*  
 21 *States Code.*



1 **SEC. 1644. PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
2 **MOBILE VARIANT OF GROUND-BASED STRA-**  
3 **TEGIC DETERRENT MISSILE.**

4 *None of the funds authorized to be appropriated by this*  
5 *Act or otherwise made available for any of fiscal years 2017*  
6 *or 2018 may be obligated or expended to retain the option*  
7 *for, or develop, a mobile variant of the ground-based stra-*  
8 *tegic deterrent missile.*

9 **SEC. 1645. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
10 **EXTENSION OF NEW START TREATY.**

11 *(a) LIMITATION.—None of the funds authorized to be*  
12 *appropriated by this Act or otherwise made available for*  
13 *fiscal year 2017 or any other fiscal year for the Department*  
14 *of Defense may be obligated or expended to extend the New*  
15 *START Treaty unless—*

16 *(1) the Chairman of the Joint Chiefs of Staff*  
17 *submits the report under subsection (b);*

18 *(2) the Director of National Intelligence submits*  
19 *the National Intelligence Estimate under subsection*  
20 *(c)(2); and*

21 *(3) a period of 180 days elapses following the*  
22 *submission of both the report and the National Intel-*  
23 *ligence Estimate.*

24 *(b) REPORT.—The Chairman of the Joint Chiefs of*  
25 *Staff shall submit to the appropriate congressional commit-*  
26 *tees a report detailing the following:*

1           (1) *The impacts on the nuclear forces and force*  
2           *planning of the United States with respect to a State*  
3           *Party to the New START Treaty developing a capa-*  
4           *bility to conduct a rapid reload of its ballistic mis-*  
5           *siles.*

6           (2) *Whether any State Party to the New START*  
7           *Treaty has significantly increased its upload capa-*  
8           *bility with non-deployed nuclear warheads and the*  
9           *degree to which such developments impact crisis sta-*  
10          *bility and the nuclear forces, force planning, use con-*  
11          *cepts, and deterrent strategy of the United States.*

12          (3) *The extent to which non-treaty-limited nu-*  
13          *clear or strategic conventional systems pose a threat*  
14          *to the United States or the allies of the United States.*

15          (4) *The extent to which violations of arms con-*  
16          *trol treaty and agreement obligations pose a risk to*  
17          *the national security of the United States and the al-*  
18          *lies of the United States, including the perpetuation*  
19          *of violations ongoing as of the date of the enactment*  
20          *of this Act, as well as potential further violations.*

21          (5) *The extent to which—*

22                 (A) *the “escalate-to-deescalate” nuclear use*  
23                 *doctrine of the Russian Federation is deterred*  
24                 *under the current nuclear force structure, weap-*

1            *ons capabilities, and declaratory policy of the*  
2            *United States; and*

3                    *(B) deterring the implementation of such a*  
4            *doctrine has been integrated into the warplans of*  
5            *the United States.*

6            *(6) The status of the nuclear weapons, nuclear*  
7            *weapons infrastructure, and nuclear command and*  
8            *control modernization activities of the United States,*  
9            *and the impact such status has on plans to—*

10                    *(A) implement the reduction of the nuclear*  
11            *weapons of the United States; or*

12                    *(B) further reduce the numbers and types of*  
13            *such weapons.*

14            *(7) Whether, and if so, the reasons that, the New*  
15            *START Treaty, and the extension of the treaty as of*  
16            *the date of the report, is in the national security in-*  
17            *terests of the United States.*

18            *(c) NATIONAL INTELLIGENCE ESTIMATE.—*

19                    *(1) PRODUCTION.—The Director of National In-*  
20            *telligence shall produce a National Intelligence Esti-*  
21            *mate on the following:*

22                    *(A) The nuclear forces and doctrine of the*  
23            *Russian Federation.*

24                    *(B) The nuclear weapons research and pro-*  
25            *duction capability of Russia.*

1           (C) *The compliance of Russia with respect*  
2 *to arms control obligations (including treaties,*  
3 *agreements, and other obligations).*

4           (D) *The doctrine of Russia with respect to*  
5 *targeting adversary critical infrastructure and*  
6 *the relationship between such doctrine and other*  
7 *Russian war planning, including, at a min-*  
8 *imum, “escalate-to-deescalate” concepts.*

9           (2) *SUBMISSION.—The Director of National In-*  
10 *telligence shall submit, consistent with the protection*  
11 *of sources and methods, to the appropriate congres-*  
12 *sional committees the National Intelligence Estimate*  
13 *produced under paragraph (1).*

14          (d) *DEFINITIONS.—In this section:*

15           (1) *The term “appropriate congressional com-*  
16 *mittees” means—*

17           (A) *the Committees on Armed Services of*  
18 *the House of Representatives and the Senate;*

19           (B) *the Committee on Foreign Affairs of the*  
20 *House of Representatives and the Committee on*  
21 *Foreign Relations of the Senate; and*

22           (C) *the Permanent Select Committee on In-*  
23 *telligence of the House of Representatives and the*  
24 *Select Committee on Intelligence of the Senate.*

1           (2) *The term “New START Treaty” means the*  
2           *Treaty between the United States of America and the*  
3           *Russian Federation on Measures for the Further Re-*  
4           *duction and Limitation of Strategic Offensive Arms,*  
5           *signed on April 8, 2010, and entered into force on*  
6           *February 5, 2011.*

7 **SEC. 1646. CONSOLIDATION OF NUCLEAR COMMAND, CON-**  
8                   **TROL, AND COMMUNICATIONS FUNCTIONS OF**  
9                   **THE AIR FORCE.**

10           (a) *ROLE OF MAJOR COMMAND.—*

11                   (1) *CONSOLIDATION.—Not later than March 31,*  
12                   *2017, the Secretary of the Air Force shall consolidate*  
13                   *under a major command commanded by a single gen-*  
14                   *eral officer the responsibility, authority, account-*  
15                   *ability, and resources for carrying out the nuclear*  
16                   *command, control, and communications functions of*  
17                   *the Air Force, including, at a minimum, with respect*  
18                   *to the following:*

19                           (A) *All terrestrial and aerial components of*  
20                           *the nuclear command and control system that*  
21                           *are survivable and enduring.*

22                           (B) *All terrestrial and aerial components of*  
23                           *the integrated tactical warning and attack as-*  
24                           *essment system that are survivable and endur-*  
25                           *able.*

1           (2) *OVERSIGHT AND BUDGET APPROVAL.*—Not  
2           *later than March 31, 2017, in addition to the respon-*  
3           *sibility, authority, accountability, and resources for*  
4           *carrying out the nuclear command, control, and com-*  
5           *munications functions of the Air Force provided to a*  
6           *commander of a major command under paragraph*  
7           *(1), the Secretary shall provide to the commander the*  
8           *responsibility, authority, accountability, and re-*  
9           *sources to—*

10                   (A) *conduct oversight over all components of*  
11                   *the nuclear command and control system and the*  
12                   *integrated tactical warning and attack assess-*  
13                   *ment system, regardless of the location or the*  
14                   *endurability of such components; and*

15                   (B) *approve or disapprove of any budgetary*  
16                   *actions related to all components of the nuclear*  
17                   *command and control system and the integrated*  
18                   *tactical warning and attack assessment system,*  
19                   *regardless of the location or the endurability of*  
20                   *such components.*

21           (b) *REPORT.*—Not later than January 15, 2017, the  
22           *Secretary shall submit to the congressional defense commit-*  
23           *tees a report on the plans and actions taken by the Sec-*  
24           *retary to carry out subsection (a), including any guidance,*  
25           *directives, and orders that have been or will be issued by*

1 *the Secretary, the Chief of Staff of the Air Force, or other*  
2 *elements of the Air Force to carry out subsection (a).*

3 **SEC. 1647. REPORT ON RUSSIAN AND CHINESE POLITICAL**  
4 **AND MILITARY LEADERSHIP SURVIVABILITY,**  
5 **COMMAND AND CONTROL, AND CONTINUITY**  
6 **OF GOVERNMENT PROGRAMS AND ACTIVI-**  
7 **TIES.**

8 *(a) REPORT.—Not later than January 15, 2017, the*  
9 *Director of National Intelligence shall submit to the appro-*  
10 *priate congressional committees, consistent with the protec-*  
11 *tion of sources and methods, a report on the leadership sur-*  
12 *vivability, command and control, and continuity of govern-*  
13 *ment programs and activities with respect to the People’s*  
14 *Republic of China and the Russian Federation, respectively.*  
15 *The report shall include the following:*

16 *(1) The goals and objectives of such programs*  
17 *and activities of each respective country.*

18 *(2) An assessment of how such programs and ac-*  
19 *tivities fit into the political and military doctrine*  
20 *and strategy of each respective country.*

21 *(3) An assessment of the size and scope of such*  
22 *activities, including the location and description of*  
23 *above-ground and underground facilities important to*  
24 *the political and military leadership survivability,*

1        *command and control, and continuity of government*  
2        *programs and activities of each respective country.*

3            (4) *An identification of which facilities various*  
4        *senior political and military leaders of each respective*  
5        *country are expected to operate out of during crisis*  
6        *and wartime.*

7            (5) *A technical assessment of the political and*  
8        *military means and methods for command and con-*  
9        *trol in wartime of each respective country.*

10          (6) *An identification of key officials and organi-*  
11        *zations of each respective country involved in man-*  
12        *aging and operating such facilities, programs and ac-*  
13        *tivities, including the command structure for each or-*  
14        *ganization involved in such programs and activities.*

15          (7) *An assessment of how senior leaders of each*  
16        *respective country measure the effectiveness of such*  
17        *programs and activities.*

18          (8) *An estimate of the annual cost of such pro-*  
19        *grams and activities.*

20          (9) *An assessment of the degree of enhanced sur-*  
21        *vivability such programs and activities can be ex-*  
22        *pected to provide in various military scenarios rang-*  
23        *ing from limited conventional conflict to strategic nu-*  
24        *clear employment.*



1           (10) *An assessment of the type and extent of for-*  
2           *foreign assistance, if any, in such programs and activi-*  
3           *ties.*

4           (11) *An assessment of the status and the effec-*  
5           *tiveness of the intelligence collection of the United*  
6           *States on such programs and capabilities, and any*  
7           *gaps in such collection.*

8           (12) *Any other matters the Director determines*  
9           *appropriate.*

10          (b) *COUNCIL ASSESSMENT.*—*Not later than 90 days*  
11 *after the date on which the Director submits the report*  
12 *under subsection (a), the Council on Oversight of the Na-*  
13 *tional Leadership Command, Control, and Communica-*  
14 *tions System established by section 171a of title 10, United*  
15 *States Code, shall submit to the appropriate congressional*  
16 *committees an assessment of how the command, control, and*  
17 *communications systems for the national leadership of the*  
18 *People’s Republic of China and the Russian Federation, re-*  
19 *spectively, compare to such system of the United States.*

20          (c) *STRATCOM.*—*Together with the assessment sub-*  
21 *mitted under subsection (b), the Commander of the United*  
22 *States Strategic Command shall submit to the appropriate*  
23 *congressional committees the views of the Commander on*  
24 *the report under subsection (a), including a detailed de-*  
25 *scription for how the leadership survivability, command*

1 *and control, and continuity of government programs and*  
 2 *activities of the People’s Republic of China and the Russian*  
 3 *Federation, respectively, are considered in the plans and*  
 4 *options under the responsibility of the Commander under*  
 5 *the unified command plan.*

6 (d) *FORMS.—Each report or assessment submitted*  
 7 *under this section may be submitted in unclassified form,*  
 8 *but may include a classified annex.*

9 (e) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
 10 *FINED.—In this section, the term “appropriate congres-*  
 11 *sional committees” means—*

12 (1) *the congressional defense committees; and*

13 (2) *the Permanent Select Committee on Intel-*  
 14 *ligence of the House of Representatives and the Select*  
 15 *Committee on Intelligence of the Senate.*

16 **SEC. 1648. SENSE OF CONGRESS ON IMPORTANCE OF INDE-**  
 17 **PENDENT NUCLEAR DETERRENT OF UNITED**  
 18 **KINGDOM.**

19 *It is the sense of Congress that—*

20 (1) *the United States believes that the inde-*  
 21 *pendent nuclear deterrent and decision-making of the*  
 22 *United Kingdom provides a crucial contribution to*  
 23 *international stability, the North Atlantic Treaty Or-*  
 24 *ganization alliance, and the national security of the*  
 25 *United States;*

1           (2) *nuclear deterrence is and will continue to be*  
2           *the highest priority mission of the Department of De-*  
3           *fense and the United States benefits when the closest*  
4           *ally of the United States clearly and unequivocally*  
5           *sets similar priorities;*

6           (3) *the United States sees the nuclear deterrent*  
7           *of the United Kingdom as central to trans-Atlantic*  
8           *security and to the commitment of the United King-*  
9           *dom to NATO to spend two percent of gross domestic*  
10          *product on defense;*

11          (4) *the commitment of the United Kingdom to*  
12          *maintain a continuous at-sea deterrence posture*  
13          *today and in the future complements the deterrent ca-*  
14          *pabilities of the United States and provides a credible*  
15          *“second center of decision making” which ensures po-*  
16          *tential attackers cannot discount the solidarity of the*  
17          *mutual relationship of the United States and the*  
18          *United Kingdom;*

19          (5) *the United States Navy must execute the*  
20          *Ohio-class replacement submarine program on time*  
21          *and within budget, seeking efficiencies and cost sav-*  
22          *ings wherever possible, to ensure that the program de-*  
23          *livers a Common Missile Compartment, the Trident*  
24          *II (D5) Strategic Weapon System, and associated*  
25          *equipment and production capabilities, that support*

1        *the successful development and deployment of the*  
2        *Vanguard-successor submarines of the United King-*  
3        *dom; and*

4            *(6) the close technical collaboration, especially*  
5        *expert mutual scientific peer review, provides valuable*  
6        *resilience and cost effectiveness to the respective deter-*  
7        *rence programs of the United States and the United*  
8        *Kingdom.*

9        **SEC. 1649. REQUESTS FOR FORCES TO MEET SECURITY RE-**  
10            **QUIREMENTS FOR LAND-BASED NUCLEAR**  
11            **FORCES.**

12            *(a) CERTIFICATION.—Not later than five days after the*  
13        *date of the enactment of this Act, the Chairman of the Joint*  
14        *Chiefs of Staff shall certify to the congressional defense com-*  
15        *mittees that the Chairman has approved any requests for*  
16        *forces, as of the date of the enactment of this Act, of a com-*  
17        *mander of a combatant command to meet the security re-*  
18        *quirements of land-based nuclear forces.*

19            *(b) LIMITATION.—Of the funds authorized to be appro-*  
20        *priated by this Act or otherwise made available for fiscal*  
21        *year 2017 for the travel and representational expenses of*  
22        *the Under Secretary of Defense for Acquisition, Technology,*  
23        *and Logistics, not more than 75 percent may be obligated*  
24        *or expended until the date on which the Under Secretary*  
25        *certifies to the congressional defense committees that there*

1 *is a competitive acquisition process in place to ensure that*  
2 *a UH-1N replacement aircraft is under contract in fiscal*  
3 *year 2018.*

4 **SEC. 1649A. MATTERS RELATED TO INTERCONTINENTAL**  
5 **BALLISTIC MISSILES.**

6 (a) *POLICY.—It is the policy of the United States to*  
7 *maintain and modernize a responsive and alert interconti-*  
8 *ental ballistic missile force to ensure robust nuclear deter-*  
9 *rence by preventing any adversary from believing it can*  
10 *carry out a small, surprise, first-strike attack on the United*  
11 *States that disarms the strategic forces of the United States.*

12 (b) *PROHIBITION.—*

13 (1) *IN GENERAL.—Except as provided by para-*  
14 *graph (2), none of the funds authorized to be appro-*  
15 *priated by this Act or otherwise made available for*  
16 *fiscal year 2017 shall be obligated or expended for—*

17 (A) *reducing, or preparing to reduce, the re-*  
18 *sponsiveness or alert level of the intercontinental*  
19 *ballistic missiles of the United States; or*

20 (B) *reducing, or preparing to reduce, the*  
21 *quantity of deployed intercontinental ballistic*  
22 *missiles of the United States to a number less*  
23 *than 400.*

24 (2) *EXCEPTION.—The prohibition in paragraph*  
25 *(1) shall not apply to any of the following activities:*

1           (A) *The maintenance or sustainment of*  
2           *intercontinental ballistic missiles.*

3           (B) *Ensuring the safety, security, or reli-*  
4           *ability of intercontinental ballistic missiles.*

5           (C) *Reduction in the number of deployed*  
6           *intercontinental ballistic missiles that are car-*  
7           *ried out in compliance with—*

8                   (i) *the limitations of the New START*  
9                   *Treaty (as defined in section 494(a)(2)(D)*  
10                   *of title 10, United States Code); and*

11                   (ii) *section 1644 of the Carl Levin an*  
12                   *Howard P. “Buck” McKeon National De-*  
13                   *fense Authorization Act for Fiscal Year*  
14                   *2015 (Public Law 113–291; 128 Stat. 3651;*  
15                   *10 U.S.C. 494 note).*

16       (c) *REPORT.—*

17           (1) *IN GENERAL.—Not later than 60 days after*  
18           *the date of the enactment of this Act, the Secretary of*  
19           *the Air Force and the Chairman of the Nuclear Weap-*  
20           *ons Council shall submit to the congressional defense*  
21           *committees a report regarding efforts to carry out sec-*  
22           *tion 1057 of the National Defense Authorization Act*  
23           *for Fiscal Year 2014 (Public Law 113–66; 10 U.S.C.*  
24           *495 note).*

1           (2) *ELEMENTS.*—*The report under paragraph*  
2 *(1) shall include the following with respect to the pe-*  
3 *riod of the expected lifespan of the Minuteman III*  
4 *system:*

5           (A) *The number of nuclear warheads re-*  
6 *quired to support the capability to redeploy mul-*  
7 *tiple independently retargetable reentry vehicles*  
8 *across the full intercontinental ballistic missile*  
9 *fleet.*

10          (B) *The current and planned (until 2030)*  
11 *readiness state of nuclear warheads intended to*  
12 *support the capability to redeploy multiple inde-*  
13 *pendently retargetable reentry vehicles across the*  
14 *full intercontinental ballistic missile fleet, in-*  
15 *cluding which portion of the active or inactive*  
16 *stockpile such warheads are classified within.*

17          (C) *The current and planned (until 2030)*  
18 *reserve of components or subsystems required to*  
19 *redeploy multiple independently retargetable re-*  
20 *entry vehicles across the full intercontinental bal-*  
21 *listic missile fleet, including the plans or indus-*  
22 *trial capability and capacity to produce more*  
23 *such components or subsystems, if needed.*

24          (D) *The current and planned (until 2030)*  
25 *time required to commence redeployment of mul-*

1           *tiple independently retargetable reentry vehicles*  
 2           *across the intercontinental ballistic missile fleet,*  
 3           *including the time required to finish deployment*  
 4           *across the full fleet.*

5           ***Subtitle E—Missile Defense***  
 6           ***Programs***

7   ***SEC. 1651. EXTENSIONS OF PROHIBITIONS RELATING TO***  
 8           ***MISSILE DEFENSE INFORMATION AND SYS-***  
 9           ***TEMS.***

10          *(a) PROHIBITION ON INTEGRATION OF CERTAIN MIS-*  
 11          *SILE DEFENSE SYSTEMS.—*

12                  *(1) IN GENERAL.—Section 130h of title 10,*  
 13          *United States Code, is amended—*

14                          *(A) by redesignating subsection (d) as sub-*  
 15                          *section (e);*

16                          *(B) by inserting after subsection (c) the fol-*  
 17                          *lowing new subsection (d):*

18                  *“(d) INTEGRATION.—None of the funds authorized to*  
 19          *be appropriated or otherwise made available for any fiscal*  
 20          *year for the Department of Defense may be obligated or ex-*  
 21          *pended to integrate a missile defense system of the Russian*  
 22          *Federation or a missile defense system of the People’s Re-*  
 23          *public of China into any missile defense system of the*  
 24          *United States.”; and*



1           (C) by striking the section heading and in-  
2           serting the following: “**Prohibitions relat-**  
3           **ing to missile defense information and**  
4           **systems**”.

5           (2) *CLERICAL AMENDMENT.*—The table of sec-  
6           tions at the beginning of chapter 3 of title 10, United  
7           States Code, is amended by striking the item relating  
8           to section 130h and inserting the following new item:

“130h. Prohibitions relating to missile defense information and systems.”.

9           (3) *CONFORMING REPEALS.*—Sections 1672 and  
10          1673 of the National Defense Authorization Act for  
11          Fiscal Year 2016 (Public Law 114–92; 129 Stat.  
12          1130) are repealed.

13          (b) *EXTENSION OF SUNSET.*—Section 130h(e) of title  
14          10, United States Code, as redesignated by subsection  
15          (a)(1), is amended to read as follows:

16          “(e) *SUNSET.*—The prohibitions in subsections (a),  
17          (b), and (d) shall expire on January 1, 2027.”.

18          **SEC. 1652. REVIEW OF THE MISSILE DEFEAT POLICY AND**  
19   **STRATEGY OF THE UNITED STATES.**

20          (a) *NEW REVIEW.*—The Secretary of Defense and the  
21          Chairman of the Joint Chiefs of Staff shall jointly conduct  
22          a new review of the missile defeat capability, policy, and  
23          strategy of the United States, with respect to—

24                  (1) left- and right-of-launch ballistic missile de-  
25                  fense for—

1           (A) both regional and homeland purposes;  
2           and

3           (B) the full range of active, passive, kinetic,  
4           and nonkinetic defense measures across the full  
5           spectrum of land-, air-, sea-, and space-based  
6           platforms;

7           (2) the integration of offensive and defensive  
8           forces for the defeat of ballistic missiles, including  
9           against weapons initially deployed on ballistic mis-  
10          siles, such as hypersonic glide vehicles; and

11          (3) cruise missile defense of the homeland.

12          (b) *ELEMENTS*.—The review under subsection (a) shall  
13          address the following:

14               (1) The missile defeat policy, strategy, and objec-  
15               tives of the United States in relation to the national  
16               security strategy of the United States and the mili-  
17               tary strategy of the United States.

18               (2) The role of deterrence in the missile defeat  
19               policy and strategy of the United States.

20               (3) The missile defeat posture, capability, and  
21               force structure of the United States.

22               (4) With respect to both the five- and ten-year  
23               periods beginning on the date of the review, the  
24               planned and desired end-state of the missile defeat  
25               programs of the United States, including regarding

1        *the integration and interoperability of such programs*  
2        *with the joint forces and the integration and inter-*  
3        *operability of such programs with allies, and specific*  
4        *benchmarks, milestones, and key steps required to*  
5        *reach such end-states.*

6            (5) *The organization, discharge, and oversight of*  
7        *acquisition for the missile defeat programs of the*  
8        *United States.*

9            (6) *The roles and responsibilities of the Office of*  
10       *the Secretary of Defense, Defense Agencies, combatant*  
11       *commands, the Joint Chiefs of Staff, and the military*  
12       *departments in such programs and the process for en-*  
13       *sureing accountability of each stakeholder.*

14           (7) *The process for determining requirements for*  
15       *missile defeat capabilities under such programs, in-*  
16       *cluding input from the joint military requirements*  
17       *process.*

18           (8) *The process for determining the force struc-*  
19       *ture and inventory objectives for such programs.*

20           (9) *Standards for the military utility, oper-*  
21       *ational effectiveness, suitability, and survivability of*  
22       *the missile defeat systems of the United States.*

23           (10) *The method in which resources for the mis-*  
24       *sile defeat mission are planned, programmed, and*  
25       *budgeted within the Department of Defense.*

1           (11) *The near-term and long-term costs and cost*  
2 *effectiveness of such programs.*

3           (12) *The options for affecting the offense-defense*  
4 *cost curve.*

5           (13) *Accountability, transparency, and oversight*  
6 *with respect to such programs.*

7           (14) *The role of international cooperation on*  
8 *missile defeat in the missile defeat policy and strategy*  
9 *of the United States and the plans, policies, and re-*  
10 *quirements for integration and interoperability of*  
11 *missile defeat capability with allies.*

12           (15) *Options for enhancing and making routine*  
13 *the codevelopment of missile defeat capabilities with*  
14 *allies of the United States in the near-term and far-*  
15 *term.*

16           (16) *Declaratory policy governing the employ-*  
17 *ment of missile defeat capabilities and the military*  
18 *options and plans and employment options of such*  
19 *capabilities.*

20           (17) *The role of multi-mission defense and other*  
21 *assets of the United States, including space and ter-*  
22 *restrial sensors and plans to achieve multi-mission*  
23 *capability in current, planned, and other future as-*  
24 *sets and acquisition programs.*

1           (18) *The indications and warning required to*  
2 *meet the missile defeat strategy and objectives of the*  
3 *United States described in paragraph (1) and the key*  
4 *enablers and programs to achieve such indications*  
5 *and warning.*

6           (19) *The impact of the mobility, counter-*  
7 *measures, and denial and deception capabilities of*  
8 *adversaries on the indications and warning described*  
9 *in paragraph (16) and the consequences of such im-*  
10  *pact for the missile defeat capability, objectives, and*  
11 *military options of the United States and the plans*  
12 *of the combatant commanders.*

13           (20) *Any other matters the Secretary determines*  
14 *relevant.*

15       (c) *REPORTS.—*

16           (1) *RESULTS.—Not later than January 31,*  
17 *2018, the Secretary shall submit to the congressional*  
18 *defense committees a report setting forth the results of*  
19 *the review under subsection (a).*

20           (2) *FORM.—The report required by paragraph*  
21 *(1) shall be submitted in unclassified form, but may*  
22 *include a classified annex.*

23           (3) *ANNUAL IMPLEMENTATION UPDATES.—Dur-*  
24 *ing the five-year period beginning on the date of the*  
25 *submission of the report under paragraph (1), the Di-*

1        *rector of Cost Assessment and Program Evaluation*  
2        *shall submit to the Secretary of Defense, the Chair-*  
3        *man of the Joint Chiefs of Staff, and the congress-*  
4        *sional defense committees annual status updates de-*  
5        *tailing the progress of the Secretary in implementing*  
6        *the missile defeat strategy of the United States.*

7            (4) *THREAT REPORT.*—*Not later than 180 days*  
8        *after the date of the enactment of this Act, the Direc-*  
9        *tor of National Intelligence shall submit to the con-*  
10       *gressional defense committees, the Permanent Select*  
11       *Committee on Intelligence of the House of Representa-*  
12       *tives, and the Select Committee on Intelligence of the*  
13       *Senate a report containing an unclassified summary,*  
14       *consistent with the protection of intelligence sources*  
15       *and methods, of—*

16            (A) *as of the date of the report, the ballistic*  
17        *and cruise missile threat to the United States,*  
18        *deployed forces of the United States, and friends*  
19        *and allies of the United States from short-, me-*  
20        *diu- and long-range nuclear*  
21        *and non-nuclear ballistic and cruise missile*  
22        *threats; and*

23            (B) *an assessment of such threat in 2026.*

24        (d) *NOTIFICATION.*—

1           (1) *IN GENERAL.*—None of the funds authorized  
2 to be appropriated by this Act or otherwise made  
3 available for fiscal year 2017 or any fiscal year there-  
4 after for the Secretary of Defense may be obligated or  
5 expended to change the non-standard acquisition  
6 processes and responsibilities described in paragraph  
7 (2) until—

8                   (A) the Secretary notifies the congressional  
9 defense committees of such proposed change; and

10                   (B) a period of 180 days has elapsed fol-  
11 lowing the date of such notification.

12           (2) *NON-STANDARD ACQUISITION PROCESSES AND*  
13 *RESPONSIBILITIES DESCRIBED.*—The non-standard  
14 acquisition processes and responsibilities described in  
15 this paragraph are such processes and responsibilities  
16 described in—

17                   (A) the memorandum of the Secretary of  
18 Defense titled “Missile Defense Program Direc-  
19 tion” signed on January 2, 2002; and

20                   (B) Department of Defense Directive  
21 5134.09, as in effect on the date of the enactment  
22 of this Act.

23           (e) *DESIGNATION REQUIRED.*—

24                   (1) *AUTHORITY.*—Not later than March 31,  
25 2018, the Secretary of Defense shall designate a mili-

1 *tary department or Defense Agency with acquisition*  
2 *authority with respect to—*

3 *(A) the capability to defend the homeland*  
4 *from cruise missiles; and*

5 *(B) left-of-launch ballistic missile defeat ca-*  
6 *pability.*

7 *(2) VALIDATION.—In making such designation*  
8 *under paragraph (1), the Secretary shall include a*  
9 *description of the manner in which the military re-*  
10 *quirements for such capabilities will be validated.*

11 **SEC. 1653. IRON DOME SHORT-RANGE ROCKET DEFENSE**  
12 **SYSTEM AND ISRAELI COOPERATIVE MISSILE**  
13 **DEFENSE PROGRAM CODEVELOPMENT AND**  
14 **COPRODUCTION.**

15 *(a) IRON DOME SHORT-RANGE ROCKET DEFENSE*  
16 *SYSTEM.—*

17 *(1) AVAILABILITY OF FUNDS.—Of the funds au-*  
18 *thorized to be appropriated by section 101 for pro-*  
19 *curement, Defense-wide, and available for the Missile*  
20 *Defense Agency, not more than \$62,000,000 may be*  
21 *provided to the Government of Israel to procure*  
22 *Tamir interceptors for the Iron Dome short-range*  
23 *rocket defense system, as specified in the funding table*  
24 *in division D, through coproduction of such intercep-*



1        *tors in the United States by industry of the United*  
2        *States.*

3            (2) *CONDITIONS.—*

4            (A) *AGREEMENT.—Funds described in*  
5        *paragraph (1) for the Iron Dome short-range*  
6        *rocket defense program shall be available subject*  
7        *to the terms and conditions in the Agreement Be-*  
8        *tween the Department of Defense of the United*  
9        *States of America and the Ministry of Defense of*  
10       *the State of Israel Concerning Iron Dome De-*  
11       *fense System Procurement, signed on March 5,*  
12       *2014, subject to an amended bilateral inter-*  
13       *national agreement for coproduction for Tamir*  
14       *interceptors. In negotiations by the Missile De-*  
15       *fense Agency and the Missile Defense Organiza-*  
16       *tion of the Government of Israel regarding such*  
17       *production, the goal of the United States is to*  
18       *maximize opportunities for coproduction of the*  
19       *Tamir interceptors described in paragraph (1)*  
20       *in the United States by industry of the United*  
21       *States.*

22            (B) *CERTIFICATION.—Not later than 30*  
23        *days prior to the initial obligation of funds de-*  
24        *scribed in paragraph (1), the Director of the*  
25        *Missile Defense Agency and the Under Secretary*

1           *of Defense for Acquisition, Technology, and Lo-*  
2           *gistics shall jointly submit to the appropriate*  
3           *congressional committees—*

4                     *(i) a certification that the bilateral*  
5                     *international agreement specified in sub-*  
6                     *paragraph (A) is being implemented as pro-*  
7                     *vided in such bilateral international agree-*  
8                     *ment; and*

9                     *(ii) an assessment detailing any risks*  
10                    *relating to the implementation of such bilat-*  
11                    *eral international agreement.*

12           ***(b) COOPERATIVE MISSILE DEFENSE PROGRAM CODE-***  
13           ***VELOPMENT AND COPRODUCTION.—***

14                    ***(1) IN GENERAL.—****Subject to paragraph (2), of*  
15                    *the funds authorized to be appropriated for fiscal year*  
16                    *2017 for procurement, Defense-wide, and available for*  
17                    *the Missile Defense Agency—*

18                             *(A) not more than \$150,000,000 may be*  
19                             *provided to the Government of Israel to procure*  
20                             *the David's Sling Weapon System, including for*  
21                             *coproduction of parts and components in the*  
22                             *United States by United States industry; and*

23                             *(B) not more than \$120,000,000 may be*  
24                             *provided to the Government of Israel for the*  
25                             *Arrow 3 Upper Tier Interceptor Program, in-*

1 *cluding for coproduction of parts and compo-*  
2 *nents in the United States by United States in-*  
3 *dustry.*

4 (2) *CERTIFICATION.—*

5 (A) *CRITERIA.—Except as provided by*  
6 *paragraph (3), the Under Secretary of Defense*  
7 *for Acquisition, Technology, and Logistics shall*  
8 *submit to the appropriate congressional commit-*  
9 *tees a certification that—*

10 (i) *the Government of Israel has dem-*  
11 *onstrated the successful completion of the*  
12 *knowledge points, technical milestones, and*  
13 *production readiness reviews required by*  
14 *the research, development, and technology*  
15 *agreements for the David’s Sling Weapon*  
16 *System and the Arrow 3 Upper Tier Devel-*  
17 *opment Program, respectively;*

18 (ii) *funds specified in subparagraphs*  
19 *(A) and (B) of paragraph (1) will be pro-*  
20 *vided on the basis of a one-for-one cash*  
21 *match made by Israel for such respective*  
22 *systems or in another matching amount*  
23 *that otherwise meets best efforts (as mutu-*  
24 *ally agreed to by the United States and*  
25 *Israel);*

1           *(iii) the United States has entered into*  
2           *a bilateral international agreement with*  
3           *Israel that establishes, with respect to the*  
4           *use of such funds—*

5                     *(I) in accordance with clause (iv),*  
6                     *the terms of coproduction of parts and*  
7                     *components of such respective systems*  
8                     *on the basis of the greatest practicable*  
9                     *coproduction of parts, components, and*  
10                    *all-up rounds (if appropriate) by*  
11                    *United States industry and minimizes*  
12                    *nonrecurring engineering and*  
13                    *facilitization expenses to the costs need-*  
14                    *ed for coproduction;*

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

22                    *(III) technical milestones for co-*  
23                    *production of parts and components*  
24                    *and procurement of such respective sys-*  
25                    *tems; and*

1                   (IV) *joint approval processes for*  
2                   *third-party sales of such respective sys-*  
3                   *tems and the components of such re-*  
4                   *spective systems;*

5                   (iv) *the level of coproduction described*  
6                   *in clause (iii)(I) for the Arrow 3 and Da-*  
7                   *vid's Sling Weapon System is not less than*  
8                   *50 percent; and*

9                   (v) *such funds may not be obligated or*  
10                  *expended to cover costs related to any*  
11                  *delays, including delays with respect to ex-*  
12                  *changing technical data or specifications.*

13                  (B) *NUMBER.—In carrying out subpara-*  
14                  *graph (A), the Under Secretary may submit—*

15                   (i) *one certification covering both the*  
16                   *David's Sling Weapon System and the*  
17                   *Arrow 3 Upper Tier Interceptor Program;*  
18                   *or*

19                   (ii) *separate certifications for each*  
20                   *such respective system.*

21                  (C) *TIMING.—The Under Secretary shall*  
22                  *submit to the congressional defense committees*  
23                  *the certification under subparagraph (A) by not*  
24                  *later than 60 days before the funds specified in*  
25                  *paragraph (1) for the respective system covered*

1           *by the certification are provided to the Govern-*  
2           *ment of Israel.*

3           (3) *WAIVER.—The Under Secretary may waive*  
4           *the certification required by paragraph (2) if the*  
5           *Under Secretary certifies to the appropriate congres-*  
6           *sional committees that the Under Secretary has re-*  
7           *ceived sufficient data from the Government of Israel*  
8           *to demonstrate—*

9                   (A) *the funds specified in subparagraphs*  
10                  (A) *and (B) of paragraph (1) are provided to*  
11                  *Israel solely for funding the procurement of long-*  
12                  *lead components in accordance with a produc-*  
13                  *tion plan, including a funding profile detailing*  
14                  *Israeli contributions for production, including*  
15                  *long-lead production, of either David’s Sling*  
16                  *Weapon System or the Arrow 3 Upper Tier In-*  
17                  *terceptor Program;*

18                   (B) *such long-lead components have success-*  
19                  *fully completed knowledge points, technical mile-*  
20                  *stones, and production readiness reviews; and*

21                   (C) *the long-lead procurement will be con-*  
22                  *ducted in a manner that maximizes coproduc-*  
23                  *tion in the United States without incurring ad-*  
24                  *ditional nonrecurring engineering activity or*  
25                  *cost.*

1           (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
2 *FINED.*—*In this section, the term “appropriate congres-*  
3 *sional committees” means the following:*

4                   (1) *The congressional defense committees.*

5                   (2) *The Committee on Foreign Affairs of the*  
6 *House of Representatives and the Committee on For-*  
7 *eign Relations of the Senate.*

8 **SEC. 1654. MAXIMIZING AEGIS ASHORE CAPABILITY.**

9           (a) *ANTI-AIR WARFARE CAPABILITY OF AEGIS*  
10 *ASHORE SITES.*—

11                   (1) *EVALUATION.*—*The Secretary of Defense shall*  
12 *conduct a complete evaluation of the optimal anti-air*  
13 *warfare capability—*

14                           (A) *for each current Aegis Ashore site by*  
15 *not later than 180 days after the date of the en-*  
16 *actment of this Act; and*

17                           (B) *as part of any future deployment by the*  
18 *United States of an Aegis Ashore site after the*  
19 *date of such enactment.*

20                   (2) *ASSESSMENTS INCLUDED.*—*Each evaluation*  
21 *under paragraph (1) shall include an assessment of*  
22 *the potential deployment of enhanced sea sparrow*  
23 *missiles, standard missile block 2 missiles, standard*  
24 *missile block 6 missiles, or the SeaRAM missile sys-*  
25 *tem.*

1           (3) *CONSISTENCY WITH ANNEX.*—*The Secretary*  
2           *shall carry out this subsection consistent with any*  
3           *classified annex accompanying this Act.*

4           (b) *AEGIS ASHORE CAPABILITY EVALUATION.*—*Not*  
5           *later than 120 days after the date of the enactment of this*  
6           *Act, the Secretary of Defense and the Chairman of the Joint*  
7           *Chiefs of Staff shall jointly submit to the congressional de-*  
8           *fense committees an evaluation of each of the following:*

9           (1) *The ballistic missile and air threat against*  
10           *the continental United States and the efficacy (in-*  
11           *cluding with respect to cost, ideal and optimal de-*  
12           *ployment locations, and potential deployment sched-*  
13           *ule) of deploying one or more Aegis Ashore sites and*  
14           *Aegis Ashore components for the ballistic and cruise*  
15           *missile defense of the continental United States.*

16           (2) *The ballistic missile and air threat against*  
17           *the Armed Forces on Guam and the efficacy (includ-*  
18           *ing with respect to cost and schedule) of deploying an*  
19           *Aegis Ashore site on Guam.*

20           (c) *AEGIS ASHORE SITE ON THE PACIFIC MISSILE*  
21           *RANGE FACILITY.*—

22           (1) *LIMITATION.*—*The Secretary of Defense may*  
23           *not reduce the manning levels or test capability, as*  
24           *such levels and capability existed on January 1,*  
25           *2015, of the Aegis Ashore site at the Pacific Missile*



1        *Range Facility in Hawaii, including by putting such*  
2        *site into a “cold” or “stand by” status.*

3            (2) *ENVIRONMENTAL IMPACT STATEMENT.—*

4            (A) *Not later than 60 days after the date on*  
5            *which the Director of the Missile Defense Agency*  
6            *submits to the congressional defense committees*  
7            *the report under section 1689(b)(2) of the Na-*  
8            *tional Defense Authorization Act for Fiscal Year*  
9            *2016 (Public Law 114–92; 129 Stat. 1144), the*  
10           *Director shall notify such committees on whether*  
11           *the preferred alternative for fielding a medium*  
12           *range ballistic missile defense sensor for the de-*  
13           *fense of Hawaii identified by such report would*  
14           *require an update to the environmental impact*  
15           *statement required for constructing the Aegis*  
16           *Ashore site at the Pacific Missile Range Facility.*

17           (B) *If the Director determines that an up-*  
18           *dated environmental impact statement, a new*  
19           *environmental impact statement, or another ac-*  
20           *tion is required or recommended pursuant to the*  
21           *National Environmental Policy Act of 1969 (42*  
22           *U.S.C. et seq.), the Director shall commence such*  
23           *action by not later than 60 days after the date*  
24           *on which the Director makes the notification*  
25           *under subparagraph (A).*

1           (3) *EVALUATION.*—Not later than 60 days after  
2           the date of the enactment of this Act, the Secretary of  
3           Defense and the Chairman of the Joint Chiefs of Staff  
4           shall jointly submit to the congressional defense com-  
5           mittees an evaluation of the ballistic missile and air  
6           threat against Hawaii (including with respect to  
7           threats to the Armed Forces and installations located  
8           in Hawaii) and the efficacy (including with respect  
9           to cost and potential alternatives) of—

10                   (A) making the Aegis Ashore site at the Pa-  
11                   cific Missile Range Facility operational;

12                   (B) deploying the preferred alternative for  
13                   fielding a medium range ballistic missile defense  
14                   sensor for the defense of Hawaii described in  
15                   paragraph (2)(A); and

16                   (C) any other alternative the Secretary and  
17                   the Chairman determine appropriate.

18           (d) *FORMS.*—The evaluations submitted under sub-  
19           sections (b) and (c)(3) shall each be submitted in unclassi-  
20           fied form, but may each include a classified annex.

21   **SEC. 1655. TECHNICAL AUTHORITY FOR INTEGRATED AIR**  
22                   **AND MISSILE DEFENSE ACTIVITIES AND PRO-**  
23                   **GRAMS.**

24           (a) *AUTHORITY.*—

1           (1) *IN GENERAL.*—*The Director of the Missile*  
2           *Defense Agency is the technical authority of the De-*  
3           *partment of Defense for integrated air and missile de-*  
4           *fense activities and programs, including joint engi-*  
5           *neering and integration efforts for such activities and*  
6           *programs, including with respect to defining and con-*  
7           *trolling the interfaces of such activities and programs*  
8           *and the allocation of technical requirements for such*  
9           *activities and programs.*

10           (2) *DETAILEES.*—

11           (A) *In carrying out the technical authority*  
12           *under paragraph (1), the Director may seek to*  
13           *have staff detailed to the Missile Defense Agency*  
14           *from the Joint Functional Component Command*  
15           *for Integrated Missile Defense and the Joint In-*  
16           *tegrated Air and Missile Defense Organization*  
17           *in a number the Director determines necessary*  
18           *in accordance with subparagraph (B).*

19           (B) *In detailing staff under subparagraph*  
20           *(A) to carry out the technical authority under*  
21           *paragraph (1), the total number of staff, includ-*  
22           *ing detailees, of the Missile Defense Agency who*  
23           *carry out such authority may not exceed the*  
24           *number that is twice the number of such staff*

1           *carrying out such authority as of January 1,*  
2           *2016.*

3           **(b) ASSESSMENTS AND PLANS.—**

4           **(1) BIENNIAL SUBMISSION.—***Not later than Jan-*  
5           *uary 31, 2017, and biennially thereafter through*  
6           *2021, the Director shall submit to the congressional*  
7           *defense committees an assessment of the state of inte-*  
8           *gration and interoperability of the integrated air and*  
9           *missile defense capabilities of the Department of De-*  
10          *fense.*

11          **(2) ELEMENTS.—***Each assessment under para-*  
12          *graph (1) shall include the following:*

13               **(A)** *Identification of any gaps in the inte-*  
14               *gration and interoperability of the integrated air*  
15               *and missile defense capabilities of the Depart-*  
16               *ment.*

17               **(B)** *A description of the options to improve*  
18               *such capabilities and remediate such gaps.*

19               **(C)** *A plan to carry out such improvements*  
20               *and remediations, including milestones and costs*  
21               *for such plan.*

22          **(3) FORM.—***Each assessment under paragraph*  
23          *(1) shall be submitted in classified form unless the Di-*  
24          *rector determines that submitting such assessment in*  
25          *unclassified form is useful and expedient.*

1 **SEC. 1656. DEVELOPMENT AND RESEARCH OF NON-TERRES-**  
2 **TRIAL MISSILE DEFENSE LAYER.**

3 (a) *DEVELOPMENT.*—

4 (1) *IN GENERAL.*—Not later than 30 days after  
5 the date of the enactment of this Act, the Director of  
6 the Missile Defense Agency, with the support of feder-  
7 ally funded research and development centers with  
8 subject matter expertise, shall commence the planning  
9 for concept definition, design, research, development,  
10 engineering evaluation, and test of a space-based bal-  
11 listic missile intercept and defeat layer to the ballistic  
12 missile defense system that—

13 (A) shall provide defense options to ballistic  
14 missiles and re-entry vehicles, independent of ad-  
15 versary country size and threat trajectory; and

16 (B) may provide a boost-phase missile de-  
17 fense capability, as well as additional defensive  
18 options against direct ascent anti-satellite weap-  
19 ons, hypersonic boost glide vehicles, and maneu-  
20 vering re-entry vehicles.

21 (2) *ACTIVITIES.*—The planning activities author-  
22 ized under paragraph (1) shall include, at a min-  
23 imum, the following:

24 (A) The initiation of formal steps for poten-  
25 tial integration into the ballistic missile defense  
26 system architecture.

1           (B) Mature planning for early proof of con-  
2           cept component demonstrations.

3           (C) Draft operation concepts in the context  
4           of a multi-layer architecture.

5           (D) Identification of proof of concept vendor  
6           sources for demo components and subassemblies.

7           (E) The development of multi-year tech-  
8           nology and risk reduction investment plan.

9           (F) The commencement of the development  
10          of a proof of concept master program phasing  
11          schedule.

12          (G) Identification of proof of concept long  
13          lead items.

14          (H) Initiation of requests for proposals  
15          from industry with significant commercial, civil,  
16          and national security space experience, includ-  
17          ing for space launch services.

18          (I) Mature options for an aggressive but  
19          low-risk acquisition strategy.

20          (b) *SPACE TEST BED*.—Not later than 60 days after  
21          the date of the enactment of this Act, the Director shall com-  
22          mence planning for research, development, test, and evalua-  
23          tion activities with respect to a space test bed for a missile  
24          interceptor capability.

1           (c) *BUDGET SUBMISSIONS.*—*The Director shall submit*  
2 *with the budget of the President submitted to Congress*  
3 *under section 1105(a) of title 31, United States Code, for*  
4 *fiscal year 2018 a detailed budget and development plan,*  
5 *irrespective of planned budgetary total obligation authority,*  
6 *for the activities described in subsections (a) and (b), as-*  
7 *suming initial demonstration, on-orbit, of such the capa-*  
8 *bilities described in such subsections by 2025.*

9 **SEC. 1657. HYPERSONIC BOOST GLIDE VEHICLE DEFENSE.**

10           (a) *ESTABLISHMENT.*—

11               (1) *IN GENERAL.*—*Not later than 180 days after*  
12 *the date of the enactment of this Act, the Director of*  
13 *the Missile Defense Agency shall establish a program*  
14 *of record in the ballistic missile defense system to de-*  
15 *velop and field a defensive system to defeat hypersonic*  
16 *boost-glide and maneuvering ballistic missiles. Such*  
17 *defense system may be a new system, a modification*  
18 *of an existing system, or developed by integrating ex-*  
19 *isting systems.*

20               (2) *CODEVELOPMENT.*—*In developing the pro-*  
21 *gram of record for the defensive system under para-*  
22 *graph (1), the Director shall consider opportunities*  
23 *for codevelopment, including through financial sup-*  
24 *port, with allies and partners of the United States.*

1           (b) *LIMITATION.*—*Of the funds authorized to be appro-*  
2 *priated by this Act or otherwise made available for fiscal*  
3 *year 2017 for the headquarters operations of the Under Sec-*  
4 *retary of Defense for Policy and the headquarters operations*  
5 *of the Under Secretary of Defense for Acquisition, Tech-*  
6 *nology, and Logistics, \$25,000,000 may not be obligated or*  
7 *expended for each such headquarters operations until—*

8                   (1) *the Director certifies to the congressional de-*  
9 *fense committees that the Director has established the*  
10 *program of record under paragraph (1) of subsection*  
11 *(a), including a discussion of—*

12                           (A) *the options for codevelopment considered*  
13 *by the Director under paragraph (2) of such sub-*  
14 *section;*

15                           (B) *such options the Director has assessed;*  
16 *and*

17                           (C) *such options the Director recommends*  
18 *be pursued in the program of record; and*

19                   (2) *the Chairman of the Joint Chiefs of Staff*  
20 *submits to the congressional defense committees a re-*  
21 *port on the military capability or capabilities and*  
22 *capability gaps relating to the threat posed by*  
23 *hypersonic boost-glide and maneuvering ballistic mis-*  
24 *siles to the United States, the forces of the United*  
25 *States, and the allies of the United States; and*



1           (3) a period of 30 days has elapsed following the  
2           date on which the congressional defense committees  
3           has received both the certification and the report.

4           (c) *REPORT ON MTCR*.—Not later than 120 days after  
5           the date of the enactment of this Act, the Secretary of De-  
6           fense, with the concurrence of the Secretary of State, shall  
7           submit to the congressional defense committees and the  
8           Committee on Foreign Relations of the Senate and the Com-  
9           mittee on Foreign Affairs of the House of Representatives  
10          a report on the implications for the Missile Technology Con-  
11          trol Regime regarding the development of a defensive sys-  
12          tem, including with respect to partnering with allies and  
13          partners of the United States, to counter hypersonic boost-  
14          glide and maneuvering ballistic missiles.

15          (d) *PLAN*.—Not later than 30 days after the date on  
16          which the budget of the President for fiscal year 2018 is  
17          submitted to Congress under section 1105 of title 31, United  
18          States Code, the Director shall submit to the congressional  
19          defense committees a plan to field the defensive system  
20          under paragraph (1) of subsection (a) by 2021, including—

21                  (1) a schedule of required ground, flight, and  
22                  intercept tests; and

23                  (2) the estimated budget for such plan, including  
24                  a budget with codevelopment described in paragraph  
25                  (2) of such subsection and a budget without such code-

1        *velopment, required for each year beginning with fis-*  
2        *cal year 2018.*

3    **SEC. 1658. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
4                            **PATRIOT LOWER TIER AIR AND MISSILE DE-**  
5                            **FENSE CAPABILITY OF THE ARMY.**

6        *Of the funds authorized to be appropriated by this Act*  
7        *or otherwise made available for fiscal year 2017 for the Pa-*  
8        *triot lower tier air and missile defense capability of the*  
9        *Army, not more than 50 percent may be obligated or ex-*  
10       *pended until each of the following occurs:*

11                    *(1) The Director of the Missile Defense Agency*  
12                    *certifies to the congressional defense committees that*  
13                    *such capability, upon the completion of the mod-*  
14                    *ernization process addressed by the analysis of alter-*  
15                    *natives regarding such capability, will be fully inter-*  
16                    *operable with the ballistic missile defense system and*  
17                    *other air and missile defense capabilities deployed*  
18                    *and planned to be deployed by the United States.*

19                    *(2) The Chairman of the Joint Chiefs of Staff*  
20                    *certifies to the congressional defense committees that*  
21                    *such capability, upon the completion of the mod-*  
22                    *ernization process addressed by the analysis of alter-*  
23                    *natives regarding such capability, will meet—*

1           (A) *the desired attributes for modularity*  
2           *sought by the geographic combatant commands;*  
3           *and*

4           (B) *the validated and objective warfighter*  
5           *requirements for air and missile defense capa-*  
6           *bility.*

7           (3) *The Chief of Staff of the Army, in coordina-*  
8           *tion with the Secretary of the Army, submits to the*  
9           *congressional defense committees—*

10           (A) *a determination as to whether the re-*  
11           *quirements of the lower tier air and missile de-*  
12           *fense program are appropriate for acquisition*  
13           *through the Army Rapid Capabilities Office, and*  
14           *if the determination is that such requirements*  
15           *are not so appropriate, an evaluation of why;*

16           (B) *the terms of the competition planned for*  
17           *the lower tier air and missile defense program to*  
18           *ensure fair competition for all competitors; and*

19           (C) *either—*

20           (i) *certification that—*

21           (I) *the requirements of the lower*  
22           *tier air and missile defense program*  
23           *can only be met through a multi-year*  
24           *development and acquisition program,*  
25           *rather than through more expedient*

1                    *modification of existing or dem-*  
2                    *onstrated capabilities of the Depart-*  
3                    *ment of Defense; and*

4                    *(II) the lower tier air and missile*  
5                    *defense acquisition program as de-*  
6                    *signed as of the date of the certification*  
7                    *will provide the most rapid deployment*  
8                    *of a modernized capability to the*  
9                    *warfighter at reasonable risk levels (as*  
10                   *compared to systems with similar*  
11                   *amounts of complexity and techno-*  
12                   *logical readiness); or*

13                   *(ii) a revised acquisition strategy for*  
14                   *the lower tier air and missile defense acqui-*  
15                   *sition program, including a schedule to*  
16                   *carry out such strategy.*

17                   *(4) If the Chief of Staff of the Army submits the*  
18                   *revised acquisition strategy under paragraph*  
19                   *(3)(C)(ii), a period of 30 days has elapsed following*  
20                   *the date of such submission.*

21 **SEC. 1659. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
22                    **CONVENTIONAL PROMPT GLOBAL STRIKE**  
23                    **WEAPONS SYSTEM.**

24                   *Of the funds authorized to be appropriated by this Act*  
25                   *or otherwise made available for fiscal year 2017 for re-*

1 *search, development, test, and evaluation, Defense-wide, for*  
2 *the conventional prompt global strike weapons system, not*  
3 *more than 75 percent may be obligated or expended until*  
4 *the date on which the Chairman of the Joint Chiefs of Staff,*  
5 *in consultation with the Commander of the United States*  
6 *European Command, the Commander of the United States*  
7 *Pacific Command, and the Commander of the United States*  
8 *Strategic Command, submits to the congressional defense*  
9 *committees a report on—*

10           (1) *whether there are warfighter requirements or*  
11           *integrated priorities list submitted needs for a limited*  
12           *operational conventional prompt strike capability;*  
13           *and*

14           (2) *whether the program plan and schedule pro-*  
15           *posed by the program office in the Office of the Under*  
16           *Secretary of Defense for Acquisition, Technology, and*  
17           *Logistics supports such requirements and integrated*  
18           *priorities lists submissions.*

19 **SEC. 1660. PILOT PROGRAM ON LOSS OF UNCLASSIFIED,**  
20           **CONTROLLED TECHNICAL INFORMATION.**

21           (a) *PILOT PROGRAM.*—*Beginning not later than 90*  
22 *days after the date of the enactment of this Act, the Director*  
23 *of the Missile Defense Agency shall carry out a pilot pro-*  
24 *gram to implement improvements to the data protection op-*  
25 *tions in the programs of the Missile Defense Agency (includ-*

1 *ing the contractors of the Agency), particularly with respect*  
2 *to unclassified, controlled technical information and con-*  
3 *trolled unclassified information.*

4 (b) *PRIORITY.*—*In carrying out the pilot program*  
5 *under subsection (a), the Director shall give priority to im-*  
6 *plementing data protection options that are used by the pri-*  
7 *vate sector and have been proven successful.*

8 (c) *DURATION.*—*The Director shall carry out the pilot*  
9 *program under subsection (a) for not more than a 5-year*  
10 *period.*

11 (d) *NOTIFICATION.*—*Not later than 30 days before the*  
12 *date on which the Director commences the pilot program*  
13 *under subsection (a), the Director shall notify the congres-*  
14 *sional defense committees, the Committee on Oversight and*  
15 *Government Reform of the House of Representatives, and*  
16 *the Committee on Homeland Security and Government Af-*  
17 *airs of the Senate of—*

18 (1) *the data protection options that the Director*  
19 *is considering to implement under the pilot program*  
20 *and the potential costs of such options; and*

21 (2) *such option that is the preferred option of the*  
22 *Director.*

23 (e) *DATA PROTECTION OPTIONS.*—*In this section, the*  
24 *term “data protection options” means actions to improve*

1 *processes, practices, and systems that relate to the safe-*  
2 *guarding, hygiene, and data protection of information.*

3 **SEC. 1661. REVIEW OF MISSILE DEFENSE AGENCY BUDGET**  
4 **SUBMISSIONS FOR GROUND-BASED MID-**  
5 **COURSE DEFENSE AND EVALUATION OF AL-**  
6 **TERNATIVE GROUND-BASED INTERCEPTOR**  
7 **DEPLOYMENTS.**

8 *(a) BUDGET SUFFICIENCY.—*

9 *(1) REPORT.—Not later than 180 days after the*  
10 *date of the enactment of this Act, the Director of Cost*  
11 *Assessment and Program Evaluation shall submit to*  
12 *the congressional defense committees a report on the*  
13 *ground-based midcourse defense system.*

14 *(2) ELEMENTS.—The report under paragraph*  
15 *(1) shall include an evaluation of each of the fol-*  
16 *lowing:*

17 *(A) The modernization requirements for the*  
18 *ground-based midcourse system, including all*  
19 *command and control, ground systems, sensors*  
20 *and sensor interfaces, boosters and kill vehicles,*  
21 *and integration of known future systems and*  
22 *components.*

23 *(B) The obsolescence of such systems and*  
24 *components.*

1           (C) *The industrial base requirements relat-*  
2           *ing to the ground-based midcourse system.*

3           (D) *The extent to which the estimated levels*  
4           *of annual funding included in the most recent*  
5           *budget and the future-years defense program sub-*  
6           *mitted under section 221 of this title fully fund*  
7           *the requirements under clause (i).*

8           (3) *UPDATES.*—*Not later than 30 days after the*  
9           *date on which each budget is submitted through Janu-*  
10          *ary 31, 2021, the Director shall submit to the congres-*  
11          *sional defense committees an update to the report*  
12          *under paragraph (1).*

13          (4) *CERTIFICATION.*—*Not later than 60 days*  
14          *after the date on which each budget is submitted*  
15          *through January 31, 2021, the Commander of the*  
16          *United States Northern Command shall certify to the*  
17          *congressional defense committees that the most recent*  
18          *defense budget materials include a sufficient level of*  
19          *funding for the ground-based midcourse defense sys-*  
20          *tem to modernize the system to remain paced ahead*  
21          *of the developing limited ballistic missile threat to the*  
22          *homeland, including from an accidental or unauthor-*  
23          *ized ballistic missile attack.*

24          (b) *EVALUATION OF TRANSPORTABLE GROUND-BASED*  
25          *INTERCEPTOR.*—*Not later than 180 days after the date of*



1 *the enactment of this Act, the Director of the Missile Defense*  
2 *Agency shall submit to the congressional defense committees*  
3 *a report on transportable ground-based interceptors. Such*  
4 *report shall detail the views of the Director regarding—*

5           (1) *the cost that is unconstrained by current pro-*  
6 *jected budget levels for the Missile Defense Agency (in-*  
7 *cluding a detailed program development production*  
8 *and deployment cost and schedule for the earliest tech-*  
9 *nically possible deployment), the associated manning,*  
10 *and the comparative cost (including as compared to*  
11 *developing a fixed ground-based interceptor site),*  
12 *technical readiness, and feasibility of a transportable*  
13 *ground-based interceptor as a means to deploy addi-*  
14 *tional ground-based interceptors for the defense of the*  
15 *United States and the operational value of a trans-*  
16 *portable ground-based interceptor for the defense of*  
17 *the homeland against a limited ballistic missile at-*  
18 *tack, including from accidental or unauthorized bal-*  
19 *listic missile launch;*

20           (2) *the type and number of flight and or inter-*  
21 *cept tests that would be required to validate the capa-*  
22 *bility and compatibility of a transportable ground-*  
23 *based interceptor in the ballistic missile defense sys-*  
24 *tem;*

1           (3) *the enabling capabilities, and the cost of such*  
2           *capabilities, to support such a system;*

3           (4) *any safety consideration of a transportable*  
4           *ground-based interceptor; and*

5           (5) *other matters that the Director determines*  
6           *pertinent to such a system.*

7           (c) *FORM.—The report submitted under subsection (b)*  
8           *shall be submitted in unclassified form, but may include*  
9           *a classified annex.*

10          (d) *DEFINITIONS.—In this section, the terms “budget”*  
11          *and “defense budget materials” have the meanings given*  
12          *those terms in section 231 of title 10, United States Code.*

13          **SEC. 1662. DECLARATORY POLICY, CONCEPT OF OPER-**  
14                                **ATIONS, AND EMPLOYMENT GUIDELINES FOR**  
15                                **LEFT-OF-LAUNCH CAPABILITY.**

16          *Not later than 120 days after the date of the enactment*  
17          *of this Act, the Secretary of Defense and the Chairman of*  
18          *the Joint Chiefs of Staff shall jointly submit to the congress-*  
19          *sional defense committees the following:*

20               (1) *Both the classified and unclassified declara-*  
21               *tory policy of the United States regarding the use of*  
22               *the left-of-launch capability of the United States*  
23               *against potential targets and how the Secretary and*  
24               *the Chairman intend to ensure that such capability*  
25               *is a deterrent to attacks by adversaries.*

1           (2) *Both the classified and unclassified concept*  
2           *of operations for the use of such capability across and*  
3           *between the combatant commands.*

4           (3) *Both the classified and unclassified employ-*  
5           *ment strategy, plans, and options for such capability.*

6 **SEC. 1663. PROCUREMENT OF MEDIUM-RANGE DISCRIMINA-**  
7                           **TION RADAR TO IMPROVE HOMELAND MIS-**  
8                           **SILE DEFENSE.**

9           (a) *The Director of the Missile Defense Agency shall*  
10          *issue a request for proposals for such radar by not later*  
11          *than October 1, 2017.*

12          (b) *The Director shall plan to procure a medium-range*  
13          *discrimination radar or equivalent sensor for a location the*  
14          *Director determines will improve homeland missile defense*  
15          *for the defense of Hawaii from the limited ballistic missile*  
16          *threat (including accidental or unauthorized launch) and*  
17          *plan for such radar to be fielded by not later than December*  
18          *31, 2021.*

19 **SEC. 1664. SEMIANNUAL NOTIFICATIONS ON MISSILE DE-**  
20                           **FENSE TESTS AND COSTS.**

21          (a) *NOTIFICATIONS.—Not less than once every 180-day*  
22          *period beginning 90 days after the date of the enactment*  
23          *of this Act and ending on January 31, 2021, the Director*  
24          *of the Missile Defense Agency shall submit to the congres-*  
25          *sional defense committees a notification on—*

1           (1) *the outcome of each planned flight test, in-*  
2 *cluding intercept tests, occurring during the period*  
3 *covered by the notification; and*

4           (2) *flight tests, including intercept tests, planned*  
5 *to occur after the date of the notification.*

6           (b) *ELEMENTS.—Each notification shall include the*  
7 *following:*

8           (1) *With respect to each test described in sub-*  
9 *section (a)(1)—*

10                   (A) *the cost;*

11                   (B) *any changes made to the scope or objec-*  
12 *tives of the test, or future tests, and an expla-*  
13 *nation for such changes;*

14                   (C) *in the event of a failure of the test or*  
15 *a decision to delay or cancel the test—*

16                           (i) *the reasons such test did not succeed*  
17 *or occur;*

18                           (ii) *the funds expended on such at-*  
19 *tempted test; and*

20                           (iii) *in the case of a test failure or*  
21 *cancelled test that is the result of contractor*  
22 *performance, the contractor liability, if ap-*  
23 *propriate, as compared to the cost of such*  
24 *test and potential retest; and*

1           (D) the plan to conduct a retest, if nec-  
2           essary, and an estimate of the cost of such retest.

3           (2) With respect to each test described in sub-  
4           section (a)(2)—

5           (A) any changes made to the scope of the  
6           test;

7           (B) whether the test was to occur earlier but  
8           was delayed; and

9           (C) an explanation for any such changes or  
10          delays.

11          (3) The status of any open failure review boards  
12          or any failure review boards completed during the pe-  
13          riod covered by the notification.

14          (c) FORM.—Each notification submitted under sub-  
15          section (a) shall be submitted in unclassified form, but may  
16          include a classified annex.

17          **SEC. 1665. NATIONAL MISSILE DEFENSE POLICY.**

18          (a) POLICY.—It is the policy of the United States to  
19          maintain and improve a robust layered missile defense sys-  
20          tem capable of defending the territory of the United States,  
21          allies, deployed forces, and capabilities against the devel-  
22          oping and increasingly complex ballistic missile threat with  
23          funding subject to the annual authorization of appropria-  
24          tions and the annual appropriation of funds for National  
25          Missile Defense.

1           (b) *CONFORMING REPEAL.*—Section 2 of the National  
2 *Missile Defense Act of 1999 (Public Law 106–38; 10 U.S.C.*  
3 *2431 note)* is repealed.

4 **SEC. 1666. SENSE OF CONGRESS ON INITIAL OPERATING**  
5                           **CAPABILITY OF PHASE 2 OF EUROPEAN**  
6                           **PHASED ADAPTIVE APPROACH TO MISSILE**  
7                           **DEFENSE.**

8           (a) *FINDINGS.*—Congress finds the following:

9                   (1) *President Obama, during his announcement*  
10                   *of the European Phased Adaptive Approach on Sep-*  
11                   *tember 17, 2009, stated, “This approach is based on*  
12                   *an assessment of the Iranian missile threat,” and*  
13                   *“the best way to responsibly advance our security and*  
14                   *the security of our allies is to deploy a missile defense*  
15                   *system that best responds to the threats we face and*  
16                   *that utilizes technology that is both proven and cost-*  
17                   *effective.”.*

18                   (2) *The 2010 Ballistic Missile Defense review*  
19                   *stated that “The [European] Phased Adaptive Ap-*  
20                   *proach utilizes existing and proven capabilities to*  
21                   *meet current threats and then will improve upon*  
22                   *these capabilities over time by integrating new tech-*  
23                   *nology.”.*

24                   (3) *Secretary of Defense Leon Panetta, during a*  
25                   *speech in Brussels on October 5, 2011, stated, “The*

1 *United States is fully committed to building a missile*  
2 *defense capability for the full coverage and protection*  
3 *of all our NATO European populations, their terri-*  
4 *tory and their forces against the growing threat posed*  
5 *by ballistic missiles.”.*

6 (4) *Secretary of Defense Chuck Hagel, during a*  
7 *press conference on March 15, 2013, stated, “The mis-*  
8 *sile deployments the United States is making in*  
9 *phases one through three of the European Phased*  
10 *Adaptive Approach, including sites in Romania and*  
11 *Poland, will still be able to provide coverage of all*  
12 *European NATO territory as planned by 2018.”.*

13 (b) *SENSE OF CONGRESS.—It is the sense of Congress*  
14 *that—*

15 (1) *the United States is committed to the defense*  
16 *of deployed members of the Armed Forces of the*  
17 *United States and to the defense of the European al-*  
18 *lies of the Unites States by increasing the ballistic*  
19 *missile defense capability of the North Atlantic Trea-*  
20 *ty Organization (in this section referred to as*  
21 *“NATO”);*

22 (2) *phase 2 of the European Phased Adaptive*  
23 *Approach will provide NATO with a substantial in-*  
24 *crease in ballistic missile defense capability since*  
25 *NATO declared Interim Ballistic Missile Defense Ca-*

1        *pability at the Chicago Summit in 2012, and such*  
2        *phase consists of—*

3                *(A) Aegis Ashore in Romania;*

4                *(B) four Aegis ballistic missile defense capa-*  
5        *ble ships homeported at Rota, Spain; and*

6                *(C) a more capable SM–3 interceptor;*

7                *(3) NATO is moving forward with the mod-*  
8        *ernization of the defense capabilities of NATO that is*  
9        *responsive to 21st century threats to the territory and*  
10        *populations of member states of NATO;*

11                *(4) the member states of NATO recognize the im-*  
12        *portance of this contribution, which sends a clear sig-*  
13        *nal that NATO will not allow potential adversaries to*  
14        *threaten the use of ballistic missile strikes to coerce*  
15        *NATO or deter NATO from responding to aggression*  
16        *against the interests of NATO; and*

17                *(5) phase 2 of the European Phased Adaptive*  
18        *Approach is ready for 24-hour-a-day, seven-day-a-*  
19        *week operation, with proven military systems and*  
20        *command and control capability, and should be so de-*  
21        *clared at the July 2016 NATO Summit in Warsaw,*  
22        *Poland.*



1                   **Subtitle F—Other Matters**

2   **SEC. 1671. PROTECTION OF CERTAIN FACILITIES AND AS-**  
3                   **SETS FROM UNMANNED AIRCRAFT.**

4           (a) *IN GENERAL.*—Chapter 3 of title 10, United States  
5 Code, as amended by section 1255, is further amended by  
6 adding at the end the following new section:

7   **“§ 130j. Protection of certain facilities and assets from**  
8                   **unmanned aircraft**

9           “(a) *AUTHORITY.*—The Secretary of Defense may take,  
10 and may authorize the armed forces to take, such actions  
11 described in subsection (b)(1) that are necessary to mitigate  
12 the threat of an unmanned aircraft system or unmanned  
13 aircraft that poses an imminent threat (as defined by the  
14 Secretary of Defense, in coordination with the Secretary of  
15 Transportation) to the safety or security of a covered facil-  
16 ity or asset.

17           “(b) *ACTIONS DESCRIBED.*—(1) The actions described  
18 in this paragraph are the following:

19                   “(A) Disrupt control of the unmanned aircraft  
20 system or unmanned aircraft.

21                   “(B) Seize and exercise control of the unmanned  
22 aircraft system or unmanned aircraft.

23                   “(C) Seize or otherwise confiscate the unmanned  
24 aircraft system or unmanned aircraft.

1           “(D) Use reasonable force to disable or destroy  
2           the unmanned aircraft system or unmanned aircraft.

3           “(2) The Secretary of Defense shall develop the actions  
4           described in paragraph (1) in coordination with the Sec-  
5           retary of Transportation, consistent with the protection of  
6           information regarding sensitive defense capabilities.

7           “(c) FORFEITURE.—(1) Any unmanned aircraft sys-  
8           tem or unmanned aircraft described in subsection (a) shall  
9           be subject to seizure and forfeiture to the United States.

10          “(2) The Secretary of Defense may prescribe regula-  
11          tions to establish reasonable exceptions to paragraph (1),  
12          including in cases where—

13               “(A) the operator of the unmanned aircraft sys-  
14               tem or unmanned aircraft obtained the control and  
15               possession of such system or aircraft illegally; or

16               “(B) the operator of the unmanned aircraft sys-  
17               tem or unmanned aircraft is an employee of a com-  
18               mon carrier acting in manner described in subsection  
19               (a) without the knowledge of the common carrier.

20          “(d) REGULATIONS.—The Secretary of Defense and the  
21          Secretary of Transportation shall prescribe regulations and  
22          issue guidance in the respective areas of each Secretary to  
23          carry out this section.

24          “(e) DEFINITIONS.—In this section:

1           “(1) *The term ‘covered facility or asset’ means*  
2 *any facility or asset that is—*

3                   “(A) *identified by the Secretary of Defense*  
4 *for purposes of this section;*

5                   “(B) *located in the United States (including*  
6 *the territories and possessions of the United*  
7 *States); and*

8                   “(C) *relating to—*

9                           “(i) *the nuclear deterrence mission of*  
10 *the Department of Defense, including with*  
11 *respect to nuclear command and control, in-*  
12 *tegrated tactical warning and attack assess-*  
13 *ment, and continuity of government;*

14                           “(ii) *the missile defense mission of the*  
15 *Department; or*

16                           “(iii) *the national security space mis-*  
17 *sion of the Department.*

18           “(2) *The terms ‘unmanned aircraft’ and ‘un-*  
19 *manned aircraft system’ have the meaning given those*  
20 *terms in section 331 of the FAA Modernization and*  
21 *Reform Act of 2012 (Public Law 112–95; 49 U.S.C.*  
22 *40101 note).”.*

23           (b) *CLERICAL AMENDMENT.—The table of sections at*  
24 *the beginning of such chapter is amended by inserting after*

1 *the item relating to section 130i, as added by section 1255,*  
 2 *the following new item:*

“130j. *Protection of certain facilities and assets from unmanned aircraft.*”.

3 **SEC. 1672. IMPROVEMENT OF COORDINATION BY DEPART-**  
 4 **MENT OF DEFENSE OF ELECTROMAGNETIC**  
 5 **SPECTRUM USAGE.**

6 *Not later than December 31, 2016, the Secretary of De-*  
 7 *fense shall submit to the congressional defense committees*  
 8 *a report evaluating whether establishing an intra-depart-*  
 9 *mental council in the Department of Defense on the use elec-*  
 10 *tromagnetic spectrum by the Department would improve co-*  
 11 *ordination within the Department on—*

- 12 *(1) the use of such spectrum;*  
 13 *(2) the acquisition cycle with respect to such*  
 14 *spectrum;*  
 15 *(3) training by the Armed Forces, including*  
 16 *with respect to electronic and cyber warfare; and*  
 17 *(4) other purposes the Secretary considers useful.*

18 **SEC. 1673. HARMFUL INTERFERENCE TO DEPARTMENT OF**  
 19 **DEFENSE GLOBAL POSITIONING SYSTEM.**

20 *(a) FEDERAL COMMUNICATIONS COMMISSION CONDI-*  
 21 *TIONS ON COMMERCIAL TERRESTRIAL OPERATIONS.—Part*  
 22 *I of title III of the Communications Act of 1934 (47 U.S.C.*  
 23 *301 et seq.) is amended by adding at the end the following:*

1 **“SEC. 343. CONDITIONS ON COMMERCIAL TERRESTRIAL OP-**  
2 **ERATIONS.**

3 *“(a) IN GENERAL.—The Commission shall not permit*  
4 *commercial terrestrial operations in the 1525–1559 mega-*  
5 *hertz band or the 1626.5–1660.5 megahertz band until the*  
6 *date that is 90 days after the Commission resolves concerns*  
7 *of widespread harmful interference by such operations in*  
8 *such band to covered GPS devices.*

9 *“(b) NOTICE TO CONGRESS.—*

10 *“(1) IN GENERAL.—At the conclusion of the pro-*  
11 *ceeding on such operations in such band, the Commis-*  
12 *sion shall submit to the congressional committees de-*  
13 *scribed in paragraph (2) official copies of the docu-*  
14 *ments containing the final decision of the Commission*  
15 *regarding whether to permit such operations in such*  
16 *band. If the decision is to permit such operations in*  
17 *such band, such documents shall contain or be accom-*  
18 *panied by an explanation of how the concerns de-*  
19 *scribed in subsection (a) have been resolved.*

20 *“(2) CONGRESSIONAL COMMITTEES DE-*  
21 *SCRIBED.—The congressional committees described in*  
22 *this paragraph are the following:*

23 *“(A) The Committee on Energy and Com-*  
24 *merce and the Committee on Armed Services of*  
25 *the House of Representatives.*

1                   “(B) *The Committee on Commerce, Science,*  
2                   *and Transportation and the Committee on*  
3                   *Armed Services of the Senate.*

4                   “(c) *COVERED GPS DEVICE DEFINED.*—*In this sec-*  
5                   *tion, the term ‘covered GPS device’ means a Global Position*  
6                   *System device of the Department of Defense.”.*

7                   (b) *SECRETARY OF DEFENSE REVIEW OF HARMFUL*  
8                   *INTERFERENCE.*—

9                   (1) *REVIEW.*—*Not later than 90 days after the*  
10                  *date of the enactment of this Act, and every 90 days*  
11                  *thereafter until the date referred to in paragraph (3),*  
12                  *the Secretary of Defense shall conduct a review to—*

13                         (A) *assess the ability of covered GPS devices*  
14                         *to receive signals from Global Positioning Sys-*  
15                         *tem satellites without widespread harmful inter-*  
16                         *ference; and*

17                         (B) *determine if commercial communica-*  
18                         *tions services are causing or will cause wide-*  
19                         *spread harmful interference with covered GPS*  
20                         *devices.*

21                   (2) *NOTICE TO CONGRESS.*—

22                         (A) *NOTICE.*—*If the Secretary of Defense*  
23                         *determines during a review under paragraph (1)*  
24                         *that commercial communications services are*  
25                         *causing or will cause widespread harmful inter-*

1           *ference with covered GPS devices, the Secretary*  
2           *shall promptly submit to the congressional de-*  
3           *fense committees notice of such interference.*

4           *(B) CONTENTS.—The notice required under*  
5           *subparagraph (A) shall include—*

6                     *(i) a list and description of the covered*  
7                     *GPS devices that are being or expected to be*  
8                     *interfered with by commercial communica-*  
9                     *tions services;*

10                    *(ii) a description of the source of, and*  
11                    *the entity causing or expect to cause, the in-*  
12                    *terference with such receivers;*

13                    *(iii) a description of the manner in*  
14                    *which such source or such entity is causing*  
15                    *or expected to cause such interference;*

16                    *(iv) a description of the magnitude of*  
17                    *harm caused or expected to be caused by*  
18                    *such interference;*

19                    *(v) a description of the duration of and*  
20                    *the conditions and circumstances under*  
21                    *which such interference is occurring or ex-*  
22                    *pected to occur;*

23                    *(vi) a description of the impact of such*  
24                    *interference on the national security inter-*  
25                    *ests of the United States; and*

1                   (vii) a description of the plans of the  
2                   Secretary to address, alleviate, or mitigate  
3                   such interference, including the cost of such  
4                   plans.

5                   (C) *FORM.*—The notice required under sub-  
6                   paragraph (A) shall be submitted in unclassified  
7                   form, but may include a classified annex.

8                   (3) *TERMINATION DATE.*—The date referred to in  
9                   this paragraph is the earlier of—

10                   (A) the date that is two years after the date  
11                   of the enactment of this Act; or

12                   (B) the date on which the Secretary—

13                   (i) determines that commercial com-  
14                   munications services are not causing any  
15                   widespread harmful interference with cov-  
16                   ered GPS devices; and

17                   (ii) the Secretary submits to the con-  
18                   gressional defense committees notice of the  
19                   determination made under clause (i).

20                   (c) *COVERED GPS DEVICE DEFINED.*—In this section,  
21                   the term “covered GPS device” means a Global Position  
22                   System device of the Department of Defense.

23                   (d) *CONFORMING REPEAL.*—Section 911 of the Na-  
24                   tional Defense Authorization Act for Fiscal Year 2012 (Pub-  
25                   lic Law 112–81; 125 Stat. 1534) is repealed.



1 **TITLE XVII—DEPARTMENT OF**  
2 **DEFENSE ACQUISITION AGILITY**

3 **SEC. 1701. MODULAR OPEN SYSTEM APPROACH IN DEVEL-**  
4 **OPMENT OF MAJOR WEAPON SYSTEMS.**

5 (a) *IN GENERAL.*—Part IV of subtitle A of title 10,  
6 *United States Code*, is amended by inserting after chapter  
7 144A the following new chapter:

8 **“CHAPTER 144B—WEAPON SYSTEMS**  
9 **DEVELOPMENT AND RELATED MATTERS**

<i>“Subchapter</i>	<i>Sec.</i>
<b>“I. Modular Open System Approach in Development of Weapon Systems .....</b>	<b>2446a</b>
<b>“II. Development, Prototyping, and Deployment of Weap- on System Components and Technology .....</b>	<b>2447a</b>
<b>“III. Cost, Schedule, and Performance of Major Defense Acquisition Programs .....</b>	<b>2448a</b>

10 **“SUBCHAPTER I—MODULAR OPEN SYSTEM AP-**  
11 **PROACH IN DEVELOPMENT OF WEAPON SYS-**  
12 **TEMS**

- “Sec.*
- “2446a. Requirement for modular open system approach in major defense acquisition programs; definitions.*
  - “2446b. Requirement to address modular open system approach in program capabilities development and acquisition weapon system design.*
  - “2446c. Requirements relating to availability of major system interfaces and support for modular open system approach.*
  - “2446d. Requirement to include modular open system approach in Selected Acquisition Reports.*

13 **“§2446a. Requirement for modular open system ap-**  
14 **proach in major defense acquisition pro-**  
15 **grams; definitions**

16 **“(a) MODULAR OPEN SYSTEM APPROACH REQUIRE-**  
17 **MENT.**—A major defense acquisition program initiated

1 *after January 1, 2019, shall be designed and developed, to*  
2 *the maximum extent practicable, with a modular open sys-*  
3 *tem approach to enable incremental development.*

4 “(b) *DEFINITIONS.—In this chapter:*

5 “(1) *The term ‘modular open system approach’*  
6 *means, with respect to a major defense acquisition*  
7 *program, an integrated business and technical strat-*  
8 *egy that—*

9 “(A) *employs a modular design that uses*  
10 *major system interfaces between a major system*  
11 *platform and a major system component or be-*  
12 *tween major system components;*

13 “(B) *is subjected to verification to ensure*  
14 *major system interfaces comply with, if available*  
15 *and suitable, widely supported and consensus-*  
16 *based standards;*

17 “(C) *uses a system architecture that allows*  
18 *severable major system components at the appro-*  
19 *priate level to be incrementally added, removed,*  
20 *or replaced throughout the life cycle of a major*  
21 *system platform to afford opportunities for en-*  
22 *hanced competition and innovation while yield-*  
23 *ing—*

24 “(i) *significant cost savings or avoid-*  
25 *ance;*

1                   “(ii) schedule reduction;

2                   “(iii) opportunities for technical up-  
3 grades;

4                   “(iv) increased interoperability; or

5                   “(v) other benefits during the  
6 sustainment phase of a major weapon sys-  
7 tem; and

8                   “(D) complies with the technical data rights  
9 set forth in section 2320 of this title.

10                  “(2) The term ‘major system platform’ means the  
11 highest level structure of a major weapon system that  
12 is not physically mounted or installed onto a higher  
13 level structure and on which a major system compo-  
14 nent can be physically mounted or installed.

15                  “(3) The term ‘major system component’—

16                   “(A) means a high level subsystem or as-  
17 sembly, including hardware, software, or an in-  
18 tegrated assembly of both, that can be mounted  
19 or installed on a major system platform through  
20 well-defined major system interfaces; and

21                   “(B) includes a subsystem or assembly that  
22 is likely to have additional capability require-  
23 ments, is likely to change because of evolving  
24 technology or threat, is needed for interoper-  
25 ability, facilitates incremental deployment of ca-

1            *pabilities, or is expected to be replaced by an-*  
2            *other major system component.*

3            *“(4) The term ‘major system interface’ means a*  
4            *shared boundary between a major system platform*  
5            *and a major system component or between major sys-*  
6            *tem components, defined by various physical, logical,*  
7            *and functional characteristics, such as electrical, me-*  
8            *chanical, fluidic, optical, radio frequency, data, net-*  
9            *working, or software elements.*

10           *“(5) The term ‘program capability document’*  
11           *means, with respect to a major defense acquisition*  
12           *program, a document that specifies capability re-*  
13           *quirements for the program, such as a capability de-*  
14           *velopment document or a capability production docu-*  
15           *ment.*

16           *“(6) The terms ‘program cost target’ and ‘field-*  
17           *ing target’ have the meanings provided in section*  
18           *2448a(a) of this title.*

19           *“(7) The term ‘major defense acquisition pro-*  
20           *gram’ has the meaning provided in section 2430 of*  
21           *this title.*

22           *“(8) The term ‘major weapon system’ has the*  
23           *meaning provided in section 2379(f) of this title.*

1 **“§2446b. Requirement to address modular open sys-**  
2 **tem approach in program capabilities de-**  
3 **velopment and acquisition weapon system**  
4 **design**

5 “(a) *PROGRAM CAPABILITY DOCUMENT.*—A program  
6 capability document for a major defense acquisition pro-  
7 gram shall identify and characterize—

8 “(1) the extent to which requirements for system  
9 performance are likely to evolve during the life cycle  
10 of the system because of evolving technology, threat, or  
11 interoperability needs; and

12 “(2) for requirements that are expected to evolve,  
13 the minimum acceptable capability that is necessary  
14 for initial operating capability of the major defense  
15 acquisition program.

16 “(b) *ANALYSIS OF ALTERNATIVES.*—The Director of  
17 Cost Assessment and Performance Evaluation, in formu-  
18 lating study guidance for analyses of alternatives for major  
19 defense acquisition programs and performing such analyses  
20 under section 139a(d)(4) of this title, shall ensure that any  
21 such analysis for a major defense acquisition program in-  
22 cludes consideration of evolutionary acquisition, proto-  
23 typing, and a modular open system approach.

24 “(c) *ACQUISITION STRATEGY.*—In the case of a major  
25 defense acquisition program that uses a modular open sys-

1 *tem approach, the acquisition strategy required under sec-*  
2 *tion 2431a of this title shall—*

3           “(1) *clearly describe the modular open system*  
4 *approach to be used for the program;*

5           “(2) *differentiate between the major system plat-*  
6 *form and major system components being developed*  
7 *under the program, as well as major system compo-*  
8 *nents developed outside the program that will be inte-*  
9 *grated into the major defense acquisition program;*

10           “(3) *clearly describe the evolution of major sys-*  
11 *tem components that are anticipated to be added, re-*  
12 *moved, or replaced in subsequent increments;*

13           “(4) *identify additional major system compo-*  
14 *nents that may be added later in the life cycle of the*  
15 *major system platform; and*

16           “(5) *clearly describe how intellectual property*  
17 *and related issues, such as technical data deliverables,*  
18 *that are necessary to support a modular open system*  
19 *approach, will be addressed.*

20           “(d) *REQUEST FOR PROPOSALS.—The milestone deci-*  
21 *sion authority for a major defense acquisition program that*  
22 *uses a modular open system approach shall ensure that a*  
23 *request for proposals for the development or production*  
24 *phases of the program shall describe the modular open sys-*  
25 *tem approach and the minimum set of major system compo-*

1 *nents that must be included in the design of the major de-*  
2 *fense acquisition program.*

3       “(e) *MILESTONE B.—A major defense acquisition pro-*  
4 *gram may not receive Milestone B approval under section*  
5 *2366b of this title until the milestone decision authority de-*  
6 *termines in writing that—*

7               “(1) *in the case of a program that uses a mod-*  
8 *ular open system approach—*

9                       “(A) *the program incorporates clearly de-*  
10 *efined major system interfaces between the major*  
11 *system platform and major system components*  
12 *and between major system components;*

13                       “(B) *such major system interfaces are con-*  
14 *sistent with the widely supported and consensus-*  
15 *based standards that exist at the time of the*  
16 *milestone decision, unless such standards are un-*  
17 *available or unsuitable for particular major sys-*  
18 *tem interfaces; and*

19                       “(C) *the Government has arranged to obtain*  
20 *appropriate and necessary intellectual property*  
21 *rights with respect to such major system inter-*  
22 *faces upon completion of the development of the*  
23 *major system platform; or*

1           “(2) *in the case of a program that does not use*  
2           *a modular open system approach, that the use of a*  
3           *modular open system approach is not practicable.*

4   **“§2446c. Requirements relating to availability of**  
5           ***major system interfaces and support for***  
6           ***modular open system approach***

7           *“The Secretary of each military department shall—*

8           “(1) *coordinate with the other military depart-*  
9           *ments, the defense agencies, defense and other private*  
10          *sector entities, national standards-setting organiza-*  
11          *tions, and, when appropriate, with elements of the in-*  
12          *telligence community with respect to the specification,*  
13          *identification, development, and maintenance of*  
14          *major system interfaces and standards for use in*  
15          *major system platforms, where practicable;*

16          “(2) *ensure that major system interfaces incor-*  
17          *porate commercial standards and other widely sup-*  
18          *ported consensus-based standards that are validated,*  
19          *published, and maintained by recognized standards*  
20          *organizations to the maximum extent practicable;*

21          “(3) *ensure that sufficient systems engineering*  
22          *and development expertise and resources are available*  
23          *to support the use of a modular open system approach*  
24          *in requirements development and acquisition program*  
25          *planning;*



1           “(4) ensure that necessary planning, program-  
 2           ming, and budgeting resources are provided to speci-  
 3           fy, identify, develop, and sustain the modular open  
 4           system approach, associated major system interfaces,  
 5           and any additional program activities necessary to  
 6           sustain innovation and interoperability; and

7           “(5) ensure that adequate training in the use of  
 8           a modular open system approach is provided to mem-  
 9           bers of the requirements and acquisition workforce.

10 **“§2446d. Requirement to include modular open sys-  
 11                           tem approach in Selected Acquisition Re-  
 12                           ports**

13           “*For each major defense acquisition program that re-  
 14           ceives Milestone B approval after January 1, 2019, a brief  
 15           summary description of the key elements of the modular  
 16           open system approach or, if a modular open system ap-  
 17           proach was not used, the rationale for not using such an  
 18           approach, shall be submitted to the congressional defense  
 19           committees with the first Selected Acquisition Report re-  
 20           quired under section 2432 of this title for the program.*”.

21           (b) *CLERICAL AMENDMENT.*—*The table of chapters for  
 22           title 10, United States Code, is amended by adding after  
 23           the item relating to chapter 144A the following new item:*

**“144B. Weapon Systems Development and Related Mat-  
          ters .....2446a”.**

1       (c) *CONFORMING AMENDMENT.*—Section 2366b(a)(3)  
2 of such title is amended—

3           (1) by striking “and” at the end of subpara-  
4 graph (K); and

5           (2) by inserting after subparagraph (L) the fol-  
6 lowing new subparagraph:

7                   “(M) the requirements of section 2446b(e) of  
8 this title are met; and”.

9       (d) *EFFECTIVE DATE.*—Subchapter I of chapter 144B  
10 of title 10, United States Code, as added by subsection (a),  
11 shall take effect on October 1, 2016.

12 **SEC. 1702. DEVELOPMENT, PROTOTYPING, AND DEPLOY-**  
13 **MENT OF WEAPON SYSTEM COMPONENTS OR**  
14 **TECHNOLOGY.**

15       (a) *IN GENERAL.*—Chapter 144B of title 10, United  
16 States Code, as added by section 1701, is further amended  
17 by adding at the end the following new subchapter:

18 **“SUBCHAPTER II—DEVELOPMENT, PROTO-**  
19 **TYPING, AND DEPLOYMENT OF WEAPON SYS-**  
20 **TEM COMPONENTS OR TECHNOLOGY**

“Sec.

“2447a. Technology development in the acquisition of major weapon systems.

“2447b. Weapon system component or technology prototype projects: display of budget information.

“2447c. Weapon system component or technology prototype projects: oversight.

“2447d. Requirements and limitations for weapon system component or technology prototype projects.

“2447e. Mechanisms to speed deployment of successful weapon system component or technology prototypes.

“2447f. Definition of weapon system component.

1 **“§2447a. Technology development in the acquisition**  
2 **of major weapon systems**

3 *“Technology shall be developed in a major defense ac-*  
4 *quisition program that is initiated after January 1, 2019,*  
5 *only if the milestone decision authority for the program de-*  
6 *termines with a high degree of confidence that such develop-*  
7 *ment will not delay the fielding target of the program. If*  
8 *the milestone decision authority does not make such deter-*  
9 *mination for a major system component being developed*  
10 *under the program, the milestone decision authority shall*  
11 *ensure that technology related to the major system compo-*  
12 *nent shall be sufficiently matured separate from the major*  
13 *defense acquisition program using the prototyping authori-*  
14 *ties of this section or other authorities, as appropriate.*

15 **“§2447b. Weapon system component or technology pro-**  
16 **toype projects: display of budget informa-**  
17 **tion**

18 *“(a) REQUIREMENTS FOR BUDGET DISPLAY.—In the*  
19 *defense budget materials for any fiscal year after fiscal year*  
20 *2017, the Secretary of Defense shall, with respect to ad-*  
21 *vanced component development and prototype activities*  
22 *(within the research, development, test, and evaluation*  
23 *budget), set forth the amounts requested for each of the fol-*  
24 *lowing:*

25 *“(1) Acquisition programs of record.*

1           “(2) *Development, prototyping, and experimen-*  
2           *tation of weapon system components or other tech-*  
3           *nologies separate from acquisition programs of record.*

4           “(3) *Other budget line items as determined by*  
5           *the Secretary of Defense.*

6           “(b) *ADDITIONAL REQUIREMENTS.—For purposes of*  
7           *subsection (a)(2), the amounts requested for development,*  
8           *prototyping, and experimentation of weapon system compo-*  
9           *nents or other technologies shall be—*

10           “(1) *structured into either capability, weapon*  
11           *system component, or technology portfolios that reflect*  
12           *the priority areas for prototype projects; and*

13           “(2) *justified with general descriptions of the*  
14           *types of capability areas and technologies being fund-*  
15           *ed or expected to be funded during the fiscal year con-*  
16           *cerned.*

17           “(c) *DEFINITIONS.—In this section, the terms ‘budget’*  
18           *and ‘defense budget materials’ have the meaning given those*  
19           *terms in section 234 of this title.*

20           **“§2447c. *Weapon system component or technology pro-***  
21           ***totype projects: oversight***

22           “(a) *ESTABLISHMENT.—The Secretary of each mili-*  
23           *tary department shall establish an oversight board or iden-*  
24           *tify a similar group of senior advisors for managing proto-*  
25           *type projects for weapon system components and other tech-*

1 *nologies and subsystems, including the use of funds for such*  
2 *projects, within the military department concerned.*

3 “(b) *MEMBERSHIP.*—*Each oversight board shall be*  
4 *comprised of senior officials with—*

5 “(1) *expertise in requirements; research, develop-*  
6 *ment, test, and evaluation; acquisition; or other rel-*  
7 *evant areas within the military department con-*  
8 *cerned;*

9 “(2) *awareness of technology development activi-*  
10 *ties and opportunities in the Department of Defense,*  
11 *industry, and other sources; and*

12 “(3) *awareness of the component capability re-*  
13 *quirements of major weapon systems, including sched-*  
14 *uling and fielding goals for such component capabili-*  
15 *ties.*

16 “(c) *FUNCTIONS.*—*The functions of each oversight*  
17 *board are as follows:*

18 “(1) *To issue a strategic plan every three years*  
19 *that prioritizes the capability and weapon system*  
20 *component portfolio areas for conducting prototype*  
21 *projects, based on assessments of high priority*  
22 *warfighter needs, capability gaps on existing major*  
23 *weapon systems, opportunities to incrementally inte-*  
24 *grate new components into major weapon systems,*

1 *and technologies that are expected to be sufficiently*  
2 *mature to prototype within three years.*

3 *“(2) To annually recommend funding levels for*  
4 *weapon system component or technology development*  
5 *and prototype projects across capability or weapon*  
6 *system component portfolios.*

7 *“(3) To annually recommend to the service ac-*  
8 *quisition executive of the military department con-*  
9 *cerned specific weapon system component or tech-*  
10 *nology development and prototype projects, subject to*  
11 *the requirements and limitations in section 2447d of*  
12 *this title.*

13 *“(4) To ensure projects are managed by experts*  
14 *within the Department of Defense who are knowledge-*  
15 *able in research, development, test, and evaluation*  
16 *and who are aware of opportunities for incremental*  
17 *deployment of component capabilities and other tech-*  
18 *nologies to major weapon systems or directly to sup-*  
19 *port warfighting capabilities.*

20 *“(5) To ensure projects are conducted in a man-*  
21 *ner that allows for appropriate experimentation and*  
22 *technology risk.*

23 *“(6) To ensure necessary technical, contracting,*  
24 *and financial management resources are available to*  
25 *support each project.*

1           “(7) To submit to the congressional defense com-  
2           mittees a semiannual notification that includes the  
3           following:

4                   “(A) A description of each weapon system  
5                   component or technology prototype project initi-  
6                   ated during the preceding six months, including  
7                   an explanation of each project and its required  
8                   funding.

9                   “(B) A description of the results achieved  
10                  from weapon system component prototype and  
11                  technology projects completed and tested during  
12                  the preceding six months.

13   **“§2447d. Requirements and limitations for weapon**  
14                   **system component or technology prototype**  
15                   **projects**

16           “(a) *LIMITATION ON PROTOTYPE PROJECT DURA-*  
17    *TION.—A prototype project shall be completed within three*  
18    *years of its initiation.*

19           “(b) *MERIT-BASED SELECTION PROCESS.—A proto-*  
20    *type project shall be selected by the service acquisition exec-*  
21    *utive of the military department concerned through a merit-*  
22    *based selection process that identifies the most promising*  
23    *and cost-effective prototypes that address a high priority*  
24    *warfighter need and are expected to be successfully dem-*  
25    *onstrated in a relevant environment.*

1       “(c) *TYPE OF TRANSACTION.*—*Prototype projects shall*  
2 *be funded through contracts, cooperative agreements, or*  
3 *other transactions.*

4       “(d) *FUNDING LIMIT.*—(1) *Each prototype project*  
5 *may not exceed a total amount of \$10,000,000 (based on*  
6 *fiscal year 2017 constant dollars), unless—*

7               “(A) *the Secretary of the military department,*  
8 *or the Secretary’s designee, approves a larger amount*  
9 *of funding for the project, not to exceed \$50,000,000;*  
10 *and*

11               “(B) *the Secretary, or the Secretary’s designee,*  
12 *submits to the congressional defense committees, with-*  
13 *in 30 days after approval of such funding for the*  
14 *project, a notification that includes—*

15                       “(i) *a description of the project;*

16                       “(ii) *expected funding for the project; and*

17                       “(iii) *a statement of the anticipated out-*  
18 *come of the project.*

19       “(2) *The Secretary of Defense may adjust the amounts*  
20 *(and the base fiscal year) provided in paragraph (1) on*  
21 *the basis of Department of Defense escalation rates.*



1 **“§2447e. Mechanisms to speed deployment of success-**  
2 **ful weapon system component or tech-**  
3 **nology prototypes**

4 “(a) *SELECTION OF RAPID FIELDING PROJECT FOR*  
5 *PRODUCTION.*—*A weapon system component or technology*  
6 *rapid fielding project may be selected by the service acquisi-*  
7 *tion executive of the military department concerned for a*  
8 *follow-on production contract or other transaction without*  
9 *the use of competitive procedures, notwithstanding the re-*  
10 *quirements of section 2304 of this title, if—*

11 “(1) *a rapid fielding project addresses a high*  
12 *priority warfighter need;*

13 “(2) *competitive procedures were used for the se-*  
14 *lection of parties for participation in the rapid field-*  
15 *ing project;*

16 “(3) *the participants in the project successfully*  
17 *completed the project provided for in the transaction;*  
18 *and*

19 “(4) *a prototype of the system to be procured in*  
20 *the rapid fielding project was demonstrated in a rel-*  
21 *evant environment.*

22 “(b) *SPECIAL TRANSFER AUTHORITY.*—(1) *The Sec-*  
23 *retary of a military department may, as specified in ad-*  
24 *vance by appropriations Acts, transfer funds that remain*  
25 *available for obligation in procurement appropriation ac-*  
26 *counts of the military department to fund the low-rate ini-*

1 *tial production of the rapid fielding project until required*  
2 *funding for full-rate production can be submitted and ap-*  
3 *proved through the regular budget process of the Depart-*  
4 *ment of Defense.*

5       “(2) *The funds transferred under this subsection to*  
6 *fund the low-rate initial production of a rapid fielding*  
7 *project shall be for a period not to exceed two years, the*  
8 *amount for such period may not exceed \$50,000,000, and*  
9 *the special transfer authority provided in this subsection*  
10 *may not be used more than once to fund procurement of*  
11 *a particular new or upgraded system.*

12       “(3) *The special transfer authority provided in this*  
13 *subsection is in addition to any other transfer authority*  
14 *available to the Department of Defense.*

15       “(c) *NOTIFICATION TO CONGRESS.—Within 30 days*  
16 *after the service acquisition executive of a military depart-*  
17 *ment selects a weapon system component or technology*  
18 *rapid fielding project for a follow-on production contract*  
19 *or other transaction, the service acquisition executive shall*  
20 *notify the congressional defense committees of the selection*  
21 *and provide a brief description of the rapid fielding project.*

22 **“§ 2447f. Definition of weapon system component**

23       *“In this subchapter, the term ‘weapon system compo-*  
24 *nent’ has the meaning given the term ‘major system compo-*  
25 *nent’ in section 2446a of this title.”.*

1           (b) *EFFECTIVE DATE.*—Subchapter II of chapter 144B  
 2 of title 10, United States Code, as added by subsection (a),  
 3 shall take effect on October 1, 2016.

4 **SEC. 1703. COST, SCHEDULE, AND PERFORMANCE OF**  
 5 **MAJOR DEFENSE ACQUISITION PROGRAMS.**

6           (a) *IN GENERAL.*—Chapter 144B of title 10, United  
 7 States Code, as added by section 1701, is amended by add-  
 8 ing at the end the following new subchapter:

9 “SUBCHAPTER III—COST, SCHEDULE, AND PER-  
 10 FORMANCE OF MAJOR DEFENSE ACQUI-  
 11 TION PROGRAMS

“Sec.

“2448a. Program cost, fielding, and performance goals in planning major defense acquisition programs.

“2448b. Independent technical risk assessments.

“2448c. Adherence to requirements and thresholds in major defense acquisition programs.

12 “§2448a. **Program cost, fielding, and performance**  
 13 **goals in planning major defense acqui-**  
 14 **tion programs**

15           “(a) *PROGRAM COST AND FIELDING TARGETS.*—(1)  
 16 Before a major defense acquisition program receives Mile-  
 17 stone A approval or is otherwise initiated prior to Milestone  
 18 B, the Secretary of Defense shall ensure, by establishing the  
 19 goals described in paragraph (2), that—

20                   “(A) the program will be affordable;

1           “(B) program planning anticipates evolution of  
2           capabilities to meet changing threats, technology in-  
3           sertion, and interoperability; and

4           “(C) the program will be fielded when needed.

5           “(2) The goals described in this paragraph are goals  
6 for—

7           “(A) the program acquisition unit cost (referred  
8           to in this section as the ‘program cost target’);

9           “(B) the date for initial operational capability  
10          (referred to in this section as the ‘fielding target’);  
11          and

12          “(C) technology maturation, prototyping, and a  
13          modular open system approach to evolve system capa-  
14          bilities and improve interoperability.

15          “(b) CONSIDERATIONS.—In establishing goals under  
16 subsection (a) for the program, the Secretary of Defense  
17 shall consider each of the following:

18           “(1) The capability needs and timeframe speci-  
19           fied in the initial capabilities document, opportuni-  
20           ties for evolution of capabilities, and minimum ac-  
21           ceptable capability increments.

22           “(2) Resources available to fund the development,  
23           production, and life cycle of the program, using a  
24           reasonable estimate of future defense budgets.

1           “(3) *The number of end items expected to be pro-*  
2           *cured under the program.*

3           “(4) *Trade-offs among cost, schedule, technical*  
4           *risk, and performance objectives identified in the*  
5           *analysis of alternatives required under section 2366a*  
6           *of this title.*

7           “(5) *The independent cost estimate established*  
8           *pursuant to section 2334(a)(6) of this title.*

9           “(6) *The independent technical risk assessment*  
10          *conducted or approved under section 2448b of this*  
11          *title.*

12          “(c) *DELEGATION.—The responsibilities of the Sec-*  
13          *retary of Defense in subsection (a) may be delegated only*  
14          *to the Deputy Secretary of Defense or the Under Secretary*  
15          *of Defense for Acquisition, Technology, and Logistics.*

16          “(d) *DEFINITIONS.—In this section:*

17                 “(1) *The term ‘program acquisition unit cost’*  
18                 *has the meaning provided in section 2432(a) of this*  
19                 *title.*

20                 “(2) *The term ‘initial capabilities document’ has*  
21                 *the meaning provided in section 2366a(d)(2) of this*  
22                 *title.*

1 **“§ 2448b. Independent technical risk assessments**

2       “(a) *IN GENERAL.*—With respect to a major defense  
3 acquisition program, the Under Secretary of Defense for Ac-  
4 quisition, Technology, and Logistics shall—

5               “(1) before any decision to grant Milestone A ap-  
6 proval for the program pursuant to section 2366a of  
7 this title, identify critical technologies that need to be  
8 matured in the program; and

9               “(2) before any decision to grant Milestone B ap-  
10 proval for the program pursuant to section 2366b of  
11 this title, any decision to enter into low-rate initial  
12 production or full-rate production, or at any other  
13 time considered appropriate by the Under Secretary,  
14 conduct or approve an independent technical risk as-  
15 sessment for the program, including the identification  
16 of any critical technologies that have not been success-  
17 fully demonstrated in a relevant environment.

18       “(b) *CATEGORIZATION OF TECHNICAL RISK LEV-*  
19 *ELS.*—The Under Secretary shall issue guidance and a  
20 framework for categorizing the degree of technical risk in  
21 a major defense acquisition program.

22 **“§ 2448c. Adherence to requirements and thresholds in**  
23 **major defense acquisition programs**

24       “(a) *CAPABILITIES DETERMINATION.*—The Secretary  
25 of the military department concerned shall ensure that the  
26 program capability document supporting a Milestone B or

1 *subsequent milestone for a major defense acquisition pro-*  
2 *gram may not be submitted to the Joint Requirements*  
3 *Oversight Council for approval until the Chief of the armed*  
4 *force concerned determines in writing that the requirements*  
5 *in the document are necessary and realistic in relation to*  
6 *the program cost and fielding targets established under sec-*  
7 *tion 2448a(a) of this title.*

8       “(b) *COMPLIANCE WITH TARGETS BEFORE MILE-*  
9 *STONE B APPROVAL.—A major defense acquisition program*  
10 *may not receive Milestone B approval until the milestone*  
11 *decision authority for the program determines in writing*  
12 *that the estimated program acquisition unit cost and the*  
13 *estimated date for initial operational capability for the*  
14 *baseline description for the program (established under sec-*  
15 *tion 2435) do not exceed the program cost and fielding tar-*  
16 *gets established under section 2448a(a) of this title. If such*  
17 *estimated cost is higher than the program cost target or if*  
18 *such estimated date is later than the fielding target, the*  
19 *milestone decision authority may request that the Secretary*  
20 *of Defense increase the program cost target or delay the*  
21 *fielding target, as applicable.”.*

22       (b) *EFFECTIVE DATE.—Subchapter III of chapter*  
23 *144B of title 10, United States Code, as added by subsection*  
24 *(a), shall apply with respect to major defense acquisition*  
25 *programs that reach Milestone A after October 1, 2016.*

1           (c) *MODIFICATION OF MILESTONE DECISION AUTHOR-*  
2 *ITY.—Effective October 1, 2016, subsection (d) of section*  
3 *2430 of title 10, United States Code, as added by section*  
4 *825(a) of the National Defense Authorization Act for Fiscal*  
5 *Year 2016 (Public Law 114–92; 129 Stat. 907), is amend-*  
6 *ed—*

7           (1) *in paragraph (2)(A), by inserting “subject to*  
8 *paragraph (5),” before “the Secretary determines”;*  
9 *and*

10           (2) *by adding at the end the following new para-*  
11 *graph:*

12           “(5) *The authority of the Secretary of Defense to des-*  
13 *ignate an alternative milestone decision authority for a*  
14 *program with respect to which the Secretary determines*  
15 *that the program is addressing a joint requirement, as set*  
16 *forth in paragraph (2)(A), shall apply only for a major*  
17 *defense acquisition program that reaches Milestone A after*  
18 *October 1, 2016, and before October 1, 2019.”.*

19 **SEC. 1704. TRANSPARENCY IN MAJOR DEFENSE ACQUI-**  
20 **TION PROGRAMS.**

21           (a) *REPORTS ON MILESTONE DECISION METRICS.—*  
22 *Subchapter III of chapter 144B of title 10, United States*  
23 *Code, as added by section 1703, is amended by adding at*  
24 *the end the following new section:*



1 **“§ 2448d. Reports on milestone decision metrics**

2       “(a) *REPORT ON MILESTONE A.—Not later than 15*  
3 *days after granting Milestone A approval for a major de-*  
4 *fense acquisition program, the milestone decision authority*  
5 *for the program shall provide to the congressional defense*  
6 *committees and, in the case of intelligence or intelligence-*  
7 *related activities, the congressional intelligence committees*  
8 *a brief summary report that contains the following ele-*  
9 *ments:*

10               “(1) *The program cost and fielding targets estab-*  
11 *lished by the Secretary of Defense under section*  
12 *2448a(a) of this title.*

13               “(2) *The estimated cost and schedule for the pro-*  
14 *gram established by the military department con-*  
15 *cerned, including—*

16                       “(A) *the dollar values estimated for the pro-*  
17 *gram acquisition unit cost and total life-cycle*  
18 *cost; and*

19                       “(B) *the planned dates for each program*  
20 *milestone and initial operational capability.*

21               “(3) *The independent estimated cost for the pro-*  
22 *gram established pursuant to section 2334(a)(6) of*  
23 *this title, and any independent estimated schedule for*  
24 *the program, including—*

1           “(A) the dollar values estimated for the pro-  
2           gram acquisition unit cost and total life-cycle  
3           cost; and

4           “(B) the planned dates for each program  
5           milestone and initial operational capability.

6           “(4) A summary of the technical risks associated  
7           with the program, as determined by the military de-  
8           partment concerned, including identification of any  
9           critical technologies that need to be matured.

10          “(5) A summary of the independent technical  
11          risk assessment conducted or approved under section  
12          2448b of this title, including identification of any  
13          critical technologies that need to be matured.

14          “(6) A summary of any sufficiency review con-  
15          ducted by the Director of Cost Assessment and Pro-  
16          gram Evaluation of the analysis of alternatives per-  
17          formed for the program (as referred to in section  
18          2366a(b)(6) of this title).

19          “(7) Any other information the milestone deci-  
20          sion authority considers relevant.

21          “(b) REPORT ON MILESTONE B.—Not later than 15  
22          days after granting Milestone B approval for a major de-  
23          fense acquisition program, the milestone decision authority  
24          for the program shall provide to the congressional defense  
25          committees and, in the case of intelligence or intelligence-

1 *related activities, the congressional intelligence committees*  
2 *a brief summary report that contains the following ele-*  
3 *ments:*

4           “(1) *The program cost and fielding targets estab-*  
5 *lished by the Secretary of Defense under section*  
6 *2448a(a) of this title.*

7           “(2) *The estimated cost and schedule for the pro-*  
8 *gram established by the military department con-*  
9 *cerned, including—*

10                   “(A) *the dollar values estimated for the pro-*  
11 *gram acquisition unit cost, average procurement*  
12 *unit cost, and total life-cycle cost; and*

13                   “(B) *the planned dates for each program*  
14 *milestone, initial operational test and evalua-*  
15 *tion, and initial operational capability.*

16           “(3) *The independent estimated cost for the pro-*  
17 *gram established pursuant to section 2334(a)(6) of*  
18 *this title, and any independent estimated schedule for*  
19 *the program, including—*

20                   “(A) *the dollar values estimated for the pro-*  
21 *gram acquisition unit cost, average procurement*  
22 *unit cost, and total life-cycle cost; and*

23                   “(B) *the planned dates for each program*  
24 *milestone, initial operational test and evalua-*  
25 *tion, and initial operational capability.*

1           “(4) *A summary of the technical risks associated*  
2           *with the program, as determined by the military de-*  
3           *partment concerned, including identification of any*  
4           *critical technologies that have not been successfully*  
5           *demonstrated in a relevant environment.*

6           “(5) *A summary of the independent technical*  
7           *risk assessment conducted or approved under section*  
8           *2448b of this title, including identification of any*  
9           *critical technologies that have not been successfully*  
10          *demonstrated in a relevant environment.*

11          “(6) *A statement of whether a modular open sys-*  
12          *tem approach is being used for the program.*

13          “(7) *Any other information the milestone deci-*  
14          *sion authority considers relevant.*

15          “(c) *REPORT ON MILESTONE C.—Not later than 15*  
16          *days after granting Milestone C approval for a major de-*  
17          *fense acquisition program, the milestone decision authority*  
18          *for the program shall provide to the congressional defense*  
19          *committees and, in the case of intelligence or intelligence-*  
20          *related activities, the congressional intelligence committees*  
21          *a brief summary report that contains the following:*

22                 “(1) *The estimated cost and schedule for the pro-*  
23                 *gram established by the military department con-*  
24                 *cerned, including—*

1           “(A) the dollar values estimated for the pro-  
2           gram acquisition unit cost, average procurement  
3           unit cost, and total life-cycle cost; and

4           “(B) the planned dates for initial oper-  
5           ational test and evaluation and initial oper-  
6           ational capability.

7           “(2) The independent estimated cost for the pro-  
8           gram established pursuant to section 2334(a)(6) of  
9           this title, and any independent estimated schedule for  
10          the program, including—

11           “(A) the dollar values estimated for the pro-  
12          gram acquisition unit cost, average procurement  
13          unit cost, and total life-cycle cost; and

14           “(B) the planned dates for initial oper-  
15          ational test and evaluation and initial oper-  
16          ational capability.

17          “(3) A summary of any production, manufac-  
18          turing, and fielding risks associated with the pro-  
19          gram.

20          “(d) *ADDITIONAL INFORMATION.*—At the request of  
21          any of the congressional defense committees or, in the case  
22          of intelligence or intelligence-related activities, the congres-  
23          sional intelligence committees, the milestone decision au-  
24          thority shall submit to the committee further information  
25          or underlying documentation for the information in a re-

1 port submitted under subsection (a), (b), or (c), including  
 2 the independent cost and schedule estimates and the inde-  
 3 pendent technical risk assessments referred to in those sub-  
 4 sections.

5 “(e) *CONGRESSIONAL INTELLIGENCE COMMITTEES*  
 6 *DEFINED.*—*In this section, the term ‘congressional intel-*  
 7 *ligence committees’ has the meaning given that term in sec-*  
 8 *tion 437(c) of this title.”*

9 (b) *CLERICAL AMENDMENT.*—*The table of sections at*  
 10 *the beginning of such subchapter is amended by adding at*  
 11 *the end the following new item:*

“2448d. *Reports on milestone decision metrics.*”

12 **SEC. 1705. AMENDMENTS RELATING TO TECHNICAL DATA**  
 13 **RIGHTS.**

14 (a) *RIGHTS RELATING TO ITEM OR PROCESS DEVEL-*  
 15 *OPED EXCLUSIVELY AT PRIVATE EXPENSE.*—*Subsection*  
 16 *(a)(2)(C)(iii) of section 2320 of title 10, United States Code,*  
 17 *is amended by inserting after “or process data” the fol-*  
 18 *lowing: “, including such data pertaining to a major system*  
 19 *component”.*

20 (b) *RIGHTS RELATING TO INTERFACE OR MAJOR SYS-*  
 21 *TEM INTERFACE.*—*Subsection (a)(2) of section 2320 of such*  
 22 *title is further amended—*

23 (1) *by redesignating subparagraphs (E), (F),*  
 24 *and (G) as subparagraphs (F), (I), and (J), respec-*  
 25 *tively;*

1           (2) in subparagraph (B), by striking “Except as  
2           provided in subparagraphs (C) and (D),” and insert-  
3           ing “Except as provided in subparagraphs (C), (D),  
4           and (E),”;

5           (3) in subparagraph (D)(i), by striking sub-  
6           clause (II) and inserting the following:

7                   “(II) is a release, disclosure, or use of  
8                   technical data pertaining to an interface be-  
9                   tween an item or process and other items or  
10                  processes; or”;

11          (4) by inserting after subparagraph (D) the fol-  
12          lowing new subparagraph (E):

13               “(E) Notwithstanding subparagraph (B), the  
14               United States shall have government purpose rights  
15               in technical data pertaining to a major system inter-  
16               face developed exclusively at private expense and used  
17               in a modular open system approach pursuant to sec-  
18               tion 2446a of this title.”;

19          (5) in subparagraph (F), as redesignated by  
20          paragraph (1), by striking “In the case of” and in-  
21          serting “Except as provided in subparagraphs (G)  
22          and (H), in the case of”;

23          (6) by inserting after subparagraph (F), as so  
24          redesignated, the following new subparagraphs (G)  
25          and (H):

1           “(G) Notwithstanding subparagraph (F), the  
2           United States shall have government purpose rights  
3           in technical data pertaining to an interface between  
4           an item or process and other items or processes that  
5           was developed in part with Federal funds and in part  
6           at private expense, except in any case in which the  
7           Secretary of Defense determines, on the basis of cri-  
8           teria established in the regulations, that negotiation  
9           of different rights in such technical data would be in  
10          the best interest of the United States.

11          “(H) Notwithstanding subparagraph (F), the  
12          United States shall have government purpose rights  
13          in technical data pertaining to a major system inter-  
14          face developed in part with Federal funds and in part  
15          at private expense and used in a modular open sys-  
16          tem approach pursuant to section 2446a of this  
17          title.”; and

18          (7) in subparagraph (J), as redesignated by  
19          paragraph (1), by striking “provided under subpara-  
20          graph (C) or (D),” and inserting “provided under  
21          subparagraph (C), (D), (E), or (H),”.

22          (c) AMENDMENT RELATING TO NEGOTIATED RIGHTS  
23          FOR ITEM OR PROCESS DEVELOPED WITH MIXED FUND-  
24          ING.—Section (a)(2)(F) of section 2320 of such title, as re-  
25          designated by subsection (b)(1) of this section, is further



1 amended by striking the period at the end of the first sen-  
2 tence in the matter preceding clause (i) and all that follows  
3 through “establishment of any such negotiated rights shall”  
4 and inserting “and shall be based on negotiations between  
5 the United States and the contractor, except in any case  
6 in which the Secretary of Defense determines, on the basis  
7 of criteria established in the regulations, that negotiations  
8 would not be practicable. The establishment of such rights  
9 shall”.

10 (d) AMENDMENT RELATING TO DEFERRED ORDER-  
11 ING.—Subsection (b)(9) of section 2320 of such title is  
12 amended—

13 (1) by striking “at any time” and inserting “,  
14 until the date occurring six years after acceptance of  
15 the last item (other than technical data) under a con-  
16 tract or the date of contract termination, whichever is  
17 later,”;

18 (2) by striking “or utilized in the performance of  
19 a contract” and inserting “in the performance of the  
20 contract”; and

21 (3) by striking clause (ii) of subparagraph (B)  
22 and inserting the following:

23 “(ii) is described in subparagraphs  
24 (D)(i)(II), (E), (G), and (H) of subsection  
25 (a)(2); and”.

1       (e) *DEFINITIONS.*—Section 2320 of such title is further  
2 amended—

3           (1) in subsection (f), by inserting “COVERED  
4       *GOVERNMENT SUPPORT CONTRACTOR DEFINED.*—”  
5 before “*In this section*”; and

6           (2) by adding at the end the following new sub-  
7 section:

8       “(g) *ADDITIONAL DEFINITIONS.*—*In this section, the*  
9 *terms ‘major system component’, ‘major system interface’,*  
10 *and ‘modular open system approach’ have the meanings*  
11 *provided in section 2446a of this title.*”.

12       (f) *AMENDMENTS TO ADD CERTAIN HEADINGS FOR*  
13 *READABILITY.*—Section 2320(a) of such title is further  
14 amended—

15           (1) in subparagraph (A) of paragraph (2), by  
16 inserting after “(A)” the following: “*DEVELOPMENT*  
17 *EXCLUSIVELY WITH FEDERAL FUNDS.*—”;

18           (2) in subparagraph (B) of such paragraph, by  
19 inserting after “(B)” the following: “*DEVELOPMENT*  
20 *EXCLUSIVELY AT PRIVATE EXPENSE.*—”; and

21           (3) in subparagraph (F) of such paragraph, as  
22 redesignated by subsection (b) of this section, by in-  
23 scribing after “(F)” the following: “*DEVELOPMENT IN*  
24 *PART WITH FEDERAL FUNDS AND IN PART AT PRI-*  
25 *VATE EXPENSE.*—”.

1 **TITLE XVIII—MATTERS RELAT-**  
 2 **ING TO SMALL BUSINESS**  
 3 **PROCUREMENT**

4 **Subtitle A—Improving Trans-**  
 5 **parency and Clarity for Small**  
 6 **Businesses**

7 **SEC. 1801. PLAIN LANGUAGE REWRITE OF REQUIREMENTS**  
 8 **FOR SMALL BUSINESS PROCUREMENTS.**

9 *Section 15(a) of the Small Business Act (15 U.S.C.*  
 10 *644(a)) is amended to read as follows:*

11 *“(a) SMALL BUSINESS PROCUREMENTS.—*

12 *“(1) IN GENERAL.—For purposes of this Act,*  
 13 *small business concerns shall receive any award or*  
 14 *contract if such award or contract is, in the deter-*  
 15 *mination of the Administrator and the contracting*  
 16 *agency, in the interest of—*

17 *“(A) maintaining or mobilizing the full*  
 18 *productive capacity of the United States;*

19 *“(B) war or national defense programs; or*

20 *“(C) assuring that a fair proportion of the*  
 21 *total purchase and contracts for goods and serv-*  
 22 *ices of the Government in each industry category*  
 23 *(as described under paragraph (2)) are awarded*  
 24 *to small business concerns.*

25 *“(2) INDUSTRY CATEGORY DEFINED.—*

1           “(A) *IN GENERAL.*—*In this subsection, the*  
2 *term ‘industry category’ means a discrete group*  
3 *of similar goods and services, as determined by*  
4 *the Administrator in accordance with the North*  
5 *American Industry Classification System codes*  
6 *used to establish small business size standards,*  
7 *except that the Administrator shall limit an in-*  
8 *dustry category to a greater extent than provided*  
9 *under the North American Industry Classifica-*  
10 *tion codes if the Administrator receives evidence*  
11 *indicating that further segmentation of the in-*  
12 *dustry category is warranted—*

13                   “(i) *due to special capital equipment*  
14 *needs;*

15                   “(ii) *due to special labor requirements;*

16                   “(iii) *due to special geographic re-*  
17 *quirements, except as provided in subpara-*  
18 *graph (B);*

19                   “(iv) *due to unique Federal buying*  
20 *patterns or requirements; or*

21                   “(v) *to recognize a new industry.*

22           “(B) *EXCEPTION FOR GEOGRAPHIC RE-*  
23 *QUIREMENTS.*—*The Administrator may not fur-*  
24 *ther segment an industry category based on geo-*  
25 *graphic requirements unless—*

1           “(i) the Government typically des-  
2           ignates the geographic area where work for  
3           contracts for goods or services is to be per-  
4           formed;

5           “(ii) Government purchases comprise  
6           the major portion of the entire domestic  
7           market for such goods or services; and

8           “(iii) it is unreasonable to expect com-  
9           petition from business concerns located out-  
10          side of the general geographic area due to  
11          the fixed location of facilities, high mobili-  
12          zation costs, or similar economic factors.

13          “(3) DETERMINATIONS WITH RESPECT TO  
14          AWARDS OR CONTRACTS.—Determinations made pur-  
15          suant to paragraph (1) may be made for individual  
16          awards or contracts, any part of an award or con-  
17          tract or task order, or for classes of awards or con-  
18          tracts or task orders.

19          “(4) INCREASING PRIME CONTRACTING OPPORTU-  
20          NITIES FOR SMALL BUSINESS CONCERNS.—

21                 “(A) DESCRIPTION OF COVERED PROPOSED  
22                 PROCUREMENTS.—The requirements of this  
23                 paragraph shall apply to a proposed procure-  
24                 ment that includes in its statement of work goods  
25                 or services currently being supplied or performed

1           *by a small business concern and, as determined*  
2           *by the Administrator—*

3                   “(i) *is in a quantity or of an estimated*  
4                   *dollar value which makes the participation*  
5                   *of a small business concern as a prime con-*  
6                   *tractor unlikely;*

7                   “(ii) *in the case of a proposed procure-*  
8                   *ment for construction, if such proposed pro-*  
9                   *curement seeks to bundle or consolidate dis-*  
10                   *crete construction projects; or*

11                   “(iii) *is a solicitation that involves an*  
12                   *unnecessary or unjustified bundling of con-*  
13                   *tract requirements.*

14                   “(B) *NOTICE TO PROCUREMENT CENTER*  
15                   *REPRESENTATIVES.—With respect to proposed*  
16                   *procurements described in subparagraph (A), at*  
17                   *least 30 days before issuing a solicitation and*  
18                   *concurrent with other processing steps required*  
19                   *before issuing the solicitation, the contracting*  
20                   *agency shall provide a copy of the proposed pro-*  
21                   *curement to the procurement center representa-*  
22                   *tive of the contracting agency (as described in*  
23                   *subsection (l)) along with a statement explain-*  
24                   *ing—*

1           “(i) *why the proposed procurement*  
2           *cannot be divided into reasonably small lots*  
3           *(not less than economic production runs) to*  
4           *permit offers on quantities less than the*  
5           *total requirement;*

6           “(ii) *why delivery schedules cannot be*  
7           *established on a realistic basis that will en-*  
8           *courage the participation of small business*  
9           *concerns in a manner consistent with the*  
10          *actual requirements of the Government;*

11          “(iii) *why the proposed procurement*  
12          *cannot be offered to increase the likelihood*  
13          *of the participation of small business con-*  
14          *cerns;*

15          “(iv) *in the case of a proposed procure-*  
16          *ment for construction, why the proposed*  
17          *procurement cannot be offered as separate*  
18          *discrete projects; or*

19          “(v) *why the agency has determined*  
20          *that the bundling of contract requirements*  
21          *is necessary and justified.*

22          “(C) *ALTERNATIVES TO INCREASE PRIME*  
23          *CONTRACTING OPPORTUNITIES FOR SMALL BUSI-*  
24          *NESS CONCERNS.—If the procurement center rep-*  
25          *resentative believes that the proposed procure-*

1           *ment will make the participation of small busi-*  
2           *ness concerns as prime contractors unlikely, the*  
3           *procurement center representative, within 15*  
4           *days after receiving the statement described in*  
5           *subparagraph (B), shall recommend to the con-*  
6           *tracting agency alternative procurement methods*  
7           *for increasing prime contracting opportunities*  
8           *for small business concerns.*

9           “(D) *FAILURE TO AGREE ON AN ALTER-*  
10          *NATIVE PROCUREMENT METHOD.—If the procure-*  
11          *ment center representative and the contracting*  
12          *agency fail to agree on an alternative procure-*  
13          *ment method, the Administrator shall submit the*  
14          *matter to the head of the appropriate department*  
15          *or agency for a determination.*

16          “(5) *CONTRACTS FOR SALE OF GOVERNMENT*  
17          *PROPERTY.—With respect to a contract for the sale of*  
18          *Government property, small business concerns shall*  
19          *receive any such contract if, in the determination of*  
20          *the Administrator and the disposal agency, the award*  
21          *of such contract is in the interest of assuring that a*  
22          *fair proportion of the total sales of Government prop-*  
23          *erty be made to small business concerns.*

24          “(6) *SALE OF ELECTRICAL POWER OR OTHER*  
25          *PROPERTY.—Nothing in this subsection shall be con-*



1        *strued to change any preferences or priorities estab-*  
 2        *lished by law with respect to the sale of electrical*  
 3        *power or other property by the Federal Government.*

4            *“(7) COSTS EXCEEDING FAIR MARKET PRICE.—*  
 5        *A contract may not be awarded under this subsection*  
 6        *if the cost of the contract to the awarding agency ex-*  
 7        *ceeds a fair market price.”.*

8        **SEC. 1802. IMPROVING REPORTING ON SMALL BUSINESS**  
 9            **GOALS.**

10        *(a) IN GENERAL.—Section 15(h)(2)(E) of the Small*  
 11        *Business Act (15 U.S.C. 644(h)(2)(E)) is amended—*

12            *(1) in clause (i)—*

13                    *(A) in subclause (III), by striking “and” at*  
 14                    *the end; and*

15                    *(B) by adding at the end the following new*  
 16                    *subclauses:*

17                                    *“(V) that were purchased by an-*  
 18                                    *other entity after the initial contract*  
 19                                    *was awarded and as a result of the*  
 20                                    *purchase, would no longer be deemed to*  
 21                                    *be small business concerns for purposes*  
 22                                    *of the initial contract; and*

23                                    *“(VI) that were awarded using a*  
 24                                    *procurement method that restricted*  
 25                                    *competition to small business concerns*

1           *owned and controlled by service-dis-*  
2           *abled veterans, qualified HUBZone*  
3           *small business concerns, small business*  
4           *concerns owned and controlled by so-*  
5           *cially and economically disadvantaged*  
6           *individuals, small business concerns*  
7           *owned and controlled by women, or a*  
8           *subset of any such concerns;”;*

9           *(2) in clause (ii)—*

10           *(A) in subclause (IV), by striking “and” at*  
11           *the end; and*

12           *(B) by adding at the end the following new*  
13           *subclauses:*

14                   *“(VI) that were purchased by an-*  
15                   *other entity after the initial contract*  
16                   *was awarded and as a result of the*  
17                   *purchase, would no longer be deemed to*  
18                   *be small business concerns owned and*  
19                   *controlled by service-disabled veterans*  
20                   *for purposes of the initial contract;*  
21                   *and*

22                   *“(VII) that were awarded using a*  
23                   *procurement method that restricted*  
24                   *competition to qualified HUBZone*  
25                   *small business concerns, small business*

1                    *concerns owned and controlled by so-*  
2                    *cially and economically disadvantaged*  
3                    *individuals, small business concerns*  
4                    *owned and controlled by women, or a*  
5                    *subset of any such concerns;”;*

6                    *(3) in clause (iii)—*

7                    *(A) in subclause (V), by striking “and” at*  
8                    *the end; and*

9                    *(B) by adding at the end the following new*  
10                   *subclauses:*

11                                    *“(VII) that were purchased by an-*  
12                                    *other entity after the initial contract*  
13                                    *was awarded and as a result of the*  
14                                    *purchase, would no longer be deemed to*  
15                                    *be qualified HUBZone small business*  
16                                    *concerns for purposes of the initial*  
17                                    *contract; and*

18                                    *“(VIII) that were awarded using*  
19                                    *a procurement method that restricted*  
20                                    *competition to small business concerns*  
21                                    *owned and controlled by service-dis-*  
22                                    *abled veterans, small business concerns*  
23                                    *owned and controlled by socially and*  
24                                    *economically disadvantaged individ-*  
25                                    *uals, small business concerns owned*

1                   *and controlled by women, or a subset*  
2                   *of any such concerns;”;*

3           (4) *in clause (iv)—*

4                   (A) *in subclause (V), by striking “and” at*  
5                   *the end; and*

6                   (B) *by adding at the end the following new*  
7                   *subclauses:*

8                                   *“(VII) that were purchased by an-*  
9                                   *other entity after the initial contract*  
10                                  *was awarded and as a result of the*  
11                                  *purchase, would no longer be deemed to*  
12                                  *be small business concerns owned and*  
13                                  *controlled by socially and economically*  
14                                  *disadvantaged individuals for purposes*  
15                                  *of the initial contract; and*

16                                  *“(VIII) that were awarded using*  
17                                  *a procurement method that restricted*  
18                                  *competition to small business concerns*  
19                                  *owned and controlled by service-dis-*  
20                                  *abled veterans, qualified HUBZone*  
21                                  *small business concerns, small business*  
22                                  *concerns owned and controlled by*  
23                                  *women, or a subset of any such con-*  
24                                  *cerns;”;*

25           (5) *in clause (v)—*

1           (A) in subclause (IV), by striking “and” at  
2           the end;

3           (B) in subclause (V), by inserting “and” at  
4           the end; and

5           (C) by adding at the end the following new  
6           subclause:

7                           “(VI) that were purchased by an-  
8                           other entity after the initial contract  
9                           was awarded and as a result of the  
10                          purchase, would no longer be deemed to  
11                          be small business concerns owned by  
12                          an Indian tribe other than an Alaska  
13                          Native Corporation for purposes of the  
14                          initial contract;”;

15          (6) in clause (vi)—

16           (A) in subclause (IV), by striking “and” at  
17           the end;

18           (B) in subclause (V), by inserting “and” at  
19           the end; and

20           (C) by adding at the end the following new  
21           subclause:

22                           “(VI) that were purchased by an-  
23                           other entity after the initial contract  
24                           was awarded and as a result of the  
25                          purchase, would no longer be deemed to

1                    *be small business concerns owned by a*  
2                    *Native Hawaiian Organization for*  
3                    *purposes of the initial contract;”;*

4                    *(7) in clause (vii)—*

5                    *(A) in subclause (IV), by striking “and” at*  
6                    *the end; and*

7                    *(B) by adding at the end the following new*  
8                    *subclause:*

9                                    *“(VI) that were purchased by an-*  
10                                   *other entity after the initial contract*  
11                                   *was awarded and as a result of the*  
12                                   *purchase, would no longer be deemed to*  
13                                   *be small business concerns owned by*  
14                                   *an Alaska Native Corporation for pur-*  
15                                   *poses of the initial contract; and”;* and

16                    *(8) in clause (viii)—*

17                    *(A) in subclause (VII), by striking “and” at*  
18                    *the end;*

19                    *(B) in subclause (VIII), by striking “and”*  
20                    *at the end; and*

21                    *(C) by adding at the end the following new*  
22                    *subclauses:*

23                                   *“(IX) that were purchased by an-*  
24                                   *other entity after the initial contract*  
25                                   *was awarded and as a result of the*

1 purchase, would no longer be deemed to  
 2 be small business concerns owned and  
 3 controlled by women for purposes of the  
 4 initial contract; and

5 “(X) that were awarded using a  
 6 procurement method that restricted  
 7 competition to small business concerns  
 8 owned and controlled by service-dis-  
 9 abled veterans, qualified HUBZone  
 10 small business concerns, small business  
 11 concerns owned and controlled by so-  
 12 cially and economically disadvantaged  
 13 individuals, or a subset of any such  
 14 concerns; and”.

15 (b) *EFFECTIVE DATE.*—*The Administrator of the*  
 16 *Small Business Administration shall be required to report*  
 17 *on the information required by sections 15(h)(2)(E)(i)(V),*  
 18 *15(h)(2)(E)(ii)(VI),* *15(h)(2)(E)(iii)(VII),*  
 19 *15(h)(2)(E)(iv)(VII),* *15(h)(2)(E)(v)(VI),*  
 20 *15(h)(2)(E)(vi)(VI),* *15(h)(2)(E)(vii)(VI),* *and*  
 21 *15(h)(2)(E)(viii)(IX) only beginning on the date that the*  
 22 *Federal Procurement Data System, System for Award*  
 23 *Management or any new or successor system is able to re-*  
 24 *port such data.*

1 **SEC. 1803. TRANSPARENCY IN SMALL BUSINESS GOALS.**

2 *Section 15(h)(3) of the Small Business Act (15 U.S.C.*  
3 *644(h)(3)) is amended to read as follows:*

4 *“(3) PROCUREMENT DATA.—*

5 *“(A) FEDERAL PROCUREMENT DATA SYS-*  
6 *TEM.—*

7 *“(i) IN GENERAL.—To assist in the*  
8 *implementation of this section, the Admin-*  
9 *istrator shall have access to information col-*  
10 *lected through the Federal Procurement*  
11 *Data System, Federal Subcontracting Re-*  
12 *porting System, or any new or successor*  
13 *system.*

14 *“(ii) GSA REPORT.—On the date that*  
15 *the Administrator makes available the re-*  
16 *port required by paragraph (2), the Admin-*  
17 *istrator of the General Services Administra-*  
18 *tion shall submit a report to the President*  
19 *and Congress, and to make available on a*  
20 *public Web site, a report in the same form*  
21 *and manner, and including the same infor-*  
22 *mation, as the report under paragraph (2).*  
23 *Such report shall include all procurements*  
24 *made for the period covered by the report*  
25 *and may not exclude any contract awarded.*



1           “(B) AGENCY PROCUREMENT DATA  
2 SOURCES.—To assist in the implementation of  
3 this section, the head of each contracting agency  
4 shall provide, upon request of the Administrator,  
5 procurement information collected through agen-  
6 cy data collection sources in existence at the time  
7 of the request. Contracting agencies shall not be  
8 required to establish new data collection systems  
9 to provide such data.”.

10 **SEC. 1804. UNIFORMITY IN PROCUREMENT TERMINOLOGY.**

11       (a) *IN GENERAL.*—Section 15(j)(1) of the Small Busi-  
12 ness Act (15 U.S.C. 644(j)(1)) is amended by striking  
13 “greater than \$2,500 but not greater than \$100,000” and  
14 inserting “greater than the micro-purchase threshold, but  
15 not greater than the simplified acquisition threshold”.

16       (b) *TECHNICAL AMENDMENT.*—Section 3(m) of the  
17 Small Business Act (15 U.S.C. 632(m)) is amended to read  
18 as follows:

19       “(m) *DEFINITIONS PERTAINING TO CONTRACTING.*—  
20 *In this Act:*

21           “(1) *PRIME CONTRACT.*—The term ‘prime con-  
22 tract’ has the meaning given such term in section  
23 8701(4) of title 41, United States Code.

1           “(2) *PRIME CONTRACTOR*.—The term ‘prime con-  
2           tractor’ has the meaning given such term in section  
3           8701(5) of title 41, United States Code.

4           “(3) *SIMPLIFIED ACQUISITION THRESHOLD*.—  
5           The term ‘simplified acquisition threshold’ has the  
6           meaning given such term in section 134 of title 41,  
7           United States Code.

8           “(4) *MICRO-PURCHASE THRESHOLD*.—The term  
9           ‘micro-purchase threshold’ has the meaning given such  
10          term in section 1902(a) of title 41, United States  
11          Code.

12          “(5) *TOTAL PURCHASE AND CONTRACTS FOR*  
13          *PROPERTY AND SERVICES*.—The term ‘total purchases  
14          and contracts for property and services’ shall mean  
15          total number and total dollar amount of contracts  
16          and orders for property and services.”

17          ***Subtitle B—Clarifying the Roles of***  
18          ***Small Business Advocates***

19          ***SEC. 1811. SCOPE OF REVIEW BY PROCUREMENT CENTER***  
20          ***REPRESENTATIVES.***

21          Section 15(l) of the Small Business Act (15 U.S.C.  
22          644(l)) is amended by adding at the end the following:

23                 “(9) *SCOPE OF REVIEW*.—The Administrator—  
24                         “(A) may not limit the scope of review by  
25                         the Procurement Center Representative for any

1           *solicitation of a contract or task order without*  
2           *regard to whether the contract or task order or*  
3           *part of the contract or task order is set aside for*  
4           *small business concerns, whether 1 or more con-*  
5           *tract or task order awards are reserved for small*  
6           *business concerns under a multiple award con-*  
7           *tract, or whether or not the solicitation would re-*  
8           *sult in a bundled or consolidated contract (as de-*  
9           *fined in subsection (s)) or a bundled or consoli-*  
10          *dated task order; and*

11                   *“(B) may, unless the contracting agency re-*  
12                   *quests a review, limit the scope of review by the*  
13                   *Procurement Center Representative for any solici-*  
14                   *tation of a contract or task order if such pro-*  
15                   *curement is conducted pursuant to section 22 of*  
16                   *the Foreign Military Sales Act (22 U.S.C. 2762),*  
17                   *is a humanitarian operation as defined in sec-*  
18                   *tion 401(e) of title 10, United States Code, or is*  
19                   *for a contingency operation, as defined in section*  
20                   *101(a)(13) of title 10, United States Code.”.*

21 **SEC. 1812. RESPONSIBILITIES OF COMMERCIAL MARKET**  
22                   **REPRESENTATIVES.**

23           *Section 4(h) of the Small Business Act (as added by*  
24           *section 865 of the National Defense Authorization Act for*

1 *Fiscal Year 2016 (Public Law 114–92)) is amended to read*  
2 *as follows:*

3 “(h) *COMMERCIAL MARKET REPRESENTATIVES.*—

4 “(1) *DUTIES.*—*The principal duties of a Com-*  
5 *mmercial Market Representative employed by the Ad-*  
6 *ministrator and reporting to the senior official ap-*  
7 *pointed by the Administrator with responsibilities*  
8 *under sections 8, 15, 31, and 36 (or the designee of*  
9 *such official) shall be to advance the policies estab-*  
10 *lished in section 8(d)(1) relating to subcontracting.*  
11 *Such duties shall include—*

12 “(A) *helping prime contractors to find*  
13 *small business concerns that are capable of per-*  
14 *forming subcontracts;*

15 “(B) *for contractors awarded contracts con-*  
16 *taining the clause described in section 8(d)(3),*  
17 *providing—*

18 “(i) *counseling on the contractor’s re-*  
19 *sponsibility to maximize subcontracting op-*  
20 *portunities for small business concerns;*

21 “(ii) *instruction on methods and tools*  
22 *to identify potential subcontractors that are*  
23 *small business concerns; and*

24 “(iii) *assistance to increase awards to*  
25 *subcontractors that are small business con-*

1           cerns through visits, training, and reviews  
2           of past performance;

3           “(C) providing counseling on how a small  
4           business concern may promote its capacity to  
5           contractors awarded contracts containing the  
6           clause described in section 8(d)(3); and

7           “(D) conducting periodic reviews of con-  
8           tractors awarded contracts containing the clause  
9           described in section 8(d)(3) to assess compliance  
10          with subcontracting plans required under section  
11          8(d)(6).

12          “(2) *CERTIFICATION REQUIREMENTS.*—

13                 “(A) *IN GENERAL.*—Consistent with the re-  
14                 quirements of subparagraph (B), a commercial  
15                 market representative referred to in section  
16                 15(q)(3) shall have a Level I Federal Acquisition  
17                 Certification in Contracting (or any successor  
18                 certification) or the equivalent Department of  
19                 Defense certification, except that a commercial  
20                 market representative who was serving on or be-  
21                 fore the date of the enactment of the National  
22                 Defense Authorization Act for Fiscal Year 2016  
23                 may continue to serve as a commercial market  
24                 representative for a period of 5 years beginning  
25                 on such date without such a certification.

1                   “(B) *DELAY OF CERTIFICATION REQUIRE-*  
2                   *MENT.—*

3                   “(i) *TIMING.—The certification de-*  
4                   *scribed in subparagraph (A) is not required*  
5                   *for any person serving as a commercial*  
6                   *market representative until the date that is*  
7                   *one calendar year after the date such person*  
8                   *is appointed as a commercial market rep-*  
9                   *resentative.*

10                   “(ii) *APPLICATION.—The requirements*  
11                   *of clause (i) shall be included in any initial*  
12                   *job posting for the position of a commercial*  
13                   *market representative and shall apply to*  
14                   *any person appointed as a commercial*  
15                   *market representative after November 25,*  
16                   *2015.”.*

17 **SEC. 1813. DUTIES OF THE OFFICE OF SMALL AND DIS-**  
18 **ADVANTAGED BUSINESS UTILIZATION.**

19                   *Section 15(k) of the Small Business Act (15 U.S.C.*  
20 *644(k)), as amended by section 870 of the National Defense*  
21 *Authorization Act for Fiscal Year 2016 (Public Law 114-*  
22 *92), is amended—*

23                   (1) *by striking “section 8, 15 or 44” and insert-*  
24                   *ing “section 8, 15, 31, 36, or 44”;*

1           (2) *by striking “sections 8 and 15” each place*  
2 *such term appears and inserting “sections 8, 15, 31,*  
3 *36, and 44”;*

4           (3) *in paragraph (10), by striking “section 8(a)”*  
5 *and inserting “section 8, 15, 31, or 36”;*

6           (4) *in paragraph (17)(C), by striking the period*  
7 *at the end, and inserting “; and”;*

8           (5) *by inserting after paragraph (17) the fol-*  
9 *lowing new paragraph:*

10           *“(18) shall review summary data provided by*  
11 *purchase card issuers of purchases made by the agen-*  
12 *cy greater than the micro-purchase threshold, and less*  
13 *than the simplified acquisition threshold to ensure*  
14 *that the purchases have been made in compliance*  
15 *with the provisions of this Act and have been properly*  
16 *recorded in the Federal Procurement Data System, if*  
17 *the method of payment is a purchase card issued by*  
18 *the Department of Defense pursuant to section 2784*  
19 *of title 10, United States Code, or by the head of an*  
20 *executive agency pursuant to section 1909 of title 41,*  
21 *United States Code;”;* and

22           (6) *in paragraph (16)—*

23           *(A) in subparagraph (B), by striking “and”*  
24 *at the end; and*

1                   (B) by adding at the end the following new  
2                   subparagraph:

3                   “(D) any failure of the agency to comply  
4                   with section 8, 15, 31, or 36;”.

5 **SEC. 1814. IMPROVING CONTRACTOR COMPLIANCE.**

6           (a) *REQUIREMENTS FOR THE OFFICE OF SMALL AND*  
7 *DISADVANTAGED BUSINESS UTILIZATION.*—Section 15(k)  
8 *of the Small Business Act (15 U.S.C. 644(k)(8)), as amend-*  
9 *ed by this Act, is further amended by inserting after para-*  
10 *graph (18) (as inserted by section 1813 of this Act) the fol-*  
11 *lowing:*

12                   “(19) shall provide assistance to a small business  
13                   concern awarded a contract or subcontract under this  
14                   Act or under title 10 or title 41, United States Code,  
15                   in finding resources for education and training on  
16                   compliance with contracting regulations (including  
17                   the Federal Acquisition Regulation) after award of  
18                   such a contract or subcontract; and”.

19           (b) *REQUIREMENTS UNDER THE MENTOR-PROTEGE*  
20 *PROGRAM OF THE DEPARTMENT OF DEFENSE.*—Section  
21 *831(e)(1) of the National Defense Authorization Act for Fis-*  
22 *cal Year 1991 (Public Law 101–510; 104 Stat. 1607; 10*  
23 *U.S.C. 2302 note) is amended—*

24                   (1) in subparagraph (B), by striking “and” at  
25                   the end;



1           (2) *in subparagraph (C), by striking the period*  
2           *at the end and inserting “; and”; and*

3           (3) *by inserting at the end the following new*  
4           *subparagraph:*

5                   “(D) *the assistance the mentor firm will*  
6                   *provide to the protege firm in understanding*  
7                   *contract regulations of the Federal Government*  
8                   *and the Department of Defense (including the*  
9                   *Federal Acquisition Regulation and the Defense*  
10                   *Federal Acquisition Regulation Supplement)*  
11                   *after award of a subcontract under this section,*  
12                   *if applicable.”.*

13           (c) *RESOURCES FOR SMALL BUSINESS CONCERNS.—*  
14           *Section 15 of the Small Business Act (15 U.S.C. 644) is*  
15           *amended by adding at the end the following new subsection:*

16                   “(t) *POST-AWARD COMPLIANCE RESOURCES.—The*  
17                   *Administrator shall provide to small business development*  
18                   *centers and entities participating in the Procurement Tech-*  
19                   *nical Assistance Cooperative Agreement Program under*  
20                   *chapter 142 of title 10, United States Code, and shall make*  
21                   *available on the website of the Administration, a list of re-*  
22                   *sources for small business concerns seeking education and*  
23                   *assistance on compliance with contracting regulations (in-*  
24                   *cluding the Federal Acquisition Regulation) after award of*  
25                   *a contract or subcontract.”.*

1           (d) *REQUIREMENTS FOR PROCUREMENT CENTER REP-*  
2 *RESENTATIVES.*—*Section 15(l)(2) of the Small Business Act*  
3 *(15 U.S.C. 644(l)(2)) is amended—*

4           (1) *by redesignating subparagraph (I) as sub-*  
5 *paragraph (J);*

6           (2) *in subparagraph (H), by striking “and” at*  
7 *the end; and*

8           (3) *by inserting after subparagraph (H) the fol-*  
9 *lowing new subparagraph:*

10                   *“(I) assist small business concerns with*  
11 *finding resources for education and training on*  
12 *compliance with contracting regulations (includ-*  
13 *ing the Federal Acquisition Regulation) after*  
14 *award of a contract or subcontract; and”.*

15           (e) *REQUIREMENTS UNDER THE MENTOR-PROTEGE*  
16 *PROGRAM OF THE SMALL BUSINESS ADMINISTRATION.*—  
17 *Section 45(b)(3) of the Small Business Act (15 U.S.C.*  
18 *657r(b)(3)) is amended by adding at the end the following*  
19 *new subparagraph:*

20                   *“(K) The extent to which assistance with*  
21 *compliance with the requirements of contracting*  
22 *with the Federal Government after award of a*  
23 *contract or subcontract under this section.”.*

1 **SEC. 1815. RESPONSIBILITIES OF BUSINESS OPPORTUNITY**  
2 **SPECIALISTS.**

3 *Section 4(g) of the Small Business Act (as added by*  
4 *section 865 of the National Defense Authorization Act for*  
5 *Fiscal Year 2016 (Public Law 114–92)) is amended to read*  
6 *as follows:*

7 *“(g) BUSINESS OPPORTUNITY SPECIALISTS.—*

8 *“(1) DUTIES.—The exclusive duties of a Business*  
9 *Opportunity Specialist employed by the Adminis-*  
10 *trator and reporting to the senior official appointed*  
11 *by the Administrator with responsibilities under sec-*  
12 *tions 8, 15, 31, and 36 (or the designee of such offi-*  
13 *cial) shall be to implement sections 7, 8, and 45 and*  
14 *to complete other duties related to contracting pro-*  
15 *grams under this Act. Such duties shall include—*

16 *“(A) with respect to small business concerns*  
17 *eligible to receive contracts and subcontracts pur-*  
18 *suant to section 8(a)—*

19 *“(i) providing guidance, counseling,*  
20 *and referrals for assistance with technical,*  
21 *management, financial, or other matters*  
22 *that will improve the competitive viability*  
23 *of such concerns;*

24 *“(ii) identifying causes of success or*  
25 *failure of such concerns;*

1           “(iii) providing comprehensive assess-  
2           ments of such concerns, including identi-  
3           fying the strengths and weaknesses of such  
4           concerns;

5           “(iv) monitoring and documenting  
6           compliance with the requirements of sec-  
7           tions 7 and 8 and any regulations imple-  
8           menting those sections;

9           “(v) explaining the requirements of sec-  
10          tions 7, 8, 15, 31, 36 and 45; and

11          “(vi) advising on compliance with con-  
12          tracting regulations (including the Federal  
13          Acquisition Regulation) after award of such  
14          a contract or subcontract;

15          “(B) reviewing and monitoring compliance  
16          with mentor-protége agreements under section  
17          45;

18          “(C) representing the interests of the Ad-  
19          ministrator and small business concerns in the  
20          award, modification, and administration of con-  
21          tracts and subcontracts awarded pursuant to sec-  
22          tion 8(a); and

23          “(D) reporting fraud or abuse under section  
24          7, 8, 15, 31, 36 or 45 or any regulations imple-  
25          menting such sections.

1           “(2) *CERTIFICATION REQUIREMENTS.*—

2                   “(A) *IN GENERAL.*—*Consistent with the re-*  
3                   *quirements of subparagraph (B), a Business Op-*  
4                   *portunity Specialist described under section*  
5                   *7(j)(10)(D) shall have a Level I Federal Acquisi-*  
6                   *tion Certification in Contracting (or any suc-*  
7                   *cessor certification) or the equivalent Depart-*  
8                   *ment of Defense certification, except that a Busi-*  
9                   *ness Opportunity Specialist who was serving on*  
10                   *or before January 3, 2013, may continue to serve*  
11                   *as a Business Opportunity Specialist for a pe-*  
12                   *riod of 5 years beginning on such date without*  
13                   *such a certification.*

14                   “(B) *DELAY OF CERTIFICATION REQUIRE-*  
15                   *MENT.*—

16                   “(i) *TIMING.*—*The certification de-*  
17                   *scribed in subparagraph (A) is not required*  
18                   *for any person serving as a Business Op-*  
19                   *portunity Specialist until the date that is*  
20                   *one calendar year after the date such person*  
21                   *is appointed as a Business Opportunity*  
22                   *Specialist.*

23                   “(ii) *APPLICATION.*—*The requirements*  
24                   *of clause (i) shall be included in any initial*  
25                   *job posting for the position of a Business*

1                    *Opportunity Specialist and shall apply to*  
 2                    *any person appointed as a Business Oppor-*  
 3                    *tunity Specialist after January 3, 2013”.*

4    ***Subtitle C—Strengthening Opportu-***  
 5        ***nities for Competition in Sub-***  
 6        ***contracting***

7    ***SEC. 1821. GOOD FAITH IN SUBCONTRACTING.***

8            *(a) TRANSPARENCY IN SUBCONTRACTING GOALS.—*  
 9            *Section 8(d)(9) of the Small Business Act (15 U.S.C.*  
 10           *637(d)(9)) is amended—*

11                *(1) by striking “(9) The failure” and inserting*  
 12                *the following:*

13                    *“(9) MATERIAL BREACH.—The failure”;*

14                    *(2) in subparagraph (A), by striking “or” at the*  
 15                    *end;*

16                    *(3) in subparagraph (B), by inserting “or” at*  
 17                    *the end;*

18                    *(4) by inserting after subparagraph (B) the fol-*  
 19                    *lowing:*

20                    *“(C) assurances provided under paragraph*  
 21                    *(6)(E),”;* and

22                    *(5) by moving the margins of subparagraphs (A)*  
 23                    *and (B), and the matter after subparagraph (C) (as*  
 24                    *inserted by paragraph (4)), 2 ems to the right.*

1       (b) *REVIEW OF SUBCONTRACTING PLANS.*—Section  
2 *15(k) of the Small Business Act (15 U.S.C. 644(k)) is*  
3 *amended by inserting after paragraph (19) (as inserted by*  
4 *section 1814 of this Act) the following:*

5               “(20) shall review all subcontracting plans re-  
6       quired by section 8(d)(4) or 8(d)(5) to ensure that the  
7       plan provides maximum practicable opportunity for  
8       small business concerns to participate in the perform-  
9       ance of the contract to which the plan applies.”.

10       (c) *GOOD FAITH COMPLIANCE.*—Not later than 270  
11 *days after the date of enactment of this title, the Adminis-*  
12 *trator of the Small Business Administration shall provide*  
13 *examples of activities that would be considered a failure to*  
14 *make a good faith effort to comply with the requirements*  
15 *imposed on an entity (other than a small business concern*  
16 *as defined under section 3 of the Small Business Act (15*  
17 *U.S.C. 632)) that is awarded a prime contract containing*  
18 *the clauses required under paragraph (4) or (5) of section*  
19 *8(d) of the Small Business Act (15 U.S.C. 637(d)).*

20 **SEC. 1822. PILOT PROGRAM TO PROVIDE OPPORTUNITIES**  
21               **FOR QUALIFIED SUBCONTRACTORS TO OB-**  
22               **TAIN PAST PERFORMANCE RATINGS.**

23       Section 8(d) of the Small Business Act (15 U.S.C.  
24 637(d)), as amended by this Act, is further amended by  
25 adding at the end the following new paragraph:

1           “(18) *PILOT PROGRAM PROVIDING PAST PER-*  
2           *FORMANCE RATINGS FOR OTHER SMALL BUSINESS*  
3           *SUBCONTRACTORS.—*

4                   “(A) *ESTABLISHMENT.—The Administrator*  
5                   *shall establish a pilot program for a small busi-*  
6                   *ness concern without a past performance rating*  
7                   *as a prime contractor performing as a first tier*  
8                   *subcontractor for a covered contract (as defined*  
9                   *in paragraph 13(A)) to request a past perform-*  
10                   *ance rating in the system used by the Federal*  
11                   *Government to monitor or record contractor past*  
12                   *performance.*

13                   “(B) *APPLICATION.—A small business con-*  
14                   *cern described in subparagraph (A) shall submit*  
15                   *an application to the appropriate official for a*  
16                   *past performance rating. Such application shall*  
17                   *include written evidence of the past performance*  
18                   *factors for which the small business concern seeks*  
19                   *a rating and a suggested rating.*

20                   “(C) *DETERMINATION.—The appropriate of-*  
21                   *ficial shall submit the application from the small*  
22                   *business concern to the Office of Small and Dis-*  
23                   *advantaged Business Utilization for the covered*  
24                   *contract and to the prime contractor for review.*  
25                   *The Office of Small and Disadvantaged Business*



1           *Utilization and the prime contractor shall, not*  
2           *later than 30 days after receipt of the applica-*  
3           *tion, submit to the appropriate official a re-*  
4           *sponse regarding the application.*

5                   “(i) *AGREEMENT ON RATING.—If the*  
6                   *Office of Small and Disadvantaged Business*  
7                   *Utilization and the prime contractor agree*  
8                   *on a past performance rating, or if either*  
9                   *the Office of Small and Disadvantaged*  
10                   *Business Utilization or the prime con-*  
11                   *tractor fail to respond and the responding*  
12                   *individual agrees with the rating of the ap-*  
13                   *plicant small business concern, the appro-*  
14                   *priate official shall enter the agreed-upon*  
15                   *past performance rating in the system de-*  
16                   *scribed in subparagraph (A).*

17                   “(ii) *DISAGREEMENT ON RATING.—If*  
18                   *the Office of Small and Disadvantaged*  
19                   *Business Utilization and the prime con-*  
20                   *tractor fail to respond within 30 days or if*  
21                   *they disagree about the rating, or if either*  
22                   *the Office of Small and Disadvantaged*  
23                   *Business Utilization or the prime con-*  
24                   *tractor fail to respond and the responding*  
25                   *individual disagrees with the rating of the*

1            *applicant small business concern, the Office*  
2            *of Small and Disadvantaged Business Utili-*  
3            *zation or the prime contractor shall submit*  
4            *a notice contesting the application to the*  
5            *appropriate official. The appropriate offi-*  
6            *cial shall follow the requirements of sub-*  
7            *paragraph (D).*

8            *“(D) PROCEDURE FOR RATING.—Not later*  
9            *than 14 calendar days after receipt of a notice*  
10           *under subparagraph (C)(ii), the appropriate offi-*  
11           *cial shall submit such notice to the applicant*  
12           *small business concern. Such concern may sub-*  
13           *mit comments, rebuttals, or additional informa-*  
14           *tion relating to the past performance of such*  
15           *concern not later 14 calendar days after receipt*  
16           *of such notice. The appropriate official shall*  
17           *enter into the system described in subparagraph*  
18           *(A) a rating that is neither favorable nor unfa-*  
19           *vorable along with the initial application from*  
20           *the small business concern, the responses of the*  
21           *Office of Small and Disadvantaged Business*  
22           *Utilization and the prime contractor, and any*  
23           *additional information provided by the small*  
24           *business concern. A copy of the information sub-*  
25           *mitted shall be provided to the contracting officer*

1           *(or designee of such officer) for the covered con-*  
2           *tract.*

3           “(E) *USE OF INFORMATION.*—*A small busi-*  
4           *ness subcontractor may use a past performance*  
5           *rating given under this paragraph to establish*  
6           *its past performance for a prime contract.*

7           “(F) *DURATION.*—*The pilot program estab-*  
8           *lished under this paragraph shall terminate 3*  
9           *years after the date on which the first small*  
10          *business concern receives a past performance rat-*  
11          *ing for performance as a first tier subcontractor.*

12          “(G) *REPORT.*—*The Comptroller General of*  
13          *the United States shall begin an assessment of*  
14          *the pilot program 1 year after the establishment*  
15          *of such program. Not later than 6 months after*  
16          *beginning such assessment, the Comptroller Gen-*  
17          *eral shall submit a report to the Committee on*  
18          *Small Business and Entrepreneurship of the*  
19          *Senate and the Committee on Small Business of*  
20          *the House of Representatives, which shall in-*  
21          *clude—*

22                  “(i) *the number of small business con-*  
23                  *cerns that have received past performance*  
24                  *ratings under the pilot program;*

1           “(ii) the number of applications in  
2           which the contracting officer (or designee)  
3           or the prime contractor contested the appli-  
4           cation of the small business concern;

5           “(iii) any suggestions or recommenda-  
6           tions the Comptroller General or the small  
7           business concerns participating in the pro-  
8           gram have to address disputes between the  
9           small business concern, the contracting offi-  
10          cer (or designee), and the prime contractor  
11          on past performance ratings;

12          “(iv) the number of small business con-  
13          cerns awarded prime contracts after receiv-  
14          ing a past performance rating under this  
15          pilot; and

16          “(v) any suggestions or recommenda-  
17          tion the Comptroller General has to improve  
18          the operation of the pilot program.

19          “(H) *APPROPRIATE OFFICIAL DEFINED.*—In  
20          this paragraph, the term ‘appropriate official’  
21          means a Commercial Market Representative or  
22          other individual designated by the senior official  
23          appointed by the Administrator with responsibil-  
24          ities under sections 8, 15, 31, and 36.”.

1                   ***Subtitle D—Mentor-Protege***  
 2                   ***Programs***

3   ***SEC. 1831. AMENDMENTS TO THE MENTOR-PROTEGE PRO-***  
 4                   ***GRAM OF THE DEPARTMENT OF DEFENSE.***

5           *Section 831 of the National Defense Authorization Act*  
 6 *for Fiscal Year 1991 (Public Law 101–510; 104 Stat. 1607;*  
 7 *10 U.S.C. 2302 note) is amended—*

8                   *(1) in subsection (d)—*

9                           *(A) by amending paragraph (1) to read as*  
 10                   *follows:*

11                           *“(1) prior to the approval of that agreement, the*  
 12                   *Administrator of the Small Business Administration*  
 13                   *had made no finding of affiliation between the mentor*  
 14                   *firm and the protege firm;”;*

15                           *(B) by redesignating paragraph (2) as*  
 16                   *paragraph (3); and*

17                           *(C) by inserting after paragraph (1) the fol-*  
 18                   *lowing new paragraph:*

19                           *“(2)(A) the Administrator of the Small Business*  
 20                   *Administration does not have a current finding of af-*  
 21                   *filiation between the mentor firm and protege firm; or*

22                           *“(B) the Secretary, after considering the regula-*  
 23                   *tions promulgated by the Administrator of the Small*  
 24                   *Business Administration regarding affiliation—*

1           “(i) does not have reason to believe that the  
2           mentor firm affiliated with the protege firm; or

3           “(ii) has received a formal determination of  
4           no affiliation between the mentor firm and pro-  
5           tege firm from the Administrator after having  
6           submitted a question of affiliation to the Admin-  
7           istrator; and”;

8           (2) in subsection (n), by amending paragraph  
9           (9) to read as follows:

10           “(9) The term ‘affiliation’, with respect to a rela-  
11           tionship between a mentor firm and a protege firm,  
12           means a relationship described under section 121.103  
13           of title 13, Code of Federal Regulations (or any suc-  
14           cessor regulation).”; and

15           (3) in subsection (f)(6)—

16           (A) in subparagraph (B), by striking “or”  
17           at the end;

18           (B) in subparagraph (C), by striking the  
19           period at the end and inserting “; or”; and

20           (C) by adding at the end the following:

21           “(D) women’s business centers described in  
22           section 29 of the Small Business Act (15 U.S.C.  
23           656).”.

1 **SEC. 1832. IMPROVING COOPERATION BETWEEN THE MEN-**  
 2 **TOR-PROTEGE PROGRAMS OF THE SMALL**  
 3 **BUSINESS ADMINISTRATION AND THE DE-**  
 4 **PARTMENT OF DEFENSE.**

5 *Section 45(b)(4) of the Small Business Act (15 U.S.C.*  
 6 *657r(b)(4)) is amended by striking subparagraph (A) and*  
 7 *redesignating subparagraphs (B) and (C) as subparagraphs*  
 8 *(A) and (B), respectively.*

9 ***Subtitle E—Women’s Business***  
 10 ***Programs***

11 **SEC. 1841. OFFICE OF WOMEN’S BUSINESS OWNERSHIP.**

12 *Section 29(g) of the Small Business Act (15 U.S.C.*  
 13 *656(g)) is amended—*

14 *(1) in paragraph (2), by striking subparagraphs*  
 15 *(B) and (C) and inserting the following:*

16 *“(B) RESPONSIBILITIES.—The responsibil-*  
 17 *ities of the Assistant Administrator shall be to*  
 18 *administer the programs and services of the Of-*  
 19 *fice of Women’s Business Ownership.*

20 *“(C) DUTIES.—The Assistant Adminis-*  
 21 *trator shall perform the following functions with*  
 22 *respect to the Office of Women’s Business Owner-*  
 23 *ship:*

24 *“(i) Recommend the annual adminis-*  
 25 *trative and program budgets of the Office*

1           *and eligible entities receiving a grant under*  
2           *the Women’s Business Center Program.*

3           “(ii) *Review the annual budgets sub-*  
4           *mitted by each eligible entity receiving a*  
5           *grant under the Women’s Business Center*  
6           *Program.*

7           “(iii) *Select applicants to receive*  
8           *grants to operate a women’s business center*  
9           *after reviewing information required by this*  
10           *section, including the budget of each appli-*  
11           *cant.*

12           “(iv) *Collaborate with other Federal*  
13           *departments and agencies, State and local*  
14           *governments, not-for-profit organizations,*  
15           *and for-profit enterprises to maximize utili-*  
16           *zation of taxpayer dollars and reduce (or*  
17           *eliminate) any duplication among the pro-*  
18           *grams overseen by the Office of Women’s*  
19           *Business Ownership and those of other enti-*  
20           *ties that provide similar services to women*  
21           *entrepreneurs.*

22           “(v) *Maintain a clearinghouse to pro-*  
23           *vide for the dissemination and exchange of*  
24           *information between women’s business cen-*  
25           *ters.*



1                   “(vi) *Serve as the vice chairperson of*  
2                   *the Interagency Committee on Women’s*  
3                   *Business Enterprise and as the liaison for*  
4                   *the National Women’s Business Council.”;*  
5                   *and*

6                   (2) *by adding at the end the following:*

7                   “(3) *MISSION.—The mission of the Office of*  
8                   *Women’s Business Ownership shall be to assist women*  
9                   *entrepreneurs to start, grow, and compete in global*  
10                   *markets by providing quality support with access to*  
11                   *capital, access to markets, job creation, growth, and*  
12                   *counseling by—*

13                   “(A) *fostering participation of women en-*  
14                   *trepreneurs in the economy by overseeing a net-*  
15                   *work of women’s business centers throughout*  
16                   *States and territories;*

17                   “(B) *creating public-private partnerships to*  
18                   *support women entrepreneurs and conduct out-*  
19                   *reach and education to startup and existing*  
20                   *small business concerns owned and controlled by*  
21                   *women; and*

22                   “(C) *working with other programs overseen*  
23                   *by the Administrator to ensure women are well-*  
24                   *represented and being served and to identify*

1           *gaps where participation by women could be in-*  
2           *creased.*

3           “(4) *ACCREDITATION PROGRAM.*—

4                 “(A) *ESTABLISHMENT.*—*Not later than 270*  
5                 *days after the date of enactment of this para-*  
6                 *graph, the Administrator shall establish stand-*  
7                 *ards for an accreditation program for accred-*  
8                 *iting eligible entities receiving a grant under*  
9                 *this section.*

10                “(B) *TRANSITION PROVISION.*—*Before the*  
11                *date on which standards are established under*  
12                *subparagraph (A), the Administrator may not*  
13                *terminate a grant under this section absent evi-*  
14                *dence of fraud or other criminal misconduct by*  
15                *the recipient.*

16                “(C) *CONTRACTING AUTHORITY.*—*The Ad-*  
17                *ministrator may provide financial assistance, by*  
18                *contract or otherwise, to a relevant national*  
19                *women’s business center representative associa-*  
20                *tion to provide assistance in establishing the*  
21                *standards required under subparagraph (A) or*  
22                *for carrying out an accreditation program pur-*  
23                *suant to such standards.”.*

1 **SEC. 1842. WOMEN'S BUSINESS CENTER PROGRAM.**

2 (a) *DEFINITIONS.*—Section 29(a) of the Small Busi-  
3 ness Act (15 U.S.C. 656(a)) is amended—

4 (1) by striking paragraph (4);

5 (2) by redesignating paragraphs (2) and (3) as  
6 paragraphs (3) and (4), respectively;

7 (3) by inserting after paragraph (1) the fol-  
8 lowing:

9 “(2) the term ‘eligible entity’ means—

10 “(A) an organization described in section  
11 501(c) of the Internal Revenue Code of 1986 and  
12 exempt from taxation under section 501(a) of  
13 such Code;

14 “(B) a State, regional, or local economic de-  
15 velopment organization, so long as the organiza-  
16 tion certifies that grant funds received under this  
17 section will not be commingled with other funds;

18 “(C) an institution of higher education, un-  
19 less such institution is currently receiving a  
20 grant under section 21;

21 “(D) a development, credit, or finance cor-  
22 poration chartered by a State, so long as the cor-  
23 poration certifies that grant funds received under  
24 this section will not be commingled with other  
25 funds; or

1           “(E) any combination of entities listed in  
2           subparagraphs (A) through (D);” and

3           (4) by adding at the end the following:

4           “(5) the term ‘women’s business center’ means  
5           the location at which counseling and training on the  
6           management, operations (including manufacturing,  
7           services, and retail), access to capital, international  
8           trade, Government procurement opportunities, and  
9           any other matter is needed to start, maintain, or ex-  
10          pand a small business concern owned and controlled  
11          by women.”.

12          (b) *AUTHORITY*.—Section 29(b) of the Small Business  
13          Act (15 U.S.C. 656(b)) is amended—

14                 (1) by redesignating paragraphs (1), (2), and (3)  
15                 as subparagraphs (A), (B), and (C), respectively, and  
16                 adjusting the margins accordingly;

17                 (2) by striking “The Administration” and all  
18                 that follows through “5-year projects” and inserting  
19                 the following:

20                         “(1) *IN GENERAL*.—There is established a Wom-  
21                         en’s Business Center Program under which the Ad-  
22                         ministrator may provide a grant to any eligible enti-  
23                         ty to operate one or more women’s business centers”;

24                 (3) by striking “The projects shall” and insert-  
25                 ing the following:

1           “(2) *USE OF FUNDS.*—*The women’s business cen-*  
2           *ters shall be designed to provide counseling and train-*  
3           *ing that meets the needs of women, especially socially*  
4           *or economically disadvantaged women, and shall*”;  
5           *and*

6           (4) *by adding at the end the following:*

7           “(3) *AMOUNT OF GRANTS.*—

8           “(A) *IN GENERAL.*—*The amount of a grant*  
9           *provided under this subsection to an eligible en-*  
10           *tity per project year shall be not more than*  
11           *\$185,000 (as such amount is annually adjusted*  
12           *by the Administrator to reflect the change in in-*  
13           *flation).*

14           “(B) *ADDITIONAL GRANTS.*—

15           “(i) *IN GENERAL.*—*Notwithstanding*  
16           *subparagraph (A), with respect to an eligi-*  
17           *ble entity that has received \$185,000 in*  
18           *grants under this subsection in a project*  
19           *year, the Administrator may award an ad-*  
20           *ditional grant under this subsection of up to*  
21           *\$65,000 during such project year if the Ad-*  
22           *ministrator determines that the eligible en-*  
23           *tity—*

24                           “(I) *agrees to obtain, after its ap-*  
25                           *plication has been approved and notice*

1                   of award has been issued, cash con-  
2                   tributions from non-Federal sources of  
3                   1 non-Federal dollar for each Federal  
4                   dollar;

5                   “(II) is in good standing with the  
6                   Women’s Business Center Program;  
7                   and

8                   “(III) has met performance goals  
9                   for the previous project year, if appli-  
10                  cable.

11                  “(i) *LIMITATIONS.*—The Adminis-  
12                  trator may only award additional grants  
13                  under clause (i)—

14                   “(I) during the 3rd and 4th quar-  
15                   ters of the fiscal year; and

16                   “(II) from unobligated amounts  
17                   made available to the Administrator to  
18                   carry out this section.

19                  “(4) *NOTICE AND COMMENT REQUIRED.*—The  
20                  Administrator may only make a change to the stand-  
21                  ards by which an eligible entity obtains or maintains  
22                  grants under this section, the standards for accredita-  
23                  tion, or any other requirement for the operation of a  
24                  women’s business center if the Administrator first  
25                  provides notice and the opportunity for public com-

1        *ment, as set forth in section 553(b) of title 5, United*  
2        *States Code, without regard to any exceptions pro-*  
3        *vided for under such section.”.*

4        *(c) CONDITIONS OF PARTICIPATION.—Section 29(c) of*  
5        *the Small Business Act (15 U.S.C. 656(c)) is amended—*

6                *(1) in paragraph (1)—*

7                        *(A) by striking “the recipient organization”*  
8                        *and inserting “an eligible entity”; and*

9                        *(B) by striking “financial assistance” and*  
10                        *inserting “a grant”;*

11                *(2) in paragraph (3)—*

12                        *(A) by striking “financial assistance au-*  
13                        *thorized pursuant to this section may be made*  
14                        *by grant, contract, or cooperative agreement*  
15                        *and” and inserting “grants authorized pursuant*  
16                        *to this section”; and*

17                        *(B) in the second sentence, by striking “a*  
18                        *recipient organization” and inserting “an eligi-*  
19                        *ble entity”;*

20                *(3) in paragraph (4)—*

21                        *(A) by striking “recipient of assistance”*  
22                        *and inserting “eligible entity”;*

23                        *(B) by striking “during any project, it shall*  
24                        *not be eligible thereafter” and inserting “during*  
25                        *any project for 2 consecutive years, the eligible*

1           *entity shall not be eligible at any time after that*  
2           *2-year period”;*

3           *(C) by striking “such organization” and in-*  
4           *serting “the eligible entity”; and*

5           *(D) by striking “the recipient” and insert-*  
6           *ing “the eligible entity”; and*

7           *(4) by adding at end the following:*

8           *“(5) SEPARATION OF PROJECT AND FUNDS.—An*  
9           *eligible entity shall—*

10           *“(A) carry out a project under this section*  
11           *separately from other projects, if any, of the eli-*  
12           *gible entity; and*

13           *“(B) separately maintain and account for*  
14           *any grants under this section.*

15           *“(6) EXAMINATION OF ELIGIBLE ENTITIES.—*

16           *“(A) REQUIRED SITE VISIT.—Each appli-*  
17           *cant, prior to receiving a grant under this sec-*  
18           *tion, shall have a site visit by an employee of the*  
19           *Administration, in order to ensure that the ap-*  
20           *plicant has sufficient resources to provide the*  
21           *services for which the grant is being provided.*

22           *“(B) ANNUAL REVIEW.—An employee of the*  
23           *Administration shall—*

24           *“(i) conduct an annual review of the*  
25           *compliance of each eligible entity receiving*



1           a grant under this section with the grant  
2           agreement, including a financial examina-  
3           tion; and

4           “(ii) provide such review to the eligible  
5           entity as required under subsection (l).

6           “(7) REMEDIATION OF PROBLEMS.—

7           “(A) PLAN OF ACTION.—If a review of an  
8           eligible entity under paragraph (6)(B) identifies  
9           any problems, the eligible entity shall, within 45  
10          calendar days of receiving such review, provide  
11          the Assistant Administrator with a plan of ac-  
12          tion, including specific milestones, for correcting  
13          such problems.

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

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

24                 “(ii) if the Assistant Administrator de-  
25                 termines that such plan is inadequate to

1           *remedy the problems identified in the an-*  
2           *ual review to which the plan of action re-*  
3           *lates, the Assistant Administrator shall set*  
4           *forth such reasons in writing and provide*  
5           *such determination to the eligible entity*  
6           *within 15 calendar days of such determina-*  
7           *tion.*

8           “(C) *AMENDMENT TO PLAN OF ACTION.*—*An*  
9           *eligible entity receiving a determination under*  
10          *subparagraph (B)(ii) shall have 30 calendar*  
11          *days from the receipt of the determination to*  
12          *amend the plan of action to satisfy the problems*  
13          *identified by the Assistant Administrator and re-*  
14          *submit such plan to the Assistant Administrator.*

15          “(D) *AMENDED PLAN REVIEW BY THE AS-*  
16          *SISTANT ADMINISTRATOR.*—*Within 15 calendar*  
17          *days of the receipt of an amended plan of action*  
18          *under subparagraph (C), the Assistant Adminis-*  
19          *trator shall either approve or reject such plan*  
20          *and provide such approval or rejection in writ-*  
21          *ing to the eligible entity.*

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

24                  “(i) *IN GENERAL.*—*If the Assistant Ad-*  
25                  *ministrator rejects an amended plan under*

1            *subparagraph (D), the eligible entity shall*  
2            *have the opportunity to appeal such deci-*  
3            *sion to the Administrator, who may dele-*  
4            *gate such appeal to an appropriate officer*  
5            *of the Administration.*

6            “(ii) *OPPORTUNITY FOR EXPLA-*  
7            *NATION.—Any appeal described under*  
8            *clause (i) shall provide an opportunity for*  
9            *the eligible entity to provide, in writing, an*  
10           *explanation of why the eligible entity’s plan*  
11           *remedies the problems identified in the an-*  
12           *ual review.*

13           “(iii) *NOTICE OF DETERMINATION.—*  
14           *The determination of the appeal shall be*  
15           *provided to the eligible entity, in writing,*  
16           *within 15 calendar days from the eligible*  
17           *entity’s filing of the appeal.*

18           “(iv) *EFFECT OF FAILURE TO ACT.—If*  
19           *the Administrator fails to act on an appeal*  
20           *made under this subparagraph within the*  
21           *15 calendar day period specified under*  
22           *clause (iii), the eligible entity’s amended*  
23           *plan of action submitted under subpara-*  
24           *graph (C) shall be deemed to be approved.*

25           “(8) *TERMINATION OF GRANT.—*

1           “(A) *IN GENERAL.*—*The Administrator*  
2           *shall require that, if an eligible entity fails to*  
3           *comply with a plan of action approved by the*  
4           *Assistant Administrator under paragraph*  
5           *(7)(B)(i) or an amended plan of action approved*  
6           *by the Assistant Administrator under paragraph*  
7           *(7)(D) or approved on appeal under paragraph*  
8           *(7)(E), the Assistant Administrator shall termi-*  
9           *nate the grant provided to the eligible entity*  
10           *under this section.*

11           “(B) *APPEAL OF TERMINATION.*—*An eligi-*  
12           *ble entity that has a grant terminated under*  
13           *subparagraph (A) shall have the opportunity to*  
14           *challenge the termination on the record and after*  
15           *an opportunity for a hearing.*

16           “(C) *FINAL AGENCY ACTION.*—*The deter-*  
17           *mination made pursuant to subparagraph (B)*  
18           *shall be considered final agency action for the*  
19           *purposes of chapter 7, title 5, United States*  
20           *Code.”.*

21           (d) *SUBMISSION OF 5-YEAR PLAN.*—*Section 29(e) of*  
22           *the Small Business Act (15 U.S.C. 656(e)) is amended—*

23                   (1) *by striking “applicant organization” and in-*  
24                   *serting “eligible entity”;*

1           (2) *by striking “a recipient organization” and*  
 2           *inserting “an eligible entity”;*

3           (3) *by striking “financial assistance” and insert-*  
 4           *ing “grants”; and*

5           (4) *by striking “site”.*

6           (e) *APPLICATIONS AND CRITERIA FOR INITIAL*  
 7 *GRANT.—Subsection (f) of section 29 of the Small Business*  
 8 *Act (15 U.S.C. 656) is amended to read as follows:*

9           “(f) *APPLICATIONS AND CRITERIA FOR INITIAL*  
 10 *GRANT.—*

11           “(1) *APPLICATION.—Each eligible entity desiring*  
 12 *a grant under subsection (b) shall submit to the Ad-*  
 13 *ministrator an application that contains—*

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

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

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

1           “(B) information demonstrating that the el-  
2           igible entity has the ability and resources to meet  
3           the needs of the market to be served by the wom-  
4           en’s business center, including the ability to ob-  
5           tain the non-Federal contribution required under  
6           subsection (c);

7           “(C) information relating to the assistance  
8           to be provided by the women’s business center in  
9           the area in which the women’s business center is  
10          located;

11          “(D) information demonstrating the experi-  
12          ence and effectiveness of the eligible entity in—

13               “(i) conducting the services described  
14               under subsection (a)(5);

15               “(ii) providing training and services  
16               to a representative number of women who  
17               are socially or economically disadvantaged;  
18               and

19               “(iii) working with resource partners  
20               of the Administration and other entities,  
21               such as universities; and

22          “(E) a 5-year plan that describes the ability  
23          of the eligible entity to provide the services de-  
24          scribed under subsection (a)(3), including to a

1           *representative number of women who are socially*  
2           *or economically disadvantaged.*

3           “(2) *REVIEW AND APPROVAL OF APPLICATIONS*  
4           *FOR INITIAL GRANTS.—*

5                   “(A) *REVIEW AND SELECTION OF ELIGIBLE*  
6                   *ENTITIES.—*

7                           “(i) *IN GENERAL.—The Administrator*  
8                           *shall review applications to determine*  
9                           *whether the applicant can meet obligations*  
10                           *to perform the activities required by a grant*  
11                           *under this section, including—*

12                                   “(I) *the experience of the appli-*  
13                                   *cant in conducting activities required*  
14                                   *by this section;*

15                                   “(II) *the amount of time needed*  
16                                   *for the applicant to commence oper-*  
17                                   *ations should it be awarded a grant;*

18                                   “(III) *the capacity of the appli-*  
19                                   *cant to meet the accreditation stand-*  
20                                   *ards established by the Administrator*  
21                                   *in a timely manner;*

22                                   “(IV) *the ability of the applicant*  
23                                   *to sustain operations for more than 5*  
24                                   *years (including its ability to obtain*

1           *sufficient non-Federal funds for that*  
2           *period);*

3           “(V) *the location of the women’s*  
4           *business center and its proximity to*  
5           *other grant recipients under this sec-*  
6           *tion; and*

7           “(VI) *the population density of*  
8           *the area to be served by the women’s*  
9           *business center.*

10          “(ii) *SELECTION CRITERIA.—*

11           “(I) *GUIDANCE.—The Adminis-*  
12           *trator shall issue guidance (after pro-*  
13           *viding an opportunity for notice and*  
14           *comment) to specify the criteria for re-*  
15           *view and selection of applicants under*  
16           *this subsection.*

17           “(II) *MODIFICATIONS PROHIBITED*  
18           *AFTER ANNOUNCEMENT.—With respect*  
19           *to a public announcement of any op-*  
20           *portunity to be awarded a grant under*  
21           *this section made by the Administrator*  
22           *pursuant to subsection (l)(1), the Ad-*  
23           *ministrator may not modify guidance*  
24           *issued pursuant to subclause (I) with*  
25           *respect to such opportunity unless re-*



1                   *quired to do so by an Act of Congress*  
2                   *or an order of a Federal court.*

3                   “(III) *RULE OF CONSTRUCTION.*—

4                   *Nothing in this clause may be con-*  
5                   *strued as prohibiting the Adminis-*  
6                   *trator from modifying the guidance*  
7                   *issued pursuant to subclause (I) (after*  
8                   *providing an opportunity for notice*  
9                   *and comment) as such guidance ap-*  
10                   *plies to an opportunity to be awarded*  
11                   *a grant under this section that the Ad-*  
12                   *ministrator has not yet publicly an-*  
13                   *nounced pursuant to subsection (l)(1).*

14                   “(B) *RECORD RETENTION.*—

15                   “(i) *IN GENERAL.*—*The Administrator*  
16                   *shall maintain a copy of each application*  
17                   *submitted under this subsection for not less*  
18                   *than 5 years.*

19                   “(ii) *PAPERWORK REDUCTION.*—*The*  
20                   *Administrator shall take steps to reduce, to*  
21                   *the maximum extent practicable, the paper-*  
22                   *work burden associated with carrying out*  
23                   *clause (i).”.*

24                   (f) *NOTIFICATION REQUIREMENTS UNDER THE*  
25 *WOMEN’S BUSINESS CENTER PROGRAM.*—*Section 29 of the*

1 *Small Business Act (15 U.S.C. 656) is amended by insert-*  
2 *ing after subsection (k) the following:*

3       “(l) *NOTIFICATION REQUIREMENTS UNDER THE*  
4 *WOMEN’S BUSINESS CENTER PROGRAM.—The Adminis-*  
5 *trator shall provide—*

6               “(1) *a public announcement of any opportunity*  
7 *to be awarded grants under this section, and such an-*  
8 *ouncement shall include the standards by which such*  
9 *award will be made, including the guidance issued*  
10 *pursuant to subsection (f)(2)(A)(ii);*

11               “(2) *the opportunity for any applicant for a*  
12 *grant under this section that failed to obtain such a*  
13 *grant a debriefing with the Assistant Administrator*  
14 *to review the reasons for the applicant’s failure; and*

15               “(3) *with respect to any site visit or evaluation*  
16 *of an eligible entity receiving a grant under this sec-*  
17 *tion that is carried out by an officer or employee of*  
18 *the Administration (other than the Inspector Gen-*  
19 *eral), a copy of the site visit report or evaluation, as*  
20 *applicable, within 30 calendar days of the completion*  
21 *of such vision or evaluation.”.*

22       “(g) *CONTINUED FUNDING FOR CENTERS.—Section*  
23 *29(m) of the Small Business Act (15 U.S.C. 656(m)) is*  
24 *amended—*

1           (1) *by striking paragraph (3) and inserting the*  
2 *following:*

3           “(3) *APPLICATION AND APPROVAL FOR CONTINU-*  
4 *ATION GRANTS.—*

5           “(A) *SOLICITATION OF APPLICATIONS.—The*  
6 *Administrator shall solicit applications and*  
7 *award continuation grants under this subsection*  
8 *for the first fiscal year beginning after the date*  
9 *of enactment of this paragraph, and every third*  
10 *fiscal year thereafter.*

11           “(B) *CONTENTS OF APPLICATION.—Each el-*  
12 *igible entity desiring a grant under this sub-*  
13 *section shall submit to the Administrator an ap-*  
14 *plication that contains—*

15           “(i) *a certification that the appli-*  
16 *cant—*

17           “(I) *is an eligible entity;*

18           “(II) *has designated an executive*  
19 *director or program manager to man-*  
20 *age the women’s business center oper-*  
21 *ated by the applicant; and*

22           “(III) *as a condition of receiving*  
23 *a grant under this subsection, agrees—*

24           “(aa) *to receive a site visit as*  
25 *part of the final selection process,*

1                    *at the discretion of the Adminis-*  
2                    *trator; and*

3                    *“(bb) to remedy any problem*  
4                    *identified pursuant to the site*  
5                    *visit under item (aa);*

6                    *“(ii) information demonstrating that*  
7                    *the applicant has the ability and resources*  
8                    *to meet the needs of the market to be served*  
9                    *by the women’s business center for which a*  
10                   *grant under this subsection is sought, in-*  
11                   *cluding the ability to obtain the non-Fed-*  
12                   *eral contribution required under paragraph*  
13                   *(4)(C);*

14                   *“(iii) information relating to assist-*  
15                   *ance to be provided by the women’s business*  
16                   *center in the geographic area served by the*  
17                   *women’s business center for which a grant*  
18                   *under this subsection is sought;*

19                   *“(iv) information demonstrating that*  
20                   *the applicant has worked with resource*  
21                   *partners of the Administration and other*  
22                   *entities;*

23                   *“(v) a 3-year plan that describes the*  
24                   *services provided by the women’s business*

1 center for which a grant under this sub-  
2 section is sought—

3 “(I) to serve women who are busi-  
4 ness owners or potential business own-  
5 ers by conducting training and coun-  
6 seling activities; and

7 “(II) to provide training and  
8 services to a representative number of  
9 women who are socially or economi-  
10 cally disadvantaged; and

11 “(vi) any additional information that  
12 the Administrator may reasonably require.

13 “(C) REVIEW AND APPROVAL OF APPLICA-  
14 TIONS FOR GRANTS.—

15 “(i) IN GENERAL.—The Adminis-  
16 trator—

17 “(I) shall review each application  
18 submitted under subparagraph (B),  
19 based on the information described in  
20 such subparagraph and the criteria set  
21 forth under clause (ii) of this subpara-  
22 graph; and

23 “(II) as part of the final selection  
24 process, may, at the discretion of the  
25 Administrator, conduct a site visit to

1           *each women’s business center for which*  
2           *a grant under this subsection is sought,*  
3           *in particular to evaluate the women’s*  
4           *business center using the selection cri-*  
5           *teria described in clause (i)(II).*

6           “(i) *SELECTION CRITERIA.*—

7                     “(I) *IN GENERAL.*—*The Adminis-*  
8                     *trator shall evaluate applicants for*  
9                     *grants under this subsection in accord-*  
10                    *ance with selection criteria that are—*

11                             “(aa) *established before the*  
12                            *date on which applicants are re-*  
13                            *quired to submit the applications;*

14                            “(bb) *stated in terms of rel-*  
15                            *ative importance; and*

16                            “(cc) *publicly available and*  
17                            *stated in each solicitation for ap-*  
18                            *plications for grants under this*  
19                            *subsection made by the Adminis-*  
20                            *trator.*

21                     “(II) *REQUIRED CRITERIA.*—*The*  
22                     *selection criteria for a grant under this*  
23                     *subsection shall include—*

1                   “(aa) the total number of en-  
2                   trepreneurs served by the appli-  
3                   cant;

4                   “(bb) the total number of  
5                   new startup companies assisted by  
6                   the applicant;

7                   “(cc) the percentage of clients  
8                   of the applicant that are socially  
9                   or economically disadvantaged;

10                  “(dd) the percentage of indi-  
11                  viduals in the community served  
12                  by the applicant who are socially  
13                  or economically disadvantaged;

14                  “(ee) the successful accredita-  
15                  tion of the applicant under the ac-  
16                  creditation program developed  
17                  under subsection (g)(5); and

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

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

1           “(I) shall consider the results of  
2           the most recent evaluation of the wom-  
3           en’s business center for which a grant  
4           under this subsection is sought, and, to  
5           a lesser extent, previous evaluations;  
6           and

7           “(II) may withhold a grant under  
8           this subsection, if the Administrator  
9           determines that the applicant has  
10          failed to provide the information re-  
11          quired to be provided under this para-  
12          graph, or the information provided by  
13          the applicant is inadequate.

14          “(D) NOTIFICATION.—Not later than 60 cal-  
15          endar days after the date of each deadline to sub-  
16          mit applications under this paragraph, the Ad-  
17          ministrator shall approve or deny each sub-  
18          mitted application and notify the applicant for  
19          each such application of the approval or denial.

20          “(E) RECORD RETENTION.—

21                 “(i) IN GENERAL.—The Administrator  
22                 shall maintain a copy of each application  
23                 submitted under this paragraph for not less  
24                 than 5 years.



1                   “(i) *PAPERWORK REDUCTION.*—*The*  
2                   *Administrator shall take steps to reduce, to*  
3                   *the maximum extent practicable, the paper-*  
4                   *work burden associated with carrying out*  
5                   *clause (i).”*; and

6                   (2) *by striking paragraph (5) and inserting the*  
7                   *following:*

8                   “(5) *AWARD TO PREVIOUS RECIPIENTS.*—*There*  
9                   *shall be no limitation on the number of times the Ad-*  
10                   *ministrator may award a grant to an applicant*  
11                   *under this subsection.”*.

12                   (h) *TECHNICAL AND CONFORMING AMENDMENTS.*—  
13                   *Section 29 of the Small Business Act (15 U.S.C. 656) is*  
14                   *amended—*

15                   (1) *in subsection (h)(2), by striking “to award a*  
16                   *contract (as a sustainability grant) under subsection*  
17                   *(l) or”*;

18                   (2) *in subsection (j)(1), by striking “The Admin-*  
19                   *istration” and inserting “Not later than November 1*  
20                   *of each year, the Administrator”*;

21                   (3) *in subsection (k)—*

22                   (A) *by striking paragraphs (1) and (4);*

23                   (B) *by inserting before paragraph (2) the*  
24                   *following:*

1           “(1) *IN GENERAL.*—*There are authorized to be*  
2 *appropriated to the Administration to carry out this*  
3 *section, to remain available until expended,*  
4 *\$21,750,000 for each of fiscal years 2017 through*  
5 *2020.”; and*

6           *(C) in paragraph (2), by striking subpara-*  
7 *graph (B) and inserting the following:*

8           “(B) *EXCEPTIONS.*—*Of the amount made*  
9 *available under this subsection for a fiscal year,*  
10 *the following amounts shall be available for selec-*  
11 *tion panel costs, costs associated with maintain-*  
12 *ing an accreditation program, and post-award*  
13 *conference costs:*

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

17           “(ii) *For the second fiscal year begin-*  
18 *ning after the date of the enactment of this*  
19 *subparagraph and each fiscal year there-*  
20 *after through fiscal year 2020, 2.5 percent.”;*

21           *and*

22           *(4) in subsection (m)—*

23           *(A) in paragraph (2), by striking “sub-*  
24 *section (b) or (l)” and inserting “this subsection*  
25 *or subsection (b)”;* and

1                   (B) in paragraph (4)(D), by striking “or  
2                   subsection (l)”.

3           (i) *EFFECT ON EXISTING GRANTS.*—

4                   (1) *TERMS AND CONDITIONS.*—A nonprofit orga-  
5                   nization receiving a grant under section 29(m) of the  
6                   Small Business Act (15 U.S.C. 656(m)), as in effect  
7                   on the day before the date of enactment of this title,  
8                   shall continue to receive the grant under the terms  
9                   and conditions in effect for the grant on the day be-  
10                  fore the date of enactment of this title, except that the  
11                  nonprofit organization may not apply for a continu-  
12                  ation of the grant under section 29(m)(5) of the  
13                  Small Business Act (15 U.S.C. 656(m)(5)), as in ef-  
14                  fect on the day before the date of enactment of this  
15                  title.

16                  (2) *LENGTH OF CONTINUATION GRANT.*—The Ad-  
17                  ministrator of the Small Business Administration  
18                  may award a grant under section 29(m) of the Small  
19                  Business Act to a nonprofit organization receiving a  
20                  grant under section 29(m) of the Small Business Act  
21                  (15 U.S.C. 656(m)), as in effect on the day before the  
22                  date of enactment of this title, for the period—

23                               (A) beginning on the day after the last day  
24                               of the grant agreement under such section 29(m);  
25                               and

1           (B) ending at the end of the third fiscal  
2           year beginning after the date of enactment of  
3           this title.

4 **SEC. 1843. MATCHING REQUIREMENTS UNDER WOMEN'S**  
5           **BUSINESS CENTER PROGRAM.**

6           Section 29(c) of the Small Business Act (15 U.S.C.  
7 656(c)), as amended by this Act, is amended—

8           (1) in paragraph (1), by striking “As a condi-  
9           tion” and inserting “Subject to paragraph (6), as a  
10          condition”; and

11          (2) by adding at the end the following:

12          “(9) **WAIVER OF NON-FEDERAL SHARE.**—

13                 “(A) **IN GENERAL.**—Upon request by an eli-  
14                 gible entity, and in accordance with this para-  
15                 graph, the Administrator may waive, in whole  
16                 or in part, the requirement to obtain non-Fed-  
17                 eral funds under this subsection for counseling  
18                 and training activities of the eligible entity car-  
19                 ried out using a grant under this section for a  
20                 fiscal year. The Administrator may not waive  
21                 the requirement for an eligible entity to obtain  
22                 non-Federal funds under this paragraph for  
23                 more than a total of 2 consecutive fiscal years.

24                 “(B) **CONSIDERATIONS.**—In determining  
25                 whether to waive the requirement to obtain non-

1           *Federal funds under this paragraph, the Admin-*  
2           *istrator shall consider—*

3                   “(i) *the economic conditions affecting*  
4                   *the eligible entity;*

5                   “(ii) *the impact a waiver under this*  
6                   *paragraph would have on the credibility of*  
7                   *the Women’s Business Center Program*  
8                   *under this section;*

9                   “(iii) *the demonstrated ability of the*  
10                  *eligible entity to raise non-Federal funds;*  
11                  *and*

12                  “(iv) *the performance of the eligible en-*  
13                  *tity.*

14                  “(C) *LIMITATION.—The Administrator may*  
15                  *not waive the requirement to obtain non-Federal*  
16                  *funds under this paragraph if granting the*  
17                  *waiver would undermine the credibility of the*  
18                  *Women’s Business Center Program.*

19                  “(10) *SOLICITATION.—Notwithstanding any*  
20                  *other provision of law, eligible entity may—*

21                   “(A) *solicit cash and in-kind contributions*  
22                   *from private individuals and entities to be used*  
23                   *to carry out the activities of the eligible entity*  
24                   *under the project conducted under this section;*  
25                   *and*

1           “(B) use amounts made available by the  
2           Administrator under this section for the cost of  
3           such solicitation and management of the con-  
4           tributions received.

5           “(11) *EXCESS NON-FEDERAL DOLLARS.*—The  
6           amount of non-Federal dollars obtained by an eligible  
7           entity that is above the amount that is required to be  
8           obtained by the eligible entity under this subsection  
9           shall not be subject to the requirements of part 200  
10          of title 2, Code of Federal Regulations, or any suc-  
11          cessor thereto, if such amount of non-Federal dol-  
12          lars—

13                   “(A) is not used as matching funds for pur-  
14                   poses of implementing the Women’s Business  
15                   Center Program; and

16                   “(B) was not obtained using funds from the  
17                   Women’s Business Center Program.”.

18           ***Subtitle F—SCORE Program***

19   ***SEC. 1851. SCORE REAUTHORIZATION.***

20           Section 20 of the Small Business Act (15 U.S.C. 631  
21   note) is amended—

22                   (1) by redesignating subsection (j) as subsection  
23                   (f); and

24                   (2) by adding at the end the following:

1       “(g) *SCORE PROGRAM*.—There are authorized to be  
2 appropriated to the Administrator to carry out the *SCORE*  
3 program authorized by section 8(b)(1) such sums as are nec-  
4 essary for the Administrator to make grants or enter into  
5 cooperative agreements in a total amount that does not ex-  
6 ceed \$10,500,000 in each of fiscal years 2017 and 2018.”.

7 **SEC. 1852. SCORE PROGRAM.**

8       Section 8 of the Small Business Act (15 U.S.C. 637)  
9 is amended—

10           (1) in subsection (b)(1)(B), by striking “a Serv-  
11 ice Corps of Retired Executives (*SCORE*)” and in-  
12 serting “the *SCORE* program described in subsection  
13 (c)”; and

14           (2) by striking subsection (c) and inserting the  
15 following:

16       “(c) *SCORE PROGRAM*.—

17           “(1) *DEFINITION*.—In this subsection:

18                   “(A) *SCORE ASSOCIATION*.—The term  
19 ‘*SCORE Association*’ means the Service Corps of  
20 Retired Executives Association or any successor  
21 or other organization who receives a grant from  
22 the Administrator to operate the *SCORE* pro-  
23 gram under paragraph (2)(A).

1           “(B) *SCORE PROGRAM.*—*The term*  
2           ‘*SCORE program*’ means the *SCORE program*  
3           *authorized by subsection (b)(1)(B).*

4           “(2) *MANAGEMENT AND VOLUNTEERS.*—

5           “(A) *IN GENERAL.*—*The Administrator*  
6           *shall provide a grant to the SCORE Association*  
7           *to manage the SCORE program.*

8           “(B) *VOLUNTEERS.*—*A volunteer partici-*  
9           *parting in the SCORE program shall—*

10           “(i) *based on the business experience*  
11           *and knowledge of the volunteer—*

12           “(I) *provide at no cost to individ-*  
13           *uals who own, or aspire to own, small*  
14           *business concerns personal counseling,*  
15           *mentoring, and coaching relating to*  
16           *the process of starting, expanding,*  
17           *managing, buying, and selling a busi-*  
18           *ness; and*

19           “(II) *facilitate low-cost education*  
20           *workshops for individuals who own, or*  
21           *aspire to own, small business concerns;*  
22           *and*

23           “(ii) *as appropriate, use tools, re-*  
24           *sources, and expertise of other organizations*  
25           *to carry out the SCORE program.*



1           “(3) *PLANS AND GOALS.*—*The Administrator, in*  
2           *consultation with the SCORE Association, shall en-*  
3           *sure that the SCORE program and each chapter of*  
4           *the SCORE program develop and implement plans*  
5           *and goals to more effectively and efficiently provide*  
6           *services to individuals in rural areas, economically*  
7           *disadvantaged communities, and other traditionally*  
8           *underserved communities, including plans for elec-*  
9           *tronic initiatives, web-based initiatives, chapter ex-*  
10          *pansion, partnerships, and the development of new*  
11          *skills by volunteers participating in the SCORE pro-*  
12          *gram.*

13           “(4) *ANNUAL REPORT.*—*The SCORE Association*  
14          *shall submit to the Administrator an annual report*  
15          *that contains—*

16                   “(A) *the number of individuals counseled or*  
17                   *trained under the SCORE program;*

18                   “(B) *the number of hours of counseling pro-*  
19                   *vided under the SCORE program; and*

20                   “(C) *to the extent possible—*

21                           “(i) *the number of small business con-*  
22                           *cerns formed with assistance from the*  
23                           *SCORE program;*

1           “(ii) *the number of small business con-*  
2           *cerns expanded with assistance from the*  
3           *SCORE program; and*

4           “(iii) *the number of jobs created with*  
5           *assistance from the SCORE program.*

6           “(5) *PRIVACY REQUIREMENTS.—*

7           “(A) *IN GENERAL.—Neither the Adminis-*  
8           *trator nor the SCORE Association may disclose*  
9           *the name, address, or telephone number of any*  
10           *individual or small business concern receiving*  
11           *assistance from the SCORE Association without*  
12           *the consent of such individual or small business*  
13           *concern, unless—*

14           “(i) *the Administrator is ordered to*  
15           *make such a disclosure by a court in any*  
16           *civil or criminal enforcement action initi-*  
17           *ated by a Federal or State agency; or*

18           “(ii) *the Administrator determines*  
19           *such a disclosure to be necessary for the*  
20           *purpose of conducting a financial audit of*  
21           *the SCORE program, in which case disclo-*  
22           *sure shall be limited to the information nec-*  
23           *essary for the audit.*

24           “(B) *ADMINISTRATOR USE OF INFORMA-*  
25           *TION.—This paragraph shall not—*

1           “(i) *restrict the access of the Adminis-*  
2           *trator to program activity data; or*

3           “(ii) *prevent the Administrator from*  
4           *using client information to conduct client*  
5           *surveys.*

6           “(C) *STANDARDS.—*

7           “(i) *IN GENERAL.—The Administrator*  
8           *shall, after the opportunity for notice and*  
9           *comment, establish standards for—*

10           “(I) *disclosures with respect to fi-*  
11           *nancial audits under subparagraph*  
12           *(A)(ii); and*

13           “(II) *conducting client surveys,*  
14           *including standards for oversight of the*  
15           *surveys and for dissemination and use*  
16           *of client information.*

17           “(ii) *MAXIMUM PRIVACY PROTEC-*  
18           *TION.—The standards issued under this sub-*  
19           *paragraph shall, to the extent practicable,*  
20           *provide for the maximum amount of pri-*  
21           *vacv protection.”.*

22   **SEC. 1853. ONLINE COMPONENT.**

23           “(a) *IN GENERAL.—Section 8(c) of the Small Business*  
24           *Act (15 U.S.C. 637(c)), as amended by section 1852, is fur-*  
25           *ther amended by adding at the end the following:*

1           “(6) *ONLINE COMPONENT.*—*In carrying out this*  
2           *subsection, the SCORE Association shall make use of*  
3           *online counseling, including by developing and imple-*  
4           *menting webinars and an electronic mentoring plat-*  
5           *form to expand access to services provided under this*  
6           *subsection and to further support entrepreneurs.”.*

7           *(b) ONLINE COMPONENT REPORT.*—

8           *(1) IN GENERAL.*—*At the end of fiscal year 2018,*  
9           *the SCORE Association shall issue a report to the*  
10           *Committee on Small Business of the House of Rep-*  
11           *resentatives and the Committee on Small Business*  
12           *and Entrepreneurship of the Senate on the effective-*  
13           *ness of the online counseling and webinars required as*  
14           *part of the SCORE program, including—*

15                   *(A) how the SCORE Association determines*  
16                   *electronic mentoring and webinar needs, develops*  
17                   *training for electronic mentoring, establishes*  
18                   *webinar criteria curricula, and evaluates*  
19                   *webinar and electronic mentoring results;*

20                   *(B) describing the internal controls that are*  
21                   *used and a summary of the topics covered by the*  
22                   *webinars; and*

23                   *(C) performance metrics, including the*  
24                   *number of small business concerns counseled by,*  
25                   *the number of small business concerns created by,*

1           *the number of jobs created and retained by, and*  
2           *the funding amounts directed towards such on-*  
3           *line counseling and webinars.*

4           (2) *DEFINITIONS.*—*For purposes of this sub-*  
5           *section, the terms “SCORE Association” and*  
6           *“SCORE program” have the meaning given those*  
7           *terms, respectively, under section 8(c)(1) of the Small*  
8           *Business Act (15 U.S.C. 637(c)(1)).*

9   **SEC. 1854. STUDY AND REPORT ON THE FUTURE ROLE OF**  
10                           **THE SCORE PROGRAM.**

11           (a) *STUDY.*—*The SCORE Association shall carry out*  
12           *a study on the future role of the SCORE program and de-*  
13           *velop a strategic plan for how the SCORE program will*  
14           *evolve to meet the needs of small business concerns and po-*  
15           *tential future small business concerns over the course of the*  
16           *5 years following the date of enactment of this Act, with*  
17           *markers and specific objectives for year 1, year 3, and year*  
18           *5.*

19           (b) *REPORT.*—*Not later than the end of the 6-month*  
20           *period beginning on the date of the enactment of this Act,*  
21           *the SCORE Association shall issue a report to the Com-*  
22           *mittee on Small Business of the House of Representatives*  
23           *and the Committee on Small Business and Entrepreneur-*  
24           *ship of the Senate containing—*

1           (1) *all findings and determination made in carrying out the study required under subsection (a);*

2  
3           (2) *the strategic plan developed under subsection (a);*

4  
5           (3) *an explanation of how the SCORE Association plans to achieve the strategic plan, assuming both stagnant and increased funding levels.*

6  
7  
8           (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)).*

9  
10  
11  
12 **SEC. 1855. TECHNICAL AND CONFORMING AMENDMENTS.**

13           (a) *SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—*

14  
15           (1) *in section 7(m)(3)(A)(i)(VIII) (15 U.S.C. 636(m)(3)(A)(i)(VIII)), by striking “Service Corps of Retired Executives” and inserting “SCORE program”; and*

16  
17  
18  
19           (2) *in section 22 (15 U.S.C. 649)—*

20           (A) *in subsection (b)—*

21           (i) *in paragraph (1), by striking “Service Corps of Retired Executives” and inserting “SCORE program”; and*

22  
23

1                   (ii) in paragraph (3), by striking  
2                   “Service Corps of Retired Executives” and  
3                   inserting “SCORE program”; and  
4                   (B) in subsection (c)(12), by striking “Serv-  
5                   ice Corps of Retired Executives” and inserting  
6                   “SCORE program”.

7           (b) OTHER LAWS.—

8                   (1) Section 621 of the Children’s Health Insur-  
9                   ance Program Reauthorization Act of 2009 (15  
10                   U.S.C. 657p) is amended—

11                   (A) in subsection (a), by striking paragraph  
12                   (4) and inserting the following:

13                   “(4) the term ‘SCORE program’ means the  
14                   SCORE program authorized by section 8(b)(1)(B) of  
15                   the Small Business Act (15 U.S.C. 637(b)(1)(B));”;  
16                   and

17                   (B) in subsection (b)(4)(A)(iv), by striking  
18                   “Service Corps of Retired Executives” and in-  
19                   serting “SCORE program”.

20                   (2) Section 337(d)(2)(A) of the Energy Policy  
21                   and Conservation Act (42 U.S.C. 6307(d)(2)(A)) is  
22                   amended by striking “Service Corps of Retired Execu-  
23                   tives (SCORE)” and inserting “SCORE program”.

**Subtitle G—Miscellaneous  
Provisions**

**SEC. 1861. IMPROVING EDUCATION ON SMALL BUSINESS  
REGULATIONS.**

(a) *REGULATORY CHANGES AND TRAINING MATERIALS.*—Section 15 of the Small Business Act (15 U.S.C. 644), as amended by this Act, is further amended by adding at the end the following new subsection:

“(u) *REGULATORY CHANGES AND TRAINING MATERIALS.*—Not less than annually, the Administrator shall provide to the Defense Acquisition University (established under section 1746 of title 10, United States Code), the Federal Acquisition Institute (established under section 1201 of title 41, United States Code), the individual responsible for mandatory training and education of the acquisition workforce of each agency (described under section 1703(f)(1)(C) of title 41, United States Code), small business development centers, and entities participating in the Procurement Technical Assistance Cooperative Agreement Program under chapter 142 of title 10, United States Code—

“(1) a list of all changes made in the prior year to regulations promulgated—

“(A) by the Administrator that affect Federal acquisition; and



1           “(B) by the Federal Acquisition Council  
2           that implement changes to this Act; and

3           “(2) any materials the Administrator has devel-  
4           oped to explain, train, or assist Federal agencies or  
5           departments or small business concerns to comply  
6           with the regulations specified in paragraph (1).”.

7           (b) *TRAINING TO BE UPDATED.*—Upon receipt of in-  
8           formation from the Administrator of the Small Business  
9           Administration pursuant to section 15(u) of the Small  
10          Business Act, the Defense Acquisition University (as under  
11          section 1746 of title 10, United States Code) and the Fed-  
12          eral Acquisition Institute (established under section 1201  
13          of title 41, United States Code) shall periodically update  
14          the training provided to the acquisition workforce.

15          **SEC. 1862. PROTECTING TASK ORDER COMPETITION.**

16          Section 4106(f) of title 41, United States Code, is  
17          amended by striking paragraph (3).

18          **SEC. 1863. IMPROVEMENTS TO SIZE STANDARDS FOR**  
19                                **SMALL AGRICULTURAL PRODUCERS.**

20          (a) *AMENDMENT TO DEFINITION OF AGRICULTURAL*  
21          *ENTERPRISES.*—Paragraph (1) of section 18(b) of the  
22          Small Business Act (15 U.S.C. 647(b)(1)) is amended by  
23          striking “businesses” and inserting “small business con-  
24          cerns”.

1       (b) *EQUAL TREATMENT OF SMALL FARMS.*—Para-  
 2 graph (1) of section 3(a) of the Small Business Act (15  
 3 U.S.C. 632(a)(1)) is amended by striking “operation: Pro-  
 4 vided,” and all that follows through the period at the end  
 5 and inserting “operation.”.

6       (c) *UPDATED SIZE STANDARDS.*—Size standards es-  
 7 tablished under subsection (a) are subject to the rolling re-  
 8 view procedures established under section 1344(a) of the  
 9 Small Business Jobs Act of 2010 (15 U.S.C. 632 note).

10 **SEC. 1864. UNIFORMITY IN SERVICE-DISABLED VETERAN**

11 **DEFINITIONS.**

12       (a) *SMALL BUSINESS DEFINITION OF SMALL BUSI-*  
 13 *NESS CONCERN CONSOLIDATED.*—Section 3(q) of the Small  
 14 Business Act (15 U.S.C. 632(q)) is amended—

15           (1) by amending paragraph (2) to read as fol-  
 16 lows:

17           “(2) *SMALL BUSINESS CONCERN OWNED AND*  
 18 *CONTROLLED BY SERVICE-DISABLED VETERANS.*—The  
 19 term ‘small business concern owned and controlled by  
 20 service-disabled veterans’ means any of the following:

21           “(A) A small business concern—

22                   “(i) not less than 51 percent of which  
 23 is owned by one or more service-disabled  
 24 veterans or, in the case of any publicly  
 25 owned business, not less than 51 percent of

1           *the stock (not including any stock owned by*  
2           *an ESOP) of which is owned by one or*  
3           *more service-disabled veterans; and*

4           “(i) *the management and daily busi-*  
5           *ness operations of which are controlled by*  
6           *one or more service-disabled veterans or, in*  
7           *the case of a veteran with permanent and*  
8           *severe disability, the spouse or permanent*  
9           *caregiver of such veteran.*

10          “(B) *A small business concern—*

11           “(i) *not less than 51 percent of which*  
12           *is owned by one or more service-disabled*  
13           *veterans with a disability that is rated by*  
14           *the Secretary of Veterans Affairs as a per-*  
15           *manent and total disability who are unable*  
16           *to manage the daily business operations of*  
17           *such concern; or*

18           “(ii) *in the case of a publicly owned*  
19           *business, not less than 51 percent of the*  
20           *stock (not including any stock owned by an*  
21           *ESOP) of which is owned by one or more*  
22           *such veterans.*

23          “(C)(i) *During the time period described in*  
24          *clause (ii), a small business concern that was a*  
25          *small business concern described in subpara-*

1 *graph (A) or (B) immediately prior to the death*  
2 *of a service-disabled veteran who was the owner*  
3 *of the concern, the death of whom causes the con-*  
4 *cern to be less than 51 percent owned by one or*  
5 *more service-disabled veterans, if—*

6 *“(I) the surviving spouse of the de-*  
7 *ceased veteran acquires such veteran’s own-*  
8 *ership interest in such concern;*

9 *“(II) such veteran had a service-con-*  
10 *nected disability (as defined in section*  
11 *101(16) of title 38, United States Code)*  
12 *rated as 100 percent disabling under the*  
13 *laws administered by the Secretary of Vet-*  
14 *erans Affairs or such veteran died as a re-*  
15 *sult of a service-connected disability; and*

16 *“(III) immediately prior to the death*  
17 *of such veteran, and during the period de-*  
18 *scribed in clause (ii), the small business*  
19 *concern is included in the database de-*  
20 *scribed in section 8127(f) of title 38, United*  
21 *States Code.*

22 *“(ii) The time period described in this*  
23 *clause is the time period beginning on the date*  
24 *of the veteran’s death and ending on the earlier*  
25 *of—*

1                   “(I) the date on which the surviving  
2 spouse remarries;

3                   “(II) the date on which the surviving  
4 spouse relinquishes an ownership interest in  
5 the small business concern; or

6                   “(III) the date that is 10 years after  
7 the date of the death of the veteran.”; and

8                   (2) by adding at the end the following new para-  
9 graphs:

10                   “(6) *ESOP*.—The term ‘*ESOP*’ has the meaning  
11 given the term ‘employee stock ownership plan’ in sec-  
12 tion 4975(e)(7) of the Internal Revenue Code of 1986  
13 (26 U.S.C. 4975(e)(7)).

14                   “(7) *SURVIVING SPOUSE*.—The term ‘surviving  
15 spouse’ has the meaning given such term in section  
16 101(3) of title 38, United States Code.”.

17                   (b) *VETERANS AFFAIRS DEFINITION OF SMALL BUSI-*  
18 *NESS CONCERN CONSOLIDATED*.—

19                   (1) *IN GENERAL*.—Section 8127 of title 38,  
20 United States Code, is amended—

21                   (A) by striking subsection (h) and redesign-  
22 ating subsections (i) through (l) as subsections  
23 (h) through (k), respectively; and

24                   (B) in subsection (k), as so redesignated—

1                   (i) by amending paragraph (2) to read  
2                   as follows:

3                   “(2) The term ‘small business concern owned and  
4                   controlled by veterans’ has the meaning given that  
5                   term under section 3(q)(3) of the Small Business Act  
6                   (15 U.S.C. 632(q)(3)).”; and

7                   (ii) by adding at the end the following  
8                   new paragraph:

9                   “(3) The term ‘small business concern owned and  
10                  controlled by veterans with service-connected disabili-  
11                  ties’ has the meaning given the term ‘small business  
12                  concern owned and controlled by service-disabled vet-  
13                  erans’ under section 3(q)(2) of the Small Business Act  
14                  (15 U.S.C. 632(q)(2)).”.

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

17                         (A) in subsection (b), by inserting “or a  
18                         small business concern owned and controlled by  
19                         veterans with service-connected disabilities” after  
20                         “a small business concern owned and controlled  
21                         by veterans”;

22                         (B) in subsection (c), by inserting “or a  
23                         small business concern owned and controlled by  
24                         veterans with service-connected disabilities” after

1           *“a small business concern owned and controlled*  
2           *by veterans”;*

3                   *(C) in subsection (d) by inserting “or small*  
4           *business concerns owned and controlled by vet-*  
5           *erans with service-connected disabilities” after*  
6           *“small business concerns owned and controlled*  
7           *by veterans” both places it appears; and*

8                   *(D) in subsection (f)(1), by inserting “,*  
9           *small business concerns owned and controlled by*  
10           *veterans with service-connected disabilities,”*  
11           *after “small business concerns owned and con-*  
12           *trolled by veterans”.*

13           *(c) TECHNICAL CORRECTION.—Section 8(d)(3) of the*  
14           *Small Business Act (15 U.S.C. 637(d)(3)), is amended by*  
15           *adding at the end the following new subparagraph:*

16                   *“(H) In this contract, the term ‘small business*  
17           *concern owned and controlled by service-disabled vet-*  
18           *erans’ has the meaning given that term in section*  
19           *3(q).”.*

20           *(d) REGULATIONS RELATING TO DATABASE OF THE*  
21           *SECRETARY OF VETERANS AFFAIRS.—*

22                   *(1) REQUIREMENT TO USE CERTAIN SMALL BUSI-*  
23           *NESS ADMINISTRATION REGULATIONS.—Section*  
24           *8127(f)(4) of title 38, United States Code, is amended*  
25           *by striking “verified” and inserting “verified, using*

1 *regulations issued by the Administrator of the Small*  
2 *Business Administration with respect to the status of*  
3 *the concern as a small business concern and the own-*  
4 *ership and control of such concern,”.*

5 (2) *PROHIBITION ON SECRETARY OF VETERANS*  
6 *AFFAIRS ISSUING CERTAIN REGULATIONS.—Section*  
7 *8127(f) of title 38, United States Code, is amended by*  
8 *adding at the end the following new paragraph:*

9 “(7) *The Secretary may not issue regulations related*  
10 *to the status of a concern as a small business concern and*  
11 *the ownership and control of such small business concern.”.*

12 (e) *DELAYED EFFECTIVE DATE.—The amendments*  
13 *made by subsections (a), (b), (c), and (d) shall take effect*  
14 *on the date on which the Administrator of the Small Busi-*  
15 *ness Administration and the Secretary of Veterans Affairs*  
16 *jointly issue regulations implementing such sections.*

17 (f) *APPEALS OF INCLUSION IN DATABASE.—*

18 (1) *IN GENERAL.—Section 8127(f) of title 38,*  
19 *United States Code, as amended by this Act, is fur-*  
20 *ther amended by adding at the end the following new*  
21 *paragraph:*

22 “(8)(A) *If the Secretary does not verify a concern for*  
23 *inclusion in the database under this subsection based on*  
24 *the status of the concern as a small business concern or the*  
25 *ownership or control of the concern, the concern may appeal*



1 *the denial of verification to the Office of Hearings and Ap-*  
2 *peals of the Small Business Administration (as established*  
3 *under section 5(i) of the Small Business Act). The decision*  
4 *of the Office of Hearings and Appeals shall be considered*  
5 *a final agency action.*

6       “(B)(i) *If an interested party challenges the inclusion*  
7 *in the database of a small business concern owned and con-*  
8 *trolled by veterans or a small business concern owned and*  
9 *controlled by veterans with service-connected disabilities*  
10 *based on the status of the concern as a small business con-*  
11 *cern or the ownership or control of the concern, the challenge*  
12 *shall be heard by the Office of Hearings and Appeals of*  
13 *the Small Business Administration as described in sub-*  
14 *paragraph (A). The decision of the Office of Hearings and*  
15 *Appeals shall be considered final agency action.*

16       “(ii) *In this subparagraph, the term ‘interested party’*  
17 *means—*

18               “(I) *the Secretary; and*

19               “(II) *in the case of a small business concern that*  
20 *is awarded a contract, the contracting officer of the*  
21 *Department or another small business concern that*  
22 *submitted an offer for the contract that was awarded*  
23 *to the small business concern that submitted an offer*  
24 *under clause (i).*

1       “(C) For each fiscal year, the Secretary shall reim-  
2       burse the Administrator of the Small Business Administra-  
3       tion in an amount necessary to cover any cost incurred by  
4       the Office of Hearings and Appeals of the Small Business  
5       Administration for actions taken by the Office under this  
6       paragraph. The Administrator is authorized to accept such  
7       reimbursement. The amount of any such reimbursement  
8       shall be determined jointly by the Secretary and the Admin-  
9       istrator and shall be provided from fees collected by the Sec-  
10      retary under multiple-award schedule contracts. Any dis-  
11      agreement about the amount shall be resolved by the Direc-  
12      tor of the Office of Management and Budget.”.

13           (2) *EFFECTIVE DATE.*—Paragraph (8) of sub-  
14      section (f) of title 38, United States Code, as added  
15      by paragraph (1), shall apply with respect to a  
16      verification decision made by the Secretary of Vet-  
17      erans Affairs on or after the date of the enactment of  
18      this title.

19      **SEC. 1865. REQUIRED REPORTS PERTAINING TO CAPITAL**  
20                           **PLANNING AND INVESTMENT CONTROL.**

21      *The Administrator of the Small Business Administra-*  
22      *tion shall submit to the Senate Committee on Small Busi-*  
23      *ness and Entrepreneurship and the Committee on Small*  
24      *Business of the House of Representatives the information*

1 *described in section 11302(c)(3)(B)(ii) of title 40, United*  
 2 *States Code, within 10 days of transmittal to the Director.*

3 **SEC. 1866. OFFICE OF HEARINGS AND APPEALS.**

4 (a) *CLARIFICATION AS TO JURISDICTION.—Section*  
 5 *5(i)(1)(B) of the Small Business Act (15 U.S.C.*  
 6 *634(i)(1)(B)) is amended to read as follows:*

7 “(B) *JURISDICTION.—*

8 “(i) *IN GENERAL.—Except as provided*  
 9 *in clause (ii), the Office of Hearings and*  
 10 *Appeals shall hear appeals of agency ac-*  
 11 *tions under or pursuant to this Act, the*  
 12 *Small Business Investment Act of 1958 (15*  
 13 *U.S.C. 661 et seq.), title 13 of the Code of*  
 14 *Federal Regulations, and such other matters*  
 15 *as the Administrator may determine appro-*  
 16 *priate.*

17 “(ii) *EXCEPTION.—The Office of Hear-*  
 18 *ings and Appeals shall not adjudicate dis-*  
 19 *putes requiring a hearing on the record, ex-*  
 20 *cept disputes pertaining to the small busi-*  
 21 *ness programs described in this Act.”.*

22 (b) *NEW PROCEDURES FOR PETITIONS FOR RECON-*  
 23 *SIDERATION.—Section 3(a)(9) of the Small Business Act*  
 24 *(15 U.S.C. 632(a)(9)) is amended by adding at the end the*  
 25 *following:*

1           “(E) *PROCEDURES.*—*The Office of Hear-*  
2           *ings and Appeals shall begin accepting petitions*  
3           *for reconsideration described in subparagraph*  
4           *(A) upon the effective date of the procedures im-*  
5           *plementing this paragraph. Notwithstanding the*  
6           *provisions of subparagraph (B), petitions for re-*  
7           *consideration of size standards revised, modified,*  
8           *or established in a Federal Register final rule*  
9           *published between November 25, 2015 and the ef-*  
10          *fective date of such procedures shall be considered*  
11          *timely if filed within 30 days of such effective*  
12          *date.”.*

13 **SEC. 1867. ISSUANCE OF GUIDANCE ON SMALL BUSINESS**  
14           **MATTERS.**

15          *Not later than 180 days after the date of enactment*  
16          *of this title, the Administrator of the Small Business Ad-*  
17          *ministration shall issue guidance pertaining to the amend-*  
18          *ments made by this Act to the Small Business Act by this*  
19          *title. The Administrator shall provide notice and oppor-*  
20          *tunity for comment on such guidance for a period of not*  
21          *less than 60 days.*

1 **SEC. 1868. ROLE OF SMALL BUSINESS DEVELOPMENT CEN-**  
2 **TERS IN CYBER SECURITY AND PREPARED-**  
3 **NESS.**

4 *Section 21 of the Small Business Act (15 U.S.C. 648)*  
5 *is amended—*

6 *(1) in subsection (a)(1), by striking “and pro-*  
7 *viding access to business analysts who can refer small*  
8 *business concerns to available experts:” and inserting*  
9 *“providing access to business analysts who can refer*  
10 *small business concerns to available experts; and, to*  
11 *the extent practicable, providing assistance in further-*  
12 *ance of the Small Business Development Center Cyber*  
13 *Strategy developed under section 1871(b) of the Na-*  
14 *tional Defense Authorization Act for Fiscal Year*  
15 *2017:”; and*

16 *(2) in subsection (c)—*

17 *(A) in paragraph (2)—*

18 *(i) in subparagraph (E), by striking*  
19 *“and” at the end;*

20 *(ii) in subparagraph (F), by striking*  
21 *the period and inserting “; and”; and*

22 *(iii) by adding at the end of the fol-*  
23 *lowing:*

24 *“(G) access to cyber security specialists to coun-*  
25 *sel, assist, and inform small business concern clients,*

1 *in furtherance of the Small Business Development*  
2 *Center Cyber Strategy developed under section.”.*

3 **SEC. 1869. ADDITIONAL CYBER SECURITY ASSISTANCE FOR**  
4 **SMALL BUSINESS DEVELOPMENT CENTERS.**

5 *Section 21(a) of the Small Business Act (15 U.S.C.*  
6 *648(a)) is amended by adding at the end the following:*

7 *“(8) CYBER SECURITY ASSISTANCE.—The De-*  
8 *partment of Homeland Security, and any other Fed-*  
9 *eral department or agency in coordination with the*  
10 *Department of Homeland Security, may provide as-*  
11 *sistance to small business development centers,*  
12 *through the dissemination of cybersecurity risk infor-*  
13 *mation and other homeland security information, to*  
14 *help small business concerns in developing or enhanc-*  
15 *ing cyber security infrastructure, cyber threat aware-*  
16 *ness, and cyber training programs for employees.”.*

17 **SEC. 1869A. CYBERSECURITY OUTREACH FOR SMALL BUSI-**  
18 **NESS DEVELOPMENT CENTERS.**

19 *Section 227 of the Homeland Security Act of 2002 (6*  
20 *U.S.C. 148) is amended—*

21 *(1) by redesignating subsection (l) as subsection*  
22 *(m); and*

23 *(2) by inserting after subsection (k) the fol-*  
24 *lowing:*

25 *“(l) CYBERSECURITY OUTREACH.—*

1           “(1) *IN GENERAL.*—*The Secretary may provide*  
2           *assistance to small business development centers,*  
3           *through the dissemination of cybersecurity risk infor-*  
4           *mation and other homeland security information, to*  
5           *help small business concerns in developing or enhanc-*  
6           *ing cyber security infrastructure, cyber threat aware-*  
7           *ness, and cyber training programs for employees.*”

8           “(2) *DEFINITIONS.*—*For purposes of this sub-*  
9           *section, the terms ‘small business concern’ and ‘small*  
10           *business development center’ have the meaning given*  
11           *such terms, respectively, under section 3 of the Small*  
12           *Business Act.’.*”

13 **SEC. 1869B. GAO STUDY ON SMALL BUSINESS CYBER SUP-**  
14           **PORT SERVICES AND SMALL BUSINESS DE-**  
15           **VELOPMENT CENTER CYBER STRATEGY.**

16           (a) *REVIEW OF CURRENT CYBER SECURITY RE-*  
17           *SOURCES.*—

18           (1) *IN GENERAL.*—*The Comptroller General of*  
19           *the United States shall conduct a review of current*  
20           *cyber security resources at the Federal level aimed at*  
21           *assisting small business concerns with developing or*  
22           *enhancing cyber security infrastructure, cyber threat*  
23           *awareness, or cyber training programs for employees.*

24           (2) *CONTENT.*—*The review required under para-*  
25           *graph (1) shall include the following:*

1           (A) *An accounting and description of all*  
2           *Federal Government programs, projects, and ac-*  
3           *tivities that currently provide assistance to small*  
4           *business concerns in developing or enhancing*  
5           *cyber security infrastructure, cyber threat aware-*  
6           *ness, or cyber training programs for employees.*

7           (B) *An assessment of how widely utilized*  
8           *the resources described under subparagraph (A)*  
9           *are by small business concerns and a review of*  
10           *whether or not such resources are duplicative of*  
11           *other programs and structured in a manner that*  
12           *makes them accessible to and supportive of small*  
13           *business concerns.*

14           (3) *REPORT.—The Comptroller General shall*  
15           *issue a report to the Congress, the Small Business Ad-*  
16           *ministrator, the Secretary of Homeland Security, and*  
17           *any association recognized under section 21(a)(3)(A)*  
18           *of the Small Business Act containing all findings and*  
19           *determinations made in carrying out the review re-*  
20           *quired under paragraph (1).*

21           (b) *SMALL BUSINESS DEVELOPMENT CENTER CYBER*  
22           *STRATEGY.—*

23           (1) *IN GENERAL.—Not later than 90 days after*  
24           *the issuance of the report under subsection (a)(3), the*  
25           *Small Business Administrator and the Secretary of*



1 *Homeland Security shall work collaboratively to de-*  
2 *velop a Small Business Development Center Cyber*  
3 *Strategy.*

4 (2) *CONSULTATION.*—*In developing the strategy*  
5 *under this subsection, the Small Business Adminis-*  
6 *trator and the Secretary of Homeland Security shall*  
7 *consult with entities representing the concerns of*  
8 *small business development centers, including any as-*  
9 *sociation recognized under section 21(a)(3)(A) of the*  
10 *Small Business Act.*

11 (3) *CONTENT.*—*The strategy required under*  
12 *paragraph (1) shall include, at minimum, the fol-*  
13 *lowing:*

14 (A) *Plans for incorporating small business*  
15 *development centers (hereinafter in this section*  
16 *referred to as “SBDCs”) into existing cyber pro-*  
17 *grams to enhance services and streamline cyber*  
18 *assistance to small business concerns.*

19 (B) *To the extent practicable, methods for*  
20 *the provision of counsel and assistance to im-*  
21 *prove a small business concern’s cyber security*  
22 *infrastructure, cyber threat awareness, and cyber*  
23 *training programs for employees, including—*

24 (i) *working to ensure individuals are*  
25 *aware of best practices in the areas of cyber*

1 security, cyber threat awareness, and cyber  
2 training;

3 (ii) working with individuals to de-  
4 velop cost-effective plans for implementing  
5 best practices in these areas;

6 (iii) entering into agreements, where  
7 practical, with Information Sharing and  
8 Analysis Centers or similar cyber informa-  
9 tion sharing entities to gain an awareness  
10 of actionable threat information that may  
11 be beneficial to small business concerns; and

12 (iv) providing referrals to area special-  
13 ists when necessary.

14 (C) An analysis of—

15 (i) how Federal Government programs,  
16 projects, and activities identified by the  
17 Comptroller General in the report issued  
18 under subsection (a)(1) can be leveraged by  
19 SBDCs to improve access to high-quality  
20 cyber support for small business concerns;

21 (ii) additional resources SBDCs may  
22 need to effectively carry out their role; and

23 (iii) how SBDCs can leverage existing  
24 partnerships and develop new ones with  
25 Federal, State, and local government enti-

1            *ties as well as private entities to improve*  
2            *the quality of cyber support services to*  
3            *small business concerns.*

4            (4) *DELIVERY OF STRATEGY.*—Not later than  
5            180 days after the issuance of the report under sub-  
6            section (a)(3), the Small Business Development Cen-  
7            ter Cyber Strategy shall be issued to the Committees  
8            on Homeland Security and Small Business of the  
9            House of Representatives and the Committees on  
10          Homeland Security and Governmental Affairs and  
11          Small Business and Entrepreneurship of the Senate.

12 **SEC. 1869C. PROHIBITION ON ADDITIONAL FUNDS.**

13          *No additional funds are authorized to be appropriated*  
14 *to carry out sections 1868 through 1869B or the amend-*  
15 *ments made by such sections.*

16            ***Subtitle H—Small Business***  
17 ***Development Centers Improvements***

18 **SEC. 1871. SHORT TITLE.**

19          *This subtitle may be cited as the “Small Business De-*  
20 *velopment Centers Improvement Act of 2016”.*

21 **SEC. 1872. USE OF AUTHORIZED ENTREPRENEURIAL DE-**  
22 **VELOPMENT PROGRAMS.**

23          *The Small Business Act (15 U.S.C. 631 et seq.) is*  
24 *amended by adding at the end the following:*

1 **“SEC. 48. USE OF AUTHORIZED ENTREPRENEURIAL DEVEL-**  
2 **OPMENT PROGRAMS.**

3 *“(a) EXPANDED SUPPORT FOR ENTREPRENEURS.—*

4 *“(1) IN GENERAL.—Notwithstanding any other*  
5 *provision of law, the Administrator shall only use the*  
6 *programs authorized in sections 7(j), 7(m), 8(a),*  
7 *8(b)(1), 21, 22, 29, and 32 of this Act, and sections*  
8 *358 and 389 of the Small Business Investment Act to*  
9 *deliver entrepreneurial development services, entrepre-*  
10 *neurial education, support for the development and*  
11 *maintenance of clusters, or business training.*

12 *“(2) EXCEPTION.—This section shall not apply*  
13 *to services provided to assist small business concerns*  
14 *owned by an Indian tribe (as such term is defined in*  
15 *section 8(a)(13)).*

16 *“(b) ANNUAL REPORT.—Beginning on the first Decem-*  
17 *ber 1 after the date of enactment of this subsection, the Ad-*  
18 *ministrator shall annually report to the Committee on*  
19 *Small Business of the House of Representatives and the*  
20 *Committee on Small Business and Entrepreneurship of the*  
21 *Senate on all entrepreneurial development activities under-*  
22 *taken in the current fiscal year. This report shall include—*

23 *“(1) a description and operating details for each*  
24 *program and activity;*

25 *“(2) operating circulars, manuals, and standard*  
26 *operating procedures for each program and activity;*

1           “(3) a description of the process used to award  
2           grants under each program and activity;

3           “(4) a list of all awardees, contractors, and ven-  
4           dors (including organization name and location) and  
5           the amount of awards for the current fiscal year for  
6           each program and activity;

7           “(5) the amount of funding obligated for the cur-  
8           rent fiscal year for each program and activity; and

9           “(6) the names and titles for those individuals  
10          responsible for each program and activity.”.

11 **SEC. 1873. MARKETING OF SERVICES.**

12          Section 21 of the Small Business Act (15 U.S.C. 648)  
13          is amended by adding at the end the following:

14          “(o) *NO PROHIBITION OF MARKETING OF SERVICES.*—  
15          The Administrator shall not prohibit applicants receiving  
16          grants under this section from marketing and advertising  
17          their services to individuals and small business concerns.”.

18 **SEC. 1874. DATA COLLECTION.**

19          (a) *IN GENERAL.*—Section 21(a)(3)(A) of the Small  
20          Business Act (15 U.S.C. 648(a)(3)(A)) is amended—

21                  (1) by striking “as provided in this section and”  
22                  and inserting “as provided in this section,”; and

23                  (2) by inserting before the period at the end the  
24                  following: “, and (iv) governing data collection activi-

1 *ties related to applicants receiving grants under this*  
2 *section”.*

3 *(b) ANNUAL REPORT ON DATA COLLECTION.—Section*  
4 *21 of the Small Business Act (15 U.S.C. 648), as amended*  
5 *by section 1873 of this Act, is further amended by adding*  
6 *at the end the following:*

7 *“(p) ANNUAL REPORT ON DATA COLLECTION.—The*  
8 *Administrator shall report annually to the Committee on*  
9 *Small Business of the House of Representatives and the*  
10 *Committee on Small Business and Entrepreneurship of the*  
11 *Senate on any data collection activities related to the Small*  
12 *Business Development Center program.”.*

13 *(c) WORKING GROUP TO IMPROVE DATA COLLEC-*  
14 *TION.—*

15 *(1) ESTABLISHMENT AND STUDY.—The Adminis-*  
16 *trator of the Small Business Administration shall es-*  
17 *tablish a Data Collection Working Group consisting*  
18 *of members from entrepreneurial development grant*  
19 *recipients associations and organizations and Admin-*  
20 *istration officials, to carry out a study to determine*  
21 *the best way to capture data collection and create or*  
22 *revise existing systems dedicated to data collection.*

23 *(2) REPORT.—Not later than the end of the 180-*  
24 *day period beginning on the date of the enactment of*  
25 *this Act, the Data Collection Working Group shall*

1        *issue a report to the Committee on Small Business of*  
2        *the House of Representatives and the Committee on*  
3        *Small Business and Entrepreneurship of the Senate*  
4        *containing the findings and determinations made in*  
5        *carrying out the study required under paragraph (1),*  
6        *including—*

7                *(A) recommendations for revising existing*  
8                *data collection practices; and*

9                *(B) a proposed plan for the Small Business*  
10               *Administration to implement such recommenda-*  
11               *tions.*

12        **SEC. 1875. FEES FROM PRIVATE PARTNERSHIPS AND CO-**  
13                **SPONSORSHIPS.**

14        *Section 21(a)(3) of the Small Business Act (15 U.S.C.*  
15        *648(a)(3)(C)), as amended by section 1874, is further*  
16        *amended by adding at the end the following:*

17                *“(D) FEES FROM PRIVATE PARTNERSHIPS AND CO-*  
18        *SPONSORSHIPS.—Participation in private partnerships*  
19        *and cosponsorships with the Administration shall not limit*  
20        *small business development centers from collecting fees or*  
21        *other income related to the operation of such private part-*  
22        *nerships and cosponsorships.”.*

1 **SEC. 1876. EQUITY FOR SMALL BUSINESS DEVELOPMENT**  
 2 **CENTERS.**

3 *Subclause (I) of section 21(a)(4)(C)(v) of the Small*  
 4 *Business Act (15 U.S.C. 648(a)(4)(C)(v)) is amended to*  
 5 *read as follows:*

6 *“(I) IN GENERAL.—Of the*  
 7 *amounts made available in any fiscal*  
 8 *year to carry out this section not more*  
 9 *than \$600,000 may be used by the Ad-*  
 10 *ministration to pay expenses enumer-*  
 11 *ated in subparagraphs (B) through (D)*  
 12 *of section 20(a)(1).”.*

13 **SEC. 1877. CONFIDENTIALITY REQUIREMENTS.**

14 *Section 21(a)(7)(A) of the Small Business Act (15*  
 15 *U.S.C. 648(a)(7)(A)) is amended by inserting after “under*  
 16 *this section” the following: “to any State, local or Federal*  
 17 *agency, or third party”.*

18 **SEC. 1878. LIMITATION ON AWARD OF GRANTS TO SMALL**  
 19 **BUSINESS DEVELOPMENT CENTERS.**

20 *(a) IN GENERAL.—Section 21 of the Small Business*  
 21 *Act (15 U.S.C. 648), as amended by section 1874, is further*  
 22 *amended—*

23 *(1) in subsection (a)(1), by striking “any wom-*  
 24 *en’s business center operating pursuant to section*  
 25 *29,”;*

26 *(2) by adding at the end the following:*



1       “(q) *LIMITATION ON AWARD OF GRANTS.*—*Except for*  
 2 *not-for-profit institutions of higher education, and notwith-*  
 3 *standing any other provision of law, the Administrator*  
 4 *may not award grants (including contracts and cooperative*  
 5 *agreements) under this section to any entity other than*  
 6 *those that received grants (including contracts and coopera-*  
 7 *tive agreements) under this section prior to the date of the*  
 8 *enactment of this subsection, and that seek to renew such*  
 9 *grants (including contracts and cooperative agreements)*  
 10 *after such date.”.*

11       (b) *RULE OF CONSTRUCTION.*—*The amendments made*  
 12 *by this section may not be construed as prohibiting a wom-*  
 13 *en’s business center from receiving a subgrant from an enti-*  
 14 *ty receiving a grant under section 21 of the Small Business*  
 15 *Act (15 U.S.C. 648).*

16 ***DIVISION B—MILITARY CON-***  
 17 ***STRUCTION AUTHORIZA-***  
 18 ***TIONS***

19 ***SEC. 2001. SHORT TITLE.***

20       *This division may be cited as the “Military Construc-*  
 21 *tion Authorization Act for Fiscal Year 2017”.*

1 **SEC. 2002. EXPIRATION OF AUTHORIZATIONS AND**  
2 **AMOUNTS REQUIRED TO BE SPECIFIED BY**  
3 **LAW.**

4 (a) *EXPIRATION OF AUTHORIZATIONS AFTER THREE*  
5 *YEARS.*—*Except as provided in subsection (b), all author-*  
6 *izations contained in titles XXI through XXVII and title*  
7 *XXIX for military construction projects, land acquisition,*  
8 *family housing projects and facilities, and contributions to*  
9 *the North Atlantic Treaty Organization Security Invest-*  
10 *ment Program (and authorizations of appropriations there-*  
11 *for) shall expire on the later of—*

12 (1) *October 1, 2019; or*

13 (2) *the date of the enactment of an Act author-*  
14 *izing funds for military construction for fiscal year*  
15 *2020.*

16 (b) *EXCEPTION.*—*Subsection (a) shall not apply to au-*  
17 *thorizations for military construction projects, land acqui-*  
18 *sition, family housing projects and facilities, and contribu-*  
19 *tions to the North Atlantic Treaty Organization Security*  
20 *Investment Program (and authorizations of appropriations*  
21 *therefor), for which appropriated funds have been obligated*  
22 *before the later of—*

23 (1) *October 1, 2019; or*

24 (2) *the date of the enactment of an Act author-*  
25 *izing funds for fiscal year 2020 for military construc-*  
26 *tion projects, land acquisition, family housing*

1 *projects and facilities, or contributions to the North*  
 2 *Atlantic Treaty Organization Security Investment*  
 3 *Program.*

4 **SEC. 2003. EFFECTIVE DATE.**

5 *Titles XXI through XXVII and title XXIX shall take*  
 6 *effect on the later of—*

7 *(1) October 1, 2016; or*

8 *(2) the date of the enactment of this Act.*

9 **TITLE XXI—ARMY MILITARY**  
 10 **CONSTRUCTION**

11 **SEC. 2101. AUTHORIZED ARMY CONSTRUCTION AND LAND**  
 12 **ACQUISITION PROJECTS.**

13 *(a) INSIDE THE UNITED STATES.—Using amounts ap-*  
 14 *propriated pursuant to the authorization of appropriations*  
 15 *in section 2103(a) and available for military construction*  
 16 *projects inside the United States as specified in the funding*  
 17 *table in section 4601, the Secretary of the Army may ac-*  
 18 *quire real property and carry out military construction*  
 19 *projects for the installations or locations inside the United*  
 20 *States, and in the amounts, set forth in the following table:*

**Army: Inside the United States**

<b>State</b>	<b>Installation</b>	<b>Amount</b>
<i>Alaska</i> .....	<i>Fort Wainwright</i> .....	<i>\$47,000,000</i>
<i>California</i> .....	<i>Concord</i> .....	<i>\$12,600,000</i>
<i>Colorado</i> .....	<i>Fort Carson</i> .....	<i>\$13,100,000</i>
<i>Georgia</i> .....	<i>Fort Gordon</i> .....	<i>\$129,600,000</i>
	<i>Fort Stewart</i> .....	<i>\$14,800,000</i>
<i>Hawaii</i> .....	<i>Fort Shafter</i> .....	<i>\$40,000,000</i>
<i>Missouri</i> .....	<i>Fort Leonard Wood</i> .....	<i>\$6,900,000</i>
<i>Texas</i> .....	<i>Fort Hood</i> .....	<i>\$7,600,000</i>
<i>Utah</i> .....	<i>Camp Williams</i> .....	<i>\$7,400,000</i>
<i>Virginia</i> .....	<i>Fort Belvoir</i> .....	<i>\$23,000,000</i>

1           (b) *OUTSIDE THE UNITED STATES.*—Using amounts  
 2 appropriated pursuant to the authorization of appropria-  
 3 tions in section 2103(a) and available for military con-  
 4 struction projects outside the United States as specified in  
 5 the funding table in section 4601, the Secretary of the Army  
 6 may acquire real property and carry out the military con-  
 7 struction project for the installations or locations outside  
 8 the United States, and in the amount, set forth in the fol-  
 9 lowing table:

**Army: Outside the United States**

<b>Country</b>	<b>Installation</b>	<b>Amount</b>
Cuba .....	Guantanamo Bay .....	\$33,000,000
Germany .....	East Camp Grafenwoehr .....	\$22,000,000
	Garmisch .....	\$9,600,000
	Wiesbaden Army Airfield .....	\$19,200,000

10 **SEC. 2102. FAMILY HOUSING.**

11           (a) *CONSTRUCTION AND ACQUISITION.*—Using  
 12 amounts appropriated pursuant to the authorization of ap-  
 13 propriations in section 2103(a) and available for military  
 14 family housing functions as specified in the funding table  
 15 in section 4601, the Secretary of the Army may construct  
 16 or acquire family housing units (including land acquisition  
 17 and supporting facilities) at the installations or locations,  
 18 in the number of units, and in the amounts set forth in  
 19 the following table:

**Army: Family Housing**

<b>State/Country</b>	<b>Installation</b>	<b>Units</b>	<b>Amount</b>
Korea .....	Camp Humphreys .....	Family Housing New Construction .....	\$297,000,000

**Army: Family Housing—Continued**

<b>State/Country</b>	<b>Installation</b>	<b>Units</b>	<b>Amount</b>
	Camp Walker .....	Family Housing New Construction .....	\$54,554,000

1           **(b) PLANNING AND DESIGN.**—Using amounts appro-  
2    priated pursuant to the authorization of appropriations in  
3    section 2103(a) and available for military family housing  
4    functions as specified in the funding table in section 4601,  
5    the Secretary of the Army may carry out architectural and  
6    engineering services and construction design activities with  
7    respect to the construction or improvement of family hous-  
8    ing units in an amount not to exceed \$2,618,000.

9    **SEC. 2103. AUTHORIZATION OF APPROPRIATIONS, ARMY.**

10           **(a) AUTHORIZATION OF APPROPRIATIONS.**—Funds are  
11    hereby authorized to be appropriated for fiscal years begin-  
12    ning after September 30, 2016, for military construction,  
13    land acquisition, and military family housing functions of  
14    the Department of the Army as specified in the funding  
15    table in section 4601.

16           **(b) LIMITATION ON TOTAL COST OF CONSTRUCTION**  
17    **PROJECTS.**—Notwithstanding the cost variations author-  
18    ized by section 2853 of title 10, United States Code, and  
19    any other cost variation authorized by law, the total cost  
20    of all projects carried out under section 2101 may not ex-  
21    ceed the total amount authorized to be appropriated under

1 subsection (a), as specified in the funding table in section  
2 4601.

3 **SEC. 2104. MODIFICATION OF AUTHORITY TO CARRY OUT**  
4 **CERTAIN FISCAL YEAR 2014 PROJECT.**

5 *In the case of the authorization contained in the table*  
6 *in section 2101(a) of the Military Construction Authoriza-*  
7 *tion Act for Fiscal Year 2014 (division B of Public Law*  
8 *113–66; 127 Stat. 986) for Joint Base Lewis-McChord,*  
9 *Washington, for construction of an aircraft maintenance*  
10 *hangar at the installation, the Secretary of the Army may*  
11 *construct an aircraft washing apron.*

12 **SEC. 2105. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
13 **FISCAL YEAR 2013 PROJECTS.**

14 (a) *EXTENSION.*—*Notwithstanding section 2002 of the*  
15 *Military Construction Authorization Act for Fiscal Year*  
16 *2013 (division B of Public Law 112-239; 126 Stat. 2118),*  
17 *the authorizations set forth in the table in subsection (b),*  
18 *as provided in section 2101 of that Act (126 Stat. 2119)*  
19 *and extended by section 2107 of the Military Construction*  
20 *Authorization Act for Fiscal Year 2016 (division B of Pub-*  
21 *lic Law 114–92; 129 Stat. 1148), shall remain in effect*  
22 *until October 1, 2017, or the date of the enactment of an*  
23 *Act authorizing funds for military construction for fiscal*  
24 *year 2018, whichever is later.*

1 (b) TABLE.—The table referred to in subsection (a) is  
 2 as follows:

**Army: Extension of 2013 Project Authorizations**

<i>State/Country</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Kansas</i> .....	<i>Fort Riley</i> .....	<i>Unmanned Aerial Vehicle Complex.</i>	\$12,200,000
<i>Virginia</i> .....	<i>Fort Belvoir</i> .....	<i>Secure Admin/Operations Facility.</i>	\$172,200,000
<i>Italy</i> .....	<i>Camp Ederle</i> .....	<i>Barracks</i> .....	\$36,000,000
<i>Japan</i> .....	<i>Sagami</i> .....	<i>Vehicle Maintenance Shop.</i>	\$18,000,000

3 **SEC. 2106. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
 4 **FISCAL YEAR 2014 PROJECTS.**

5 (a) EXTENSION.—Notwithstanding section 2002 of the  
 6 Military Construction Authorization Act for Fiscal Year  
 7 2014 (division B of Public Law 113–66; 127 Stat. 985),  
 8 the authorizations set forth in the table in subsection (b),  
 9 as provided in section 2101 of that Act (127 Stat. 986) shall  
 10 remain in effect until October 1, 2017, or the date of the  
 11 enactment of an Act authorizing funds for military con-  
 12 struction for fiscal year 2018, whichever is later.

13 (b) TABLE.—The table referred to in subsection (a) is  
 14 as follows:

**Army: Extension of 2014 Project Authorizations**

<i>State</i>	<i>Installation or Location</i>	<i>Project</i>	<i>Amount</i>
<i>Maryland</i> .....	<i>Fort Detrick</i> .....	<i>Entry Control Point</i>	\$2,500,000
<i>Kwajalein Atoll</i> .....	<i>Kwajalein</i> .....	<i>Pier</i> .....	\$63,000,000
<i>Japan</i> .....	<i>Kyotango City</i> .....	<i>Company Operations Complex.</i>	\$33,000,000

**TITLE XXII—NAVY MILITARY  
CONSTRUCTION**

**SEC. 2201. AUTHORIZED NAVY CONSTRUCTION AND LAND  
ACQUISITION PROJECTS.**

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

***Navy: Inside the United States***

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
Arizona .....	Yuma .....	\$48,355,000
California .....	Coronado .....	\$104,501,000
	Lemoore .....	\$26,723,000
	Miramar .....	\$193,600,000
	Seal Beach .....	\$21,007,000
Florida .....	Eglin Air Force Base .....	\$20,489,000
	Mayport .....	\$66,000,000
	Pensacola .....	\$53,000,000
Guam .....	Joint Region Marianas .....	\$89,185,000
Hawaii .....	Barking Sands .....	\$43,384,000
	Kaneohe Bay .....	\$72,565,000
Maine .....	Kittery .....	\$47,892,000
Maryland .....	Patuxent River .....	\$40,576,000
Nevada .....	Fallon .....	\$13,523,000
North Carolina .....	Camp Lejeune .....	\$18,482,000
	Cherry Point Marine Corps Air Station .....	\$12,515,000
South Carolina .....	Beaufort .....	\$83,490,000
	Parris Island .....	\$29,882,000
Washington .....	Bangor .....	\$113,415,000
	Bremerton .....	\$6,704,000
	Whidbey Island .....	\$75,976,000

(b) *OUTSIDE THE UNITED STATES.*—Using amounts appropriated pursuant to the authorization of appropriations in section 2204(a) and available for military con-



1 *struction projects outside the United States as specified in*  
 2 *the funding table in section 4601, the Secretary of the Navy*  
 3 *may acquire real property and carry out military construc-*  
 4 *tion projects for the installation or location outside the*  
 5 *United States, and in the amounts, set forth in the following*  
 6 *table:*

***Navy: Outside the United States***

<b><i>Country</i></b>	<b><i>Installation or Location</i></b>	<b><i>Amount</i></b>
<i>Japan</i> .....	<i>Kadena Air Base</i> .....	\$26,489,000
	<i>Sasebo</i> .....	\$16,420,000
<i>Spain</i> .....	<i>Rota</i> .....	\$23,607,000
<i>Worldwide Unspecified</i>	<i>Unspecified Worldwide Locations</i> .....	\$41,380,000

7 ***SEC. 2202. FAMILY HOUSING.***

8 (a) *CONSTRUCTION AND ACQUISITION.—Using*  
 9 *amounts appropriated pursuant to the authorization of ap-*  
 10 *propriations in section 2204(a) and available for military*  
 11 *family housing functions as specified in the funding table*  
 12 *in section 4601, the Secretary of the Navy may construct*  
 13 *or acquire family housing units (including land acquisition*  
 14 *and supporting facilities) at the installations or locations,*  
 15 *in the number of units, and in the amounts set forth in*  
 16 *the following table:*

***Navy: Family Housing***

<b><i>Country</i></b>	<b><i>Installation</i></b>	<b><i>Units</i></b>	<b><i>Amount</i></b>
<i>Mariana Islands</i> .....	<i>Guam</i> .....	<i>Replace Andersen</i> <i>Housing PH 1</i> .....	\$78,815,000

17 (b) *PLANNING AND DESIGN.—Using amounts appro-*  
 18 *priated pursuant to the authorization of appropriations in*  
 19 *section 2204(a) and available for military family housing*

1 *functions as specified in the funding table in section 4601,*  
2 *the Secretary of the Navy may carry out architectural and*  
3 *engineering services and construction design activities with*  
4 *respect to the construction or improvement of family hous-*  
5 *ing units in an amount not to exceed \$4,149,000.*

6 **SEC. 2203. IMPROVEMENTS TO MILITARY FAMILY HOUSING**  
7 **UNITS.**

8 *Subject to section 2825 of title 10, United States Code,*  
9 *and using amounts appropriated pursuant to the author-*  
10 *ization of appropriations in section 2204(a) and available*  
11 *for military family housing functions as specified in the*  
12 *funding table in section 4601, the Secretary of the Navy*  
13 *may improve existing military family housing units in an*  
14 *amount not to exceed \$11,047,000.*

15 **SEC. 2204. AUTHORIZATION OF APPROPRIATIONS, NAVY.**

16 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*  
17 *hereby authorized to be appropriated for fiscal years begin-*  
18 *ning after September 30, 2016, for military construction,*  
19 *land acquisition, and military family housing functions of*  
20 *the Department of the Navy, as specified in the funding*  
21 *table in section 4601.*

22 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*  
23 *PROJECTS.—Notwithstanding the cost variations author-*  
24 *ized by section 2853 of title 10, United States Code, and*  
25 *any other cost variation authorized by law, the total cost*

1 of all projects carried out under section 2201 may not ex-  
2 ceed the total amount authorized to be appropriated under  
3 subsection (a), as specified in the funding table in section  
4 4601.

5 **SEC. 2205. MODIFICATION OF AUTHORITY TO CARRY OUT**  
6 **CERTAIN FISCAL YEAR 2014 PROJECT.**

7 *In the case of the authorization contained in the table*  
8 *in section 2201 of the Military Construction Authorization*  
9 *Act for Fiscal Year 2014 (division B of Public Law 113–*  
10 *66; 127 Stat. 989) for Pearl City, Hawaii, for construction*  
11 *of a water transmission line at that location, the Secretary*  
12 *of the Navy may construct a 591-meter (1,940-foot) long*  
13 *16-inch diameter water transmission line as part of the net-*  
14 *work required to provide the main water supply to Joint*  
15 *Base Pearl Harbor-Hickam, Hawaii.*

16 **SEC. 2206. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
17 **FISCAL YEAR 2013 PROJECTS.**

18 (a) *EXTENSION.*—*Notwithstanding section 2002 of the*  
19 *Military Construction Authorization Act for Fiscal Year*  
20 *2013 (division B of Public Law 112–239; 126 Stat. 2118),*  
21 *the authorizations set forth in the table in subsection (b),*  
22 *as provided in section 2201 of that Act (126 Stat. 2122)*  
23 *and extended by section 2206 of the Military Construction*  
24 *Authorization Act for Fiscal Year 2016 (division B of Pub-*  
25 *lic Law 114–92; 129 Stat. 1151), shall remain in effect*

1 *until October 1, 2017, or the date of the enactment of an*  
 2 *Act authorizing funds for military construction for fiscal*  
 3 *year 2018, whichever is later.*

4 (b) *TABLE.—The table referred to in subsection (a) is*  
 5 *as follows:*

***Navy: Extension of 2013 Project Authorizations***

<b><i>State/Country</i></b>	<b><i>Installation or Location</i></b>	<b><i>Project</i></b>	<b><i>Amount</i></b>
<i>California .....</i>	<i>Camp Pendleton .....</i>	<i>Comm. Information Systems Ops Complex .....</i>	<i>\$78,897,000</i>
<i>Greece .....</i>	<i>Souda Bay .....</i>	<i>Intermodal Access Road .....</i>	<i>\$4,630,000</i>
<i>South Carolina .....</i>	<i>Beaufort .....</i>	<i>Recycling/Hazardous Waste Facility .....</i>	<i>\$3,743,000</i>
<i>Worldwide Unspecified.</i>	<i>Various Worldwide Locations .....</i>	<i>BAMS Operational Facilities .....</i>	<i>\$34,048,000</i>

6 ***SEC. 2207. EXTENSION OF AUTHORIZATIONS OF CERTAIN***  
 7 ***FISCAL YEAR 2014 PROJECTS.***

8 (a) *EXTENSION.—Notwithstanding section 2002 of the*  
 9 *Military Construction Authorization Act for Fiscal Year*  
 10 *2014 (division B of Public Law 113–66; 127 Stat. 985),*  
 11 *the authorizations set forth in the table in subsection (b),*  
 12 *as provided in section 2201 of that Act (127 Stat. 989),*  
 13 *shall remain in effect until October 1, 2017, or the date*  
 14 *of the enactment of an Act authorizing funds for military*  
 15 *construction for fiscal year 2018, whichever is later.*

16 (b) *TABLE.—The table referred to in subsection (a) is*  
 17 *as follows:*

**Navy: Extension of 2014 Project Authorizations**

<b>State/Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
Hawaii .....	Kaneohe Bay .....	Aircraft Maintenance Hangar Upgrades	\$31,820,000
	Pearl City .....	Water Transmission Line .....	\$30,100,000
Illinois .....	Great Lakes .....	Unaccompanied Housing .....	\$35,851,000
Maine .....	Bangor .....	NCTAMS VLF Commercial Power Connection .....	\$13,800,000
Nevada .....	Fallon .....	Wastewater Treatment Plant .....	\$11,334,000
Virginia .....	Quantico .....	Academic Instruction Facility TECOM Schools .....	\$25,731,000
	Quantico .....	Fuller Road Improvements .....	\$9,013,000

1 **SEC. 2208. STATUS OF “NET NEGATIVE” POLICY REGARDING**  
2 **NAVY ACREAGE ON GUAM.**

3 (a) *REPORT ON STATUS.*—

4 (1) *REPORT.*—Not later than 6 months after the  
5 date of the enactment of this Act, the Secretary of the  
6 Navy shall submit a report to the congressional de-  
7 fense committees regarding the status of the imple-  
8 mentation of the “net negative” policy regarding the  
9 total number of acres of the real property controlled  
10 by the Department of the Navy on Guam, as described  
11 in subsection (b).

12 (2) *CONTENTS.*—The report required under  
13 paragraph (1) shall include the following informa-  
14 tion:

15 (A) A description of the real property con-  
16 trolled by the Navy on Guam which the Navy  
17 has transferred to the control of Guam after Jan-

1           uary 20, 2011, or which the Navy plans to  
2           transfer to the control of Guam, as well as a de-  
3           scription of the specific legal authority under  
4           which the Navy has transferred or will transfer  
5           each such property.

6           (B) The methodology and process the Navy  
7           will use to determine the total number of acres  
8           of real property that the Navy will transfer or  
9           has transferred to the control of Guam as part  
10          of the “net negative” policy, and the date on  
11          which the Navy will transfer or has transferred  
12          control of any such property.

13          (C) A description of the real property con-  
14          trolled by the Navy on Guam which the Navy  
15          plans to retain under its control and the reasons  
16          for retaining such property, including a detailed  
17          explanation of the reasons for retaining any such  
18          property which has not been developed or for  
19          which no development has been proposed under  
20          the current installation master plans for major  
21          military installations (as described in section  
22          2864 of title 10, United States Code).

23          (3) *EXCLUSION OF CERTAIN PROPERTY.*—In pre-  
24          paring and submitting the report under this sub-  
25          section, the Secretary may not take into account any

1 *real property which has been identified prior to Jan-*  
2 *uary 20, 2011, as property to be transferred to the*  
3 *Government of Guam under the Guam Excess Lands*  
4 *Act (Public Law 103-339) or the Guam Land Use*  
5 *Plan (GLUP) 1977, or pursuant to base realignment*  
6 *and closure authorized under the Defense Base Clo-*  
7 *sure and Realignment Act of 1990 (part A of title*  
8 *XXIX of Public Law 101-510; 10 U.S.C. 2687 note),*  
9 *whether or not the Navy transferred control of any*  
10 *such property to Guam at any time.*

11 *(b) POLICY DESCRIBED.—The “net negative” policy*  
12 *described in this section is the policy of the Secretary of*  
13 *the Navy, as expressed in the statement released by Under*  
14 *Secretary of the Navy on January 20, 2011, that the reloca-*  
15 *tion of Marines to Guam occurring during 2011 will not*  
16 *cause the total number of acres of real property controlled*  
17 *by the Navy on Guam upon the completion of such reloca-*  
18 *tion to exceed the total number of acres of real property*  
19 *controlled by the Navy on Guam prior to such relocation.*

20 **TITLE XXIII—AIR FORCE**  
21 **MILITARY CONSTRUCTION**

22 **SEC. 2301. AUTHORIZED AIR FORCE CONSTRUCTION AND**  
23 **LAND ACQUISITION PROJECTS.**

24 *(a) INSIDE THE UNITED STATES.—Using amounts ap-*  
25 *propriated pursuant to the authorization of appropriations*

1 *in section 2304(a) and available for military construction*  
 2 *projects inside the United States as specified in the funding*  
 3 *table in section 4601, the Secretary of the Air Force may*  
 4 *acquire real property and carry out military construction*  
 5 *projects for the installations or locations inside the United*  
 6 *States, and in the amounts, set forth in the following table:*

***Air Force: Inside the United States***

<b><i>State</i></b>	<b><i>Installation or Location</i></b>	<b><i>Amount</i></b>
<i>Alaska</i> .....	<i>Clear Air Force Station</i> .....	\$20,000,000
	<i>Eielson Air Force Base</i> .....	\$213,300,000
	<i>Joint Base Elmendorf-Richardson</i> .....	\$29,000,000
<i>Arizona</i> .....	<i>Luke Air Force Base</i> .....	\$20,000,000
<i>California</i> .....	<i>Edwards Air Force Base</i> .....	\$24,000,000
<i>Colorado</i> .....	<i>Buckley Air Force Base</i> .....	\$13,500,000
<i>Delaware</i> .....	<i>Dover Air Force Base</i> .....	\$39,000,000
<i>Florida</i> .....	<i>Eglin Air Force Base</i> .....	\$88,600,000
	<i>Patrick Air Force Base</i> .....	\$13,500,000
<i>Georgia</i> .....	<i>Moody Air Force Base</i> .....	\$30,900,000
<i>Guam</i> .....	<i>Joint Region Marianas</i> .....	\$80,658,000
<i>Kansas</i> .....	<i>McConnell Air Force Base</i> .....	\$19,800,000
<i>Louisiana</i> .....	<i>Barksdale Air Force Base</i> .....	\$21,000,000
<i>Maryland</i> .....	<i>Joint Base Andrews</i> .....	\$66,500,000
<i>Massachusetts</i> .....	<i>Hanscom Air Force Base</i> .....	\$30,965,000
<i>Montana</i> .....	<i>Malmstrom Air Force Base</i> .....	\$14,600,000
<i>Nevada</i> .....	<i>Nellis Air Force Base</i> .....	\$10,600,000
<i>New Mexico</i> .....	<i>Cannon Air Force Base</i> .....	\$21,000,000
	<i>Holloman Air Force Base</i> .....	\$10,600,000
	<i>Kirtland Air Force Base</i> .....	\$7,300,000
<i>Ohio</i> .....	<i>Wright-Patterson Air Force Base</i> .....	\$12,600,000
<i>Oklahoma</i> .....	<i>Altus Air Force Base</i> .....	\$11,600,000
	<i>Tinker Air Force Base</i> .....	\$43,000,000
<i>South Carolina</i> .....	<i>Joint Base Charleston</i> .....	\$17,000,000
<i>Texas</i> .....	<i>Joint Base San Antonio</i> .....	\$67,300,000
<i>Utah</i> .....	<i>Hill Air Force Base</i> .....	\$44,500,000
<i>Virginia</i> .....	<i>Joint Base Langley-Eustis</i> .....	\$59,200,000
<i>Washington</i> .....	<i>Fairchild Air Force Base</i> .....	\$27,000,000
<i>Wyoming</i> .....	<i>F.E. Warren Air Force Base</i> .....	\$5,550,000

7       ***(b) OUTSIDE THE UNITED STATES.***—Using amounts  
 8 *appropriated pursuant to the authorization of appropria-*  
 9 *tions in section 2304(a) and available for military con-*  
 10 *struction projects outside the United States as specified in*  
 11 *the funding table in section 4601, the Secretary of the Air*  
 12 *Force may acquire real property and carry out military*



1 *construction projects for the installation or location outside*  
 2 *the United States, and in the amount, set forth in the fol-*  
 3 *lowing table:*

***Air Force: Outside the United States***

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
<i>Australia</i> .....	<i>Darwin</i> .....	<i>\$30,400,000</i>
<i>Germany</i> .....	<i>Ramstein Air Base</i> .....	<i>\$13,437,000</i>
	<i>Spangdahlem Air Base</i> .....	<i>\$43,465,000</i>
<i>Japan</i> .....	<i>Kadena Air Base</i> .....	<i>\$19,815,000</i>
	<i>Yokota Air Base</i> .....	<i>\$32,020,000</i>
<i>Mariana Islands</i> .....	<i>Unspecified Location</i> .....	<i>\$9,000,000</i>
<i>Turkey</i> .....	<i>Incirtik Air Base</i> .....	<i>\$13,449,000</i>
<i>United Arab Emirates</i> .....	<i>Al Dhafra</i> .....	<i>\$35,400,000</i>
<i>United Kingdom</i> .....	<i>Croughton RAF</i> .....	<i>\$16,500,000</i>

4 ***SEC. 2302. FAMILY HOUSING.***

5 *Using amounts appropriated pursuant to the author-*  
 6 *ization of appropriations in section 2304(a) and available*  
 7 *for military family housing functions as specified in the*  
 8 *funding table in section 4601, the Secretary of the Air Force*  
 9 *may carry out architectural and engineering services and*  
 10 *construction design activities with respect to the construc-*  
 11 *tion or improvement of family housing units in an amount*  
 12 *not to exceed \$4,368,000.*

13 ***SEC. 2303. IMPROVEMENTS TO MILITARY FAMILY HOUSING***  
 14 ***UNITS.***

15 *Subject to section 2825 of title 10, United States Code,*  
 16 *and using amounts appropriated pursuant to the author-*  
 17 *ization of appropriations in section 2304(a) and available*  
 18 *for military family housing functions as specified in the*  
 19 *funding table in section 4601, the Secretary of the Air Force*

1 *may improve existing military family housing units in an*  
2 *amount not to exceed \$56,984,000.*

3 **SEC. 2304. AUTHORIZATION OF APPROPRIATIONS, AIR**  
4 **FORCE.**

5 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*  
6 *hereby authorized to be appropriated for fiscal years begin-*  
7 *ning after September 30, 2016, for military construction,*  
8 *land acquisition, and military family housing functions of*  
9 *the Department of the Air Force, as specified in the funding*  
10 *table in section 4601.*

11 *(b) LIMITATION ON TOTAL COST OF CONSTRUCTION*  
12 *PROJECTS.—Notwithstanding the cost variations author-*  
13 *ized by section 2853 of title 10, United States Code, and*  
14 *any other cost variation authorized by law, the total cost*  
15 *of all projects carried out under section 2301 may not ex-*  
16 *ceed the total amount authorized to be appropriated under*  
17 *subsection (a), as specified in the funding table in section*  
18 *4601.*

19 **SEC. 2305. MODIFICATION OF AUTHORITY TO CARRY OUT**  
20 **CERTAIN FISCAL YEAR 2016 PROJECT.**

21 *In the case of the authorization contained in the table*  
22 *in section 2301(a) of the Military Construction Authoriza-*  
23 *tion Act for Fiscal Year 2016 (division B of Public Law*  
24 *114–92; 129 Stat. 1152) for Malmstrom Air Force Base,*  
25 *Montana, for construction of a Tactical Response Force*

1 *Alert Facility at the installation, the Secretary of the Air*  
 2 *Force may construct an emergency power generator system*  
 3 *consistent with the Air Force's construction guidelines.*

4 **SEC. 2306. EXTENSION OF AUTHORIZATION OF CERTAIN**  
 5 **FISCAL YEAR 2013 PROJECT.**

6 (a) *EXTENSION.*—Notwithstanding section 2002 of the  
 7 *Military Construction Authorization Act for Fiscal Year*  
 8 *2013 (division B of Public Law 112–239; 126 Stat. 2118),*  
 9 *the authorization set forth in the table in subsection (b),*  
 10 *as provided in section 2301 of that Act (126 Stat. 2126)*  
 11 *and extended by section 2309 of the Military Construction*  
 12 *Authorization Act for Fiscal Year 2016 (division B of Pub-*  
 13 *lic Law 114–92; 129 Stat. 1155), shall remain in effect*  
 14 *until October 1, 2017, or the date of the enactment of an*  
 15 *Act authorizing funds for military construction for fiscal*  
 16 *year 2018, whichever is later.*

17 (b) *TABLE.*—The table referred to in subsection (a) is  
 18 *as follows:*

***Air Force: Extension of 2013 Project Authorization***

<b><i>State/Country</i></b>	<b><i>Installation or Location</i></b>	<b><i>Project</i></b>	<b><i>Amount</i></b>
<i>Portugal .....</i>	<i>Lajes Field .....</i>	<i>Sanitary Sewer Lift/ Pump Station .....</i>	<i>\$2,000,000</i>

19 **SEC. 2307. EXTENSION OF AUTHORIZATION OF CERTAIN**  
 20 **FISCAL YEAR 2014 PROJECT.**

21 (a) *EXTENSION.*—Notwithstanding section 2002 of the  
 22 *Military Construction Authorization Act for Fiscal Year*

1 2014 (division B of Public Law 113–66; 127 Stat. 985),  
 2 the authorization set forth in the table in subsection (b),  
 3 as provided in section 2301 of that Act (127 Stat. 992),  
 4 shall remain in effect until October 1, 2017, or the date  
 5 of the enactment of an Act authorizing funds for military  
 6 construction for fiscal year 2018, whichever is later.

7 (b) TABLE.—The table referred to in subsection (a) is  
 8 as follows:

**Air Force: Extension of 2014 Project Authorizations**

<b>Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
<i>Worldwide Unspecified (Italy).</i>	<i>Aviano Air Base .....</i>	<i>Guardian Angel Operations Facility ...</i>	\$22,047,000

9 **SEC. 2308. RESTRICTION ON ACQUISITION OF PROPERTY IN**  
 10 **NORTHERN MARIANA ISLANDS.**

11 *The Secretary of the Air Force may not use any of*  
 12 *the amounts authorized to be appropriated under section*  
 13 *2304 to acquire property or interests in property at an un-*  
 14 *specified location in the Commonwealth of the Northern*  
 15 *Mariana Islands, as specified in the funding table set forth*  
 16 *in section 2301(b) and the funding table in section 4601,*  
 17 *until the congressional defense committees have received*  
 18 *from the Secretary a report providing the following infor-*  
 19 *mation:*

20 (1) *The specific location of the property or inter-*  
 21 *est in property to be acquired.*

1           (2) *The total cost, scope, and location of the*  
 2 *military construction projects and the acquisition of*  
 3 *property or interests in property required to support*  
 4 *the Secretary’s proposed divert activities and exercises*  
 5 *in the Commonwealth of the Northern Mariana Is-*  
 6 *lands.*

7           (3) *An analysis of any alternative locations that*  
 8 *the Secretary considered acquiring, including other*  
 9 *locations or interests within the Commonwealth of the*  
 10 *Northern Mariana Islands or the Freely Associated*  
 11 *States. For purposes of this paragraph, the term*  
 12 *“Freely Associated States” means the Republic of the*  
 13 *Marshall Islands, the Federated States of Micronesia,*  
 14 *and the Republic of Palau.*

15 **TITLE XXIV—DEFENSE AGEN-**  
 16 **CIES MILITARY CONSTRUC-**  
 17 **TION**

18 **SEC. 2401. AUTHORIZED DEFENSE AGENCIES CONSTRUC-**  
 19 **TION AND LAND ACQUISITION PROJECTS.**

20           (a) *INSIDE THE UNITED STATES.—Using amounts ap-*  
 21 *propriated pursuant to the authorization of appropriations*  
 22 *in section 2403(a) and available for military construction*  
 23 *projects inside the United States as specified in the funding*  
 24 *table in section 4601, the Secretary of Defense may acquire*  
 25 *real property and carry out military construction projects*

- 1 *for the installations or locations inside the United States,*  
 2 *and in the amounts, set forth in the following table:*

***Defense Agencies: Inside the United States***

<b><i>State</i></b>	<b><i>Installation or Location</i></b>	<b><i>Amount</i></b>
<i>Alaska</i> .....	<i>Clear Air Force Station</i> .....	\$155,000,000
	<i>Fort Greely</i> .....	\$9,560,000
	<i>Joint Base Elmendorf-Richardson</i> .....	\$4,900,000
<i>Arizona</i> .....	<i>Fort Huachuca</i> .....	\$4,493,000
<i>California</i> .....	<i>Coronado</i> .....	\$175,412,000
	<i>Travis Air Force Base</i> .....	\$26,500,000
<i>Delaware</i> .....	<i>Dover Air Force Base</i> .....	\$44,115,000
<i>Florida</i> .....	<i>Patrick Air Force Base</i> .....	\$10,100,000
<i>Georgia</i> .....	<i>Fort Benning</i> .....	\$4,820,000
	<i>Fort Gordon</i> .....	\$25,000,000
<i>Maine</i> .....	<i>Portsmouth</i> .....	\$27,100,000
<i>Maryland</i> .....	<i>Bethesda Naval Hospital</i> .....	\$510,000,000
	<i>Fort Meade</i> .....	\$38,000,000
<i>North Carolina</i> .....	<i>Camp Lejeune</i> .....	\$31,000,000
	<i>Fort Bragg</i> .....	\$86,593,000
<i>South Carolina</i> .....	<i>Joint Base Charleston</i> .....	\$17,000,000
<i>Texas</i> .....	<i>Red River Army Depot</i> .....	\$44,700,000
	<i>Sheppard Air Force Base</i> .....	\$91,910,000
<i>Virginia</i> .....	<i>Pentagon</i> .....	\$20,216,000

- 3 *(b) OUTSIDE THE UNITED STATES.—Using amounts*  
 4 *appropriated pursuant to the authorization of appropria-*  
 5 *tions in section 2403(a) and available for military con-*  
 6 *struction projects outside the United States as specified in*  
 7 *the funding table in section 4601, the Secretary of Defense*  
 8 *may acquire real property and carry out military construc-*  
 9 *tion projects for the installations or locations outside the*  
 10 *United States, and in the amounts, set forth in the following*  
 11 *table:*

***Defense Agencies: Outside the United States***

<b><i>Country</i></b>	<b><i>Installation or Location</i></b>	<b><i>Amount</i></b>
<i>Diego Garcia</i> .....	<i>Diego Garcia</i> .....	\$30,000,000
<i>Germany</i> .....	<i>Kaiserslautern</i> .....	\$45,221,000
<i>Japan</i> .....	<i>Ikakuni</i> .....	\$6,664,000
	<i>Kadena Air Base</i> .....	\$161,224,000
	<i>Yokota Air Base</i> .....	\$113,731,000
<i>Kwajalein</i> .....	<i>Kwajalein Atoll</i> .....	\$85,500,000
<i>United Kingdom</i> .....	<i>Royal Air Force Croughton</i> .....	\$71,424,000
	<i>Royal Air Force Lakenheath</i> .....	\$13,500,000
<i>Wake Island</i> .....	<i>Wake Island</i> .....	\$11,670,000

1 **SEC. 2402. AUTHORIZED ENERGY CONSERVATION**  
 2 **PROJECTS.**

3 (a) *INSIDE THE UNITED STATES.*—Using amounts ap-  
 4 propriated pursuant to the authorization of appropriations  
 5 in section 2403(a) and available for energy conservation  
 6 projects as specified in the funding table in section 4601,  
 7 the Secretary of Defense may carry out energy conservation  
 8 projects under chapter 173 of title 10, United States Code,  
 9 in the amount set forth in the table:

**Energy Conservation Projects: Inside the United States**

<b>State</b>	<b>Installation or Location</b>	<b>Amount</b>
California .....	Edwards Air Force Base .....	\$8,400,000
	Naval Base San Diego .....	\$4,230,000
	Fort Hunter Liggett .....	\$5,400,000
Colorado .....	Fort Carson .....	\$5,000,000
	Schriever Air Force Base .....	\$3,295,000
Florida .....	SUBASE Kings Bay NAS Jacksonville .....	\$3,230,000
Guam .....	NAVBASE Guam .....	\$8,540,000
Hawaii .....	NSAH Wahiawa Kunia Oahu .....	\$14,890,000
Ohio .....	Wright Patterson Air Force Base .....	\$14,400,000
Utah .....	Dugway Proving Ground .....	\$7,500,000
	Tooele Army Depot .....	\$8,200,000
Various Locations .....	Various Locations .....	\$28,088,000

10 (b) *OUTSIDE THE UNITED STATES.*—Using amounts  
 11 appropriated pursuant to the authorization of appropria-  
 12 tions in section 2403(a) and available for energy conserva-  
 13 tion projects outside the United States as specified in the  
 14 funding table in section 4601, the Secretary of Defense may  
 15 carry out energy conservation projects under chapter 173  
 16 of title 10, United States Code, for the installations or loca-  
 17 tions outside the United States, and in the amounts, set  
 18 forth in the following table:

*Energy Conservation Projects: Outside the United States*

<b>Country</b>	<b>Installation or Location</b>	<b>Amount</b>
<i>Cuba</i> .....	<i>Guantanamo Bay</i> .....	\$6,080,000
<i>Diego Garcia</i> .....	<i>NSF Diego Garcia</i> .....	\$17,010,000
<i>Japan</i> .....	<i>Kadena Air Base</i> .....	\$4,007,000
	<i>Misawa Air Base</i> .....	\$5,315,000
<i>Spain</i> .....	<i>Rota</i> .....	\$3,710,000
<i>Various Locations</i> .....	<i>Various Locations</i> .....	\$2,705,000

1 **SEC. 2403. AUTHORIZATION OF APPROPRIATIONS, DEFENSE**  
2 **AGENCIES.**

3 (a) *AUTHORIZATION OF APPROPRIATIONS.*—*Funds are*  
4 *hereby authorized to be appropriated for fiscal years begin-*  
5 *ning after September 30, 2016, for military construction,*  
6 *land acquisition, and military family housing functions of*  
7 *the Department of Defense (other than the military depart-*  
8 *ments), as specified in the funding table in section 4601.*

9 (b) *LIMITATION ON TOTAL COST OF CONSTRUCTION*  
10 *PROJECTS.*—*Notwithstanding the cost variations author-*  
11 *ized by section 2853 of title 10, United States Code, and*  
12 *any other cost variation authorized by law, the total cost*  
13 *of all projects carried out under section 2401 of this Act*  
14 *may not exceed the total amount authorized to be appro-*  
15 *priated under subsection (a), as specified in the funding*  
16 *table in section 4601.*

17 **SEC. 2404. MODIFICATION OF AUTHORITY TO CARRY OUT**  
18 **CERTAIN FISCAL YEAR 2014 PROJECT.**

19 *In the case of the authorization in the table in section*  
20 *2401(b) of the Military Construction Authorization Act for*  
21 *Fiscal Year 2014 (division B of Public Law 113–66; 127*



1 *Stat. 996), for Royal Air Force Lakenheath, United King-*  
 2 *dom, for construction of a high school, the Secretary of De-*  
 3 *fense may construct a combined middle/high school.*

4 **SEC. 2405. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
 5 **FISCAL YEAR 2013 PROJECTS.**

6 (a) *EXTENSION.*—Notwithstanding section 2002 of the  
 7 *Military Construction Authorization Act for Fiscal Year*  
 8 *2013 (division B of Public Law 112–239; 126 Stat. 2118),*  
 9 *the authorizations set forth in the table in subsection (b),*  
 10 *as provided in section 2401 of that Act (126 Stat. 2127),*  
 11 *as amended by section 2406(a) of the Military Construction*  
 12 *Authorization Act for Fiscal Year 2016 (division B of Pub-*  
 13 *lic Law 114–92; 129 Stat. 1160), shall remain in effect*  
 14 *until October 1, 2017, or the date of the enactment of an*  
 15 *Act authorizing funds for military construction for fiscal*  
 16 *year 2018, whichever is later.*

17 (b) *TABLE.*—The table referred to in subsection (a) is  
 18 *as follows:*

***Defense Agencies: Extension of 2013 Project Authorizations***

<b><i>State/Country</i></b>	<b><i>Installation or Lo-</i></b> <b><i>cation</i></b>	<b><i>Project</i></b>	<b><i>Amount</i></b>
<i>Japan .....</i>	<i>Camp Zama .....</i>	<i>Renovate Zama High</i> <i>School .....</i>	<i>\$13,273,000</i>
<i>Pennsylvania .....</i>	<i>New Cumberland .....</i>	<i>Replace Reservoir .....</i>	<i>\$4,300,000</i>

19 **SEC. 2406. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
 20 **FISCAL YEAR 2014 PROJECTS.**

21 (a) *EXTENSION.*—Notwithstanding section 2002 of the  
 22 *Military Construction Authorization Act for Fiscal Year*

1 2014 (division B of Public Law 113–66; 127 Stat. 985),  
 2 the authorizations set forth in the table in subsection (b),  
 3 as provided in section 2401 of that Act (127 Stat. 995),  
 4 shall remain in effect until October 1, 2017 or the date of  
 5 the enactment of an Act authorizing funds for military con-  
 6 struction for fiscal year 2018, whichever is later.

7 (b) TABLE.—The table referred to in subsection (a) is  
 8 as follows:

**Defense Agencies: Extension of 2014 Project Authorizations**

<b>State/Country</b>	<b>Installation or Location</b>	<b>Project</b>	<b>Amount</b>
California .....	Brawley .....	SOF Desert Warfare Training Center ....	\$23,095,000
Germany .....	Kaiserslautern .....	Replace Kaiserslautern Elementary School .....	\$49,907,000
	Ramstein Air Base ....	Replace Ramstein High School .....	\$98,762,000
Hawaii .....	Joint Base Pearl Harbor-Hickam.	DISA Pacific Facility Upgrade .....	\$2,615,000
Massachusetts .....	Hanscom Air Force Base.	Replace Hanscom Primary School .....	\$36,213,000
United Kingdom .....	RAF Lakenheath .....	Replace Lakenheath High School .....	\$69,638,000
Virginia .....	MCB Quantico .....	Replace Quantico Middle/High School	\$40,586,000
	Pentagon	PFFPA Support Operations Center .....	\$14,800,000
	Pentagon	Raven Rock Administrative Facility Upgrade .....	\$32,000,000
	Pentagon	Boundary Channel Access Control Point .....	\$6,700,000

1 **TITLE XXV—NORTH ATLANTIC**  
2 **TREATY ORGANIZATION SE-**  
3 **CURITY INVESTMENT PRO-**  
4 **GRAM**

5 **SEC. 2501. AUTHORIZED NATO CONSTRUCTION AND LAND**  
6 **ACQUISITION PROJECTS.**

7 *The Secretary of Defense may make contributions for*  
8 *the North Atlantic Treaty Organization Security Invest-*  
9 *ment Program as provided in section 2806 of title 10,*  
10 *United States Code, in an amount not to exceed the sum*  
11 *of the amount authorized to be appropriated for this pur-*  
12 *pose in section 2502 and the amount collected from the*  
13 *North Atlantic Treaty Organization as a result of construc-*  
14 *tion previously financed by the United States.*

15 **SEC. 2502. AUTHORIZATION OF APPROPRIATIONS, NATO.**

16 *Funds are hereby authorized to be appropriated for fis-*  
17 *cal years beginning after September 30, 2016, for contribu-*  
18 *tions by the Secretary of Defense under section 2806 of title*  
19 *10, United States Code, for the share of the United States*  
20 *of the cost of projects for the North Atlantic Treaty Organi-*  
21 *zation Security Investment Program authorized by section*  
22 *2501 as specified in the funding table in section 4601.*

1           **TITLE XXVI—GUARD AND**  
 2           **RESERVE FORCES FACILITIES**  
 3       **Subtitle A—Project Authorizations**  
 4           **and Authorization of Appropria-**  
 5           **tions**

6       **SEC. 2601. AUTHORIZED ARMY NATIONAL GUARD CON-**  
 7                       **STRUCTION AND LAND ACQUISITION**  
 8                       **PROJECTS.**

9           *Using amounts appropriated pursuant to the author-*  
 10 *ization of appropriations in section 2606 and available for*  
 11 *the National Guard and Reserve as specified in the funding*  
 12 *table in section 4601, the Secretary of the Army may ac-*  
 13 *quire real property and carry out military construction*  
 14 *projects for the Army National Guard locations inside the*  
 15 *United States, and in the amounts, set forth in the following*  
 16 *table:*

**Army National Guard**

<b>State</b>	<b>Location</b>	<b>Amount</b>
<i>Colorado</i> .....	<i>Fort Carson</i> .....	<i>\$16,500,000</i>
<i>Hawaii</i> .....	<i>Hilo</i> .....	<i>\$31,000,000</i>
<i>Iowa</i> .....	<i>Davenport</i> .....	<i>\$23,000,000</i>
<i>Kansas</i> .....	<i>Fort Leavenworth</i> .....	<i>\$29,000,000</i>
<i>New Hampshire</i> .....	<i>Hooksett</i> .....	<i>\$11,000,000</i>
	<i>Rochester</i> .....	<i>\$8,900,000</i>
<i>Oklahoma</i> .....	<i>Ardmore</i> .....	<i>\$22,000,000</i>
<i>Pennsylvania</i> .....	<i>Fort Indiantown Gap</i> .....	<i>\$20,000,000</i>
	<i>York</i> .....	<i>\$9,300,000</i>
<i>Rhode Island</i> .....	<i>East Greenwich</i> .....	<i>\$20,000,000</i>
<i>Utah</i> .....	<i>Camp Williams</i> .....	<i>\$37,000,000</i>
<i>Wyoming</i> .....	<i>Camp Guernsey</i> .....	<i>\$31,000,000</i>
	<i>Laramie</i> .....	<i>\$21,000,000</i>

1 **SEC. 2602. AUTHORIZED ARMY RESERVE CONSTRUCTION**  
 2 **AND LAND ACQUISITION PROJECTS.**

3 *Using amounts appropriated pursuant to the author-*  
 4 *ization of appropriations in section 2606 and available for*  
 5 *the National Guard and Reserve as specified in the funding*  
 6 *table in section 4601, the Secretary of the Army may ac-*  
 7 *quire real property and carry out military construction*  
 8 *projects for the Army Reserve locations inside the United*  
 9 *States, and in the amounts, set forth in the following table:*

**Army Reserve**

<b>State</b>	<b>Location</b>	<b>Amount</b>
<i>Arizona</i> .....	<i>Phoenix</i> .....	<i>\$30,000,000</i>
<i>California</i> .....	<i>Barstow</i> .....	<i>\$29,000,000</i>
	<i>Camp Parks</i> .....	<i>\$19,000,000</i>
	<i>Fort Hunter Liggett</i> .....	<i>\$21,500,000</i>
<i>Virginia</i> .....	<i>Dublin</i> .....	<i>\$6,000,000</i>
<i>Washington</i> .....	<i>Joint Base Lewis-McChord</i> .....	<i>\$27,500,000</i>
<i>Wisconsin</i> .....	<i>Fort McCoy</i> .....	<i>\$11,400,000</i>

10 **SEC. 2603. AUTHORIZED NAVY RESERVE AND MARINE**  
 11 **CORPS RESERVE CONSTRUCTION AND LAND**  
 12 **ACQUISITION PROJECTS.**

13 *Using amounts appropriated pursuant to the author-*  
 14 *ization of appropriations in section 2606 and available for*  
 15 *the National Guard and Reserve as specified in the funding*  
 16 *table in section 4601, the Secretary of the Navy may ac-*  
 17 *quire real property and carry out military construction*  
 18 *projects for the Navy Reserve and Marine Corps Reserve*  
 19 *locations inside the United States, and in the amounts, set*  
 20 *forth in the following table:*

**Navy Reserve and Marine Corps Reserve**

<b>State</b>	<b>Location</b>	<b>Amount</b>
Louisiana .....	New Orleans .....	\$11,207,000
New York .....	Brooklyn .....	\$1,964,000
.....	Syracuse .....	\$13,229,000
Texas .....	Galveston .....	\$8,414,000

1 **SEC. 2604. AUTHORIZED AIR NATIONAL GUARD CONSTRU-**  
 2 **CTION AND LAND ACQUISITION PROJECTS.**

3 *Using amounts appropriated pursuant to the author-*  
 4 *ization of appropriations in section 2606 and available for*  
 5 *the National Guard and Reserve as specified in the funding*  
 6 *table in section 4601, the Secretary of the Air Force may*  
 7 *acquire real property and carry out military construction*  
 8 *projects for the Air National Guard locations inside the*  
 9 *United States, and in the amounts, set forth in the following*  
 10 *table:*

**Air National Guard**

<b>State</b>	<b>Location</b>	<b>Amount</b>
Connecticut .....	Bradley IAP .....	\$6,300,000
Florida .....	Jacksonville IAP .....	\$9,000,000
Hawaii .....	Joint Base Pearl Harbor-Hickam .....	\$11,000,000
Iowa .....	Sioux Gateway Airport .....	\$12,600,000
Maryland .....	Joint Base Andrews .....	\$5,000,000
Minnesota .....	Duluth IAP .....	\$7,600,000
New Hampshire .....	Pease International Trade Port .....	\$1,500,000
North Carolina .....	Charlotte/Douglas IAP .....	\$50,600,000
Ohio .....	Toledo Express Airport .....	\$6,000,000
South Carolina .....	McEntire ANGS .....	\$8,400,000
Texas .....	Ellington Field .....	\$4,500,000
Vermont .....	Burlington IAP .....	\$4,500,000

11 **SEC. 2605. AUTHORIZED AIR FORCE RESERVE CONSTRU-**  
 12 **CTION AND LAND ACQUISITION PROJECTS.**

13 *Using amounts appropriated pursuant to the author-*  
 14 *ization of appropriations in section 2606 and available for*  
 15 *the National Guard and Reserve as specified in the funding*

1 *table in section 4601, the Secretary of the Air Force may*  
 2 *acquire real property and carry out military construction*  
 3 *projects for the Air Force Reserve locations inside the*  
 4 *United States, and in the amounts, set forth in the following*  
 5 *table:*

***Air Force Reserve***

<b><i>State</i></b>	<b><i>Location</i></b>	<b><i>Amount</i></b>
<i>Guam</i> .....	<i>Anderson Air Force Base</i> .....	<i>\$5,200,000</i>
<i>Massachusetts</i> .....	<i>Westover Air Reserve Base</i> .....	<i>\$9,200,000</i>
<i>North Carolina</i> .....	<i>Seymour Johnson Air Force Base</i> .....	<i>\$97,950,000</i>
<i>Pennsylvania</i> .....	<i>Pittsburgh IAP</i> .....	<i>\$85,000,000</i>
<i>Utah</i> .....	<i>Hill Air Force Base</i> .....	<i>\$3,050,000</i>

6 **SEC. 2606. AUTHORIZATION OF APPROPRIATIONS, NA-**  
 7 **TIONAL GUARD AND RESERVE.**

8 *Funds are hereby authorized to be appropriated for fis-*  
 9 *cal years beginning after September 30, 2016, for the costs*  
 10 *of acquisition, architectural and engineering services, and*  
 11 *construction of facilities for the Guard and Reserve Forces,*  
 12 *and for contributions therefor, under chapter 1803 of title*  
 13 *10, United States Code (including the cost of acquisition*  
 14 *of land for those facilities), as specified in the funding table*  
 15 *in section 4601.*

16 ***Subtitle B—Other Matters***

17 **SEC. 2611. MODIFICATION OF AUTHORITY TO CARRY OUT**  
 18 **CERTAIN FISCAL YEAR 2014 PROJECT.**

19 *In the case of the authorization contained in the table*  
 20 *in section 2602 of the Military Construction Authorization*  
 21 *Act for Fiscal Year 2014 (division B of Public Law 113–*

1 66; 127 Stat. 1001) for Bullville, New York, for construction  
2 of a new Army Reserve Center at that location, the Sec-  
3 retary of the Army may add to or alter the existing Army  
4 Reserve Center at Bullville, New York.

5 **SEC. 2612. MODIFICATION OF AUTHORITY TO CARRY OUT**  
6 **CERTAIN FISCAL YEAR 2015 PROJECT.**

7 *In the case of the authorization contained in the table*  
8 *in section 2603 of the Military Construction Authorization*  
9 *Act for Fiscal Year 2015 (division B of Public Law 113–*  
10 *291; 128 Stat. 3689) for Pittsburgh, Pennsylvania, for con-*  
11 *struction of a Reserve Training Center at that location, the*  
12 *Secretary of the Navy may acquire approximately 8.5 acres*  
13 *(370,260 square feet) of adjacent land, obtain necessary in-*  
14 *terest in land, and construct road improvements and associ-*  
15 *ated supporting facilities to provide required access to the*  
16 *Reserve Training Center.*

17 **SEC. 2613. MODIFICATION OF AUTHORITY TO CARRY OUT**  
18 **CERTAIN FISCAL YEAR 2016 PROJECT.**

19 *In the case of the authorization contained in the table*  
20 *in section 2602 of the Military Construction Authorization*  
21 *Act for Fiscal Year 2016 (division B of Public Law 114–*  
22 *92; 129 Stat. 1163) for MacDill Air Force Base, Florida,*  
23 *for construction of an Army Reserve Center/Aviation Sup-*  
24 *port Facility at that location, the Secretary of the Army*  
25 *may relocate and construct replacement skeet and grenade*



1 launcher ranges necessary to clear the site for the new Army  
 2 Reserve facilities.

3 **SEC. 2614. EXTENSION OF AUTHORIZATION OF CERTAIN**  
 4 **FISCAL YEAR 2013 PROJECT.**

5 (a) *EXTENSION.*—Notwithstanding section 2002 of the  
 6 Military Construction Authorization Act for Fiscal Year  
 7 2013 (division B of Public Law 112-239; 126 Stat. 2118),  
 8 the authorizations set forth in the table in subsection (b),  
 9 as provided in section 2603 of that Act (126 Stat. 2135)  
 10 and extended by section 2614 of the Military Construction  
 11 Authorization Act for Fiscal Year 2016 (division B of Pub-  
 12 lic Law 114-92; 129 Stat. 1166), shall remain in effect until  
 13 October 1, 2017, or the date of the enactment of an Act  
 14 authorizing funds for military construction for fiscal year  
 15 2018, whichever is later.

16 (b) *TABLE.*—The table referred to in subsection (a) is  
 17 as follows:

**National Guard and Reserve: Extension of 2013 Project  
 Authorization**

<i>State</i>	<i>Installation or Lo- cation</i>	<i>Project</i>	<i>Amount</i>
<i>Iowa .....</i>	<i>Fort Des Moines .....</i>	<i>Joint Reserve Center</i>	<i>\$19,162,000</i>

18 **SEC. 2615. EXTENSION OF AUTHORIZATIONS OF CERTAIN**  
 19 **FISCAL YEAR 2014 PROJECTS.**

20 (a) *EXTENSION.*—Notwithstanding section 2002 of the  
 21 Military Construction Authorization Act for Fiscal Year  
 22 2014 (division B of Public Law 113-66; 127 Stat. 985),

1 *the authorizations set forth in the table in subsection (b),*  
 2 *as provided in sections 2602, 2603, 2604, and 2605 of that*  
 3 *Act (127 Stat. 1001, 1002), shall remain in effect until Oc-*  
 4 *tober 1, 2017, or the date of the enactment of an Act author-*  
 5 *izing funds for military construction for fiscal year 2018,*  
 6 *whichever is later.*

7 (b) *TABLE.—The table referred to in subsection (a) is*  
 8 *as follows:*

***National Guard and Reserve: Extension of 2014 Project Authorizations***

<b><i>State</i></b>	<b><i>Installation or Location</i></b>	<b><i>Project</i></b>	<b><i>Amount</i></b>
<i>California .....</i>	<i>Camp Parks .....</i>	<i>Army Reserve Center</i>	<i>\$17,500,000</i>
<i>.....</i>	<i>March Air Force Base</i>	<i>NOSC Moreno Valley Reserve Training Center .....</i>	<i>\$11,086,000</i>
<i>Florida .....</i>	<i>Homestead ARB .....</i>	<i>Entry Control Complex .....</i>	<i>\$9,800,000</i>
<i>Maryland .....</i>	<i>Fort Meade .....</i>	<i>175th Network Warfare Squadron Facility .....</i>	<i>\$4,000,000</i>
<i>.....</i>	<i>Martin State Airport</i>	<i>Cyber/ISR Facility ...</i>	<i>\$8,000,000</i>
<i>New York .....</i>	<i>Bullville .....</i>	<i>Army Reserve Center</i>	<i>\$14,500,000</i>

9 ***TITLE XXVII—BASE REALIGN-***  
 10 ***MENT AND CLOSURE ACTIVI-***  
 11 ***TIES***

12 ***SEC. 2701. AUTHORIZATION OF APPROPRIATIONS FOR BASE***  
 13 ***REALIGNMENT AND CLOSURE ACTIVITIES***  
 14 ***FUNDED THROUGH DEPARTMENT OF DE-***  
 15 ***FENSE BASE CLOSURE ACCOUNT.***

16 *Funds are hereby authorized to be appropriated for fis-*  
 17 *cal years beginning after September 30, 2016, for base re-*  
 18 *alignment and closure activities, including real property*

1 *acquisition and military construction projects, as author-*  
2 *ized by the Defense Base Closure and Realignment Act of*  
3 *1990 (part A of title XXIX of Public Law 101-510; 10*  
4 *U.S.C. 2687 note) and funded through the Department of*  
5 *Defense Base Closure Account established by section 2906*  
6 *of such Act (as amended by section 2711 of the Military*  
7 *Construction Authorization Act for Fiscal Year 2013 (divi-*  
8 *sion B of Public Law 112-239; 126 Stat. 2140)), as speci-*  
9 *fied in the funding table in section 4601.*

10 **SEC. 2702. PROHIBITION ON CONDUCTING ADDITIONAL**  
11 **BASE REALIGNMENT AND CLOSURE (BRAC)**  
12 **ROUND.**

13 *Nothing in this Act shall be construed to authorize an*  
14 *additional Base Realignment and Closure (BRAC) round.*  
15 *Nothing in the previous sentence shall be construed to affect*  
16 *the authority of the Secretary of Defense to comply with*  
17 *any requirement under law, or with any request of a con-*  
18 *gressional defense committee, to conduct an analysis, study,*  
19 *or report of the infrastructure needs of the Department of*  
20 *Defense, including the infrastructure inventory required to*  
21 *be prepared under section 2815(a)(2) of the National De-*  
22 *fense Authorization Act for Fiscal Year 2016 (Public Law*  
23 *114-92; 129 Stat. 1175).*

1 **TITLE XXVIII—MILITARY CON-**  
 2 **STRUCTION GENERAL PROVI-**  
 3 **SIONS**

4 **Subtitle A—Military Construction**  
 5 **Program and Military Family**  
 6 **Housing**

7 **SEC. 2801. MODIFICATION OF CRITERIA FOR TREATMENT**  
 8 **OF LABORATORY REVITALIZATION PROJECTS**  
 9 **AS MINOR MILITARY CONSTRUCTION**  
 10 **PROJECTS.**

11 *(a) INCREASE IN THRESHOLD.—Section 2805(d) of*  
 12 *title 10, United States Code, is amended by striking*  
 13 *“\$4,000,000” each place it appears in paragraph (1)(A),*  
 14 *(1)(B), and (2) and inserting “\$6,000,000”.*

15 *(b) NOTICE REQUIREMENTS.—Section 2805(d) of such*  
 16 *title is amended—*

17 *(1) by striking the second sentence of paragraph*  
 18 *(2); and*

19 *(2) by amending paragraph (3) to read as fol-*  
 20 *lows:*

21 *“(3) If the Secretary concerned makes a decision to*  
 22 *carry out an unspecified minor military construction*  
 23 *project to which this subsection applies, the Secretary con-*  
 24 *cerned shall notify in writing the appropriate committees*  
 25 *of Congress of that decision, of the justification for the*

1 *project, and of the estimated cost of the project. The project*  
 2 *may then be carried out only after the end of the 21-day*  
 3 *period beginning on the date the notification is received by*  
 4 *the committees or, if earlier, the end of the 14-day period*  
 5 *beginning on the date on which a copy of the notification*  
 6 *is provided in an electronic medium pursuant to section*  
 7 *480 of this title.”.*

8 *(c) REPEAL OF SUNSET.—Section 2805(d) of such title*  
 9 *is amended by striking paragraph (5).*

10 **SEC. 2802. CLASSIFICATION OF FACILITY CONVERSION**  
 11 **PROJECTS AS REPAIR PROJECTS.**

12 *Subsection (e) of section 2811 of title 10, United States*  
 13 *Code, is amended to read as follows:*

14 *“(e) REPAIR PROJECT DEFINED.—In this section, the*  
 15 *term ‘repair project’ means a project—*

16 *“(1) to restore a real property facility, system, or*  
 17 *component to such a condition that it may effectively*  
 18 *be used for its designated functional purpose; or*

19 *“(2) to convert a real property facility, system,*  
 20 *or component to a new functional purpose without in-*  
 21 *creasing its external dimensions.”.*

1 **SEC. 2803. EXTENSION OF TEMPORARY, LIMITED AUTHOR-**  
2 **ITY TO USE OPERATION AND MAINTENANCE**  
3 **FUNDS FOR CONSTRUCTION PROJECTS OUT-**  
4 **SIDE THE UNITED STATES.**

5 (a) *EXTENSION OF AUTHORITY.*—Subsection (h) of sec-  
6 tion 2808 of the Military Construction Authorization Act  
7 for Fiscal Year 2004 (division B of Public Law 108–136;  
8 117 Stat. 1723), as most recently amended by section 2802  
9 of the Military Construction Authorization Act for Fiscal  
10 Year 2016 (division B of Public Law 114–92; 129 Stat.  
11 XXXX), is amended—

12 (1) in paragraph (1), by striking “December 31,  
13 2016” and inserting “December 31, 2017”; and

14 (2) in paragraph (2), by striking “fiscal year  
15 2017” and inserting “fiscal year 2018”.

16 (b) *LIMITATION ON USE OF AUTHORITY.*—Subsection  
17 (c)(1) of such section is amended—

18 (1) by striking “October 1, 2015” and inserting  
19 “October 1, 2016”;

20 (2) by striking “December 31, 2016” and insert-  
21 ing “December 31, 2017”; and

22 (3) by striking “fiscal year 2017” and inserting  
23 “fiscal year 2018”.

1 **SEC. 2804. EXTENSION OF TEMPORARY AUTHORITY FOR AC-**  
2 **CEPTANCE AND USE OF CONTRIBUTIONS FOR**  
3 **CERTAIN CONSTRUCTION, MAINTENANCE,**  
4 **AND REPAIR PROJECTS MUTUALLY BENE-**  
5 **FICIAL TO THE DEPARTMENT OF DEFENSE**  
6 **AND KUWAIT MILITARY FORCES.**

7 *Section 2804(f) of the National Defense Authorization*  
8 *Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.*  
9 *1171; 10 U.S.C. 2350j note) is amended by striking “Sep-*  
10 *tember 30, 2020” and inserting “September 30, 2025”.*

11 **SEC. 2805. NOTICE AND REPORTING REQUIREMENTS FOR**  
12 **ENERGY CONSERVATION CONSTRUCTION**  
13 **PROJECTS.**

14 *(a) CONTENTS OF NOTIFICATIONS.—*

15 *(1) CONTENTS.—Section 2914(b) of title 10,*  
16 *United States Code, is amended by striking the period*  
17 *at the end of the first sentence and inserting the fol-*  
18 *lowing: “, and shall include in the notification the*  
19 *justification and current cost estimate for the project,*  
20 *the expected savings to investment ratio and simple*  
21 *payback estimates, and the project’s measurement and*  
22 *validation plan and costs.”.*

23 *(2) EFFECTIVE DATE.—The amendment made by*  
24 *paragraph (1) shall apply with respect to notifica-*  
25 *tions provided during fiscal year 2017 or any suc-*  
26 *ceeding fiscal year.*

1       **(b) ANNUAL REPORT.**—*Section 2914 of such title is*  
2 *amended by adding at the end the following new subsection:*

3       **“(c) ANNUAL REPORT.**—*Not later than 90 days after*  
4 *the end of each fiscal year (beginning with fiscal year*  
5 *2017), the Secretary of Defense shall submit to the appro-*  
6 *priate committees of Congress a report on the status of the*  
7 *projects carried out under this section (including completed*  
8 *projects), and shall include in the report with respect to*  
9 *each such project the following information:*

10           **“(1) The title, location, and a brief description**  
11 *of the scope of work.*

12           **“(2) The original cost estimate and expected sav-**  
13 *ings to investment ratio and simple payback esti-*  
14 *mates, and the original measurement and validation*  
15 *plan and costs.*

16           **“(3) The most recent cost estimate and expected**  
17 *savings to investment ratio and simple payback esti-*  
18 *mates, and the most recent version of the measure-*  
19 *ment and validation plan and costs.*

20           **“(4) Such other information as the Secretary**  
21 *considers appropriate.”.*



1 **SEC. 2806. ADDITIONAL ENTITIES ELIGIBLE FOR PARTICI-**  
2 **PATION IN DEFENSE LABORATORY MOD-**  
3 **ERNIZATION PILOT PROGRAM.**

4 *Section 2803(a) of the National Defense Authorization*  
5 *Act for Fiscal Year 2016 (Public Law 114–92; 129 Stat.*  
6 *1169; 10 U.S.C. 2358 note) is amended by adding by add-*  
7 *ing at the end the following:*

8 *“(4) A Department of Defense research, develop-*  
9 *ment, test, and evaluation facility that is not des-*  
10 *ignated as a Science and Technology Reinvention*  
11 *Laboratory, but nonetheless is involved with develop-*  
12 *mental test and evaluation.”.*

13 **SEC. 2807. SENSE OF CONGRESS ON MAXIMIZING NUMBER**  
14 **OF VETERANS EMPLOYED ON MILITARY CON-**  
15 **STRUCTION PROJECTS.**

16 *It is the sense of Congress that, when practical and*  
17 *cost-effective, the Department of Defense should seek ways*  
18 *to maximize the number of veterans employed on military*  
19 *construction projects (as defined in section 2801 of title 10,*  
20 *United States Code).*

1           ***Subtitle B—Real Property and***  
2           ***Facilities Administration***

3   ***SEC. 2811. CONGRESSIONAL NOTIFICATION FOR IN-KIND***  
4                   ***CONTRIBUTIONS FOR OVERSEAS MILITARY***  
5                   ***CONSTRUCTION PROJECTS.***

6           *(a) NOTIFICATION REQUIREMENT.—Subsection (f) of*  
7   *section 2687a of title 10, United States Code, is amended*  
8   *to read as follows:*

9           “*(f) CONGRESSIONAL OVERSIGHT OF PAYMENT IN-*  
10   *KIND AND IN-KIND CONTRIBUTIONS FOR OVERSEAS*  
11   *PROJECTS.—(1) In the event the Secretary of Defense ac-*  
12   *cepts a military construction project to be built for Depart-*  
13   *ment of Defense personnel outside the United States as a*  
14   *payment-in-kind or an in-kind contribution required by a*  
15   *bilateral agreement with a host country, the Secretary of*  
16   *Defense shall submit to the congressional defense committees*  
17   *a written notification at least 30 days before the initiation*  
18   *date for any such military construction project.*

19           “*(2) A notification under paragraph (1) with respect*  
20   *to a proposed military construction project shall include the*  
21   *following:*

22                   “*(A) The requirements for, and purpose and de-*  
23                   *scription of, the proposed project.*

24                   “*(B) The cost of the proposed project.*

25                   “*(C) The scope of the proposed project.*

1           “(D) *The schedule for the proposed project.*

2           “(E) *Such other details as the Secretary con-*  
3           *siders relevant.*”.

4           (b) *CONFORMING AMENDMENT.*—Section 2802 of such  
5           *title is amended by striking subsection (d).*

6           (c) *REPEAL.*—Section 2803 of the Carl Levin and  
7           Howard “Buck” McKeon National Defense Authorization  
8           Act for Fiscal Year 2015 (Public Law 113-291; 128 Stat.  
9           3696) is repealed, and the provisions of law amended by  
10          subsections (a) and (b) of that section shall be restored as  
11          if such section had not been enacted into law.

12   **SEC. 2812. PROHIBITION ON USE OF MILITARY INSTALLA-**  
13                   **TIONS TO HOUSE UNACCOMPANIED ALIEN**  
14                   **CHILDREN.**

15          (a) *PROHIBITION.*—A military installation may not  
16          be used to house any unaccompanied alien child.

17          (b) *DEFINITIONS.*—In this section:

18                  (1) *The term “military installation” has the*  
19                  *meaning given that term in section 2801(c)(4) of title*  
20                  *10, United States Code, but does not include an in-*  
21                  *stallation located outside of the United States.*

22                  (2) *The term “unaccompanied alien child” has*  
23                  *the meaning given such term in section 462(g)(2) of*  
24                  *the Homeland Security Act of 2002 (6 U.S.C.*  
25                  *279(g)(2)).*

1 **SEC. 2813. ALLOTMENT OF SPACE AND PROVISION OF SERV-**  
2 **ICES TO WIC OFFICES OPERATING ON MILI-**  
3 **TARY INSTALLATIONS.**

4 (a) *ALLOTMENT OF SPACE AND PROVISION OF SERV-*  
5 *ICES AUTHORIZED.*—Chapter 152 of title 10, United States  
6 Code, is amended by inserting after section 2566 the fol-  
7 lowing new section:

8 **“§2567. Space and services: provision to WIC offices**

9 “(a) *ALLOTMENT OF SPACE AND PROVISION OF SERV-*  
10 *ICES AUTHORIZED.*—Upon application by a WIC office, the  
11 Secretary of a military department may allot space on a  
12 military installation under the jurisdiction of the Secretary  
13 to the WIC office without charge for rent or services if the  
14 Secretary determines that—

15 “(1) the WIC office provides or will provide serv-  
16 ices solely to members of the armed forces assigned to  
17 the installation, civilian employees of the Department  
18 of Defense employed at the installation, or dependents  
19 of such members or employees;

20 “(2) space is available on the installation;

21 “(3) operation of the WIC office will not hinder  
22 military mission requirements; and

23 “(4) the security situation at the installation  
24 permits the presence of a non-Federal entity on the  
25 installation.

26 “(b) *DEFINITIONS.*—In this section:

1           “(1) *The term ‘services’ includes the provision of*  
2           *lighting, heating, cooling, and electricity.*”

3           “(2) *The term ‘WIC office’ means a local agency*  
4           *(as defined in subsection (b)(6) of section 17 of the*  
5           *Child Nutrition Act of 1966 (42 U.S.C. 1786)) that*  
6           *participates in the special supplemental nutrition*  
7           *program for women, infants, and children under such*  
8           *section.’.*”

9           **(b) CLERICAL AMENDMENT.**—*The table of sections at*  
10          *the beginning of chapter 152 of title 10, United States Code,*  
11          *is amended by inserting after the item relating to section*  
12          *2566 the following new item:*

*“2567. Space and services: provision to WIC offices”.*

13          **SEC. 2814. SENSE OF CONGRESS REGARDING NEED TO CON-**  
14                         **SULT WITH STATE AND LOCAL OFFICIALS**  
15                         **PRIOR TO ACQUISITIONS OF REAL PROPERTY.**

16          **(a) SENSE OF CONGRESS.**—*It is the sense of Congress*  
17          *that, prior to acquiring real property in a State for use*  
18          *of the Department of Defense (including through purchase,*  
19          *lease, or any other arrangement), the Secretary of Defense*  
20          *or the Secretary of the military department concerned*  
21          *should consult with the chief executive of the State and rep-*  
22          *resentatives of units of local government with jurisdiction*  
23          *over the property, with the goal of resolving potential con-*  
24          *flicts regarding the use of the property before such conflicts*  
25          *arise.*

1       (b) *STATE DEFINED.*—*In this section, the term*  
 2 *“State” means each of the several States, the District of Co-*  
 3 *lumbia, the Commonwealth of Puerto Rico, American*  
 4 *Samoa, Guam, the United States Virgin Islands, and the*  
 5 *Commonwealth of the Northern Mariana Islands.*

6 **SEC. 2815. SENSE OF CONGRESS REGARDING INCLUSION OF**  
 7 **STORMWATER SYSTEMS AND COMPONENTS**  
 8 **WITHIN THE MEANING OF “WASTEWATER SYS-**  
 9 **TEM” UNDER THE DEPARTMENT OF DEFENSE**  
 10 **AUTHORITY FOR CONVEYANCE OF UTILITY**  
 11 **SYSTEMS.**

12       *It is the sense of Congress that the reference to a system*  
 13 *for the collection or treatment of wastewater in the defini-*  
 14 *tion of “utility system” in section 2688 of title 10, United*  
 15 *States Code, which authorizes the Department of Defense*  
 16 *to convey utility systems, includes stormwater systems and*  
 17 *components.*

18 **SEC. 2816. ASSESSMENT OF PUBLIC SCHOOLS ON DEPART-**  
 19 **MENT OF DEFENSE INSTALLATIONS.**

20       *Not later than one year after the date of the enactment*  
 21 *of this Act, the Secretary of Defense shall submit to the con-*  
 22 *gressional defense committees a report that includes an up-*  
 23 *date of the July 2011 assessment on the condition and ca-*  
 24 *capacity of elementary and secondary public schools on mili-*  
 25 *tary installations, including consideration for—*

- 1           (1) *schools that have had changes in their condi-*  
 2           *tion or capacity since the original assessment; and*
- 3           (2) *schools that may have been inadvertently*  
 4           *omitted from the original assessment.*

5 **SEC. 2817. IMPROVED PROCESS FOR DISPOSAL OF DEPART-**  
 6                   **MENT OF DEFENSE SURPLUS REAL PROP-**  
 7                   **ERTY LOCATED OVERSEAS.**

8           (a) *PETITION TO ACQUIRE SURPLUS PROPERTY.—*  
 9           *2687a of title 10, United States Code, is amended—*

10           (1) *by redesignating subsection (g) as subsection*  
 11           *(h); and*

12           (2) *by inserting after subsection (f) the following*  
 13           *new subsection:*

14           “(g) *PETITION PROCESS FOR DISPOSAL OF OVERSEAS*  
 15           *SURPLUS REAL PROPERTY.—(1) The Secretary of Defense*  
 16           *shall establish a process by which a foreign government may*  
 17           *request the transfer of surplus real property or improve-*  
 18           *ments under the jurisdiction of the Department of Defense*  
 19           *in the foreign country.*

20           “(2) *Upon the receipt of a petition under this sub-*  
 21           *section, the Secretary shall determine within 90 days*  
 22           *whether the property or improvement subject to the petition*  
 23           *is surplus. If surplus, the Secretary shall seek to enter into*  
 24           *an agreement with the foreign government within one year*  
 25           *for the disposal of the property.*

1       “(3) If real property or an improvement is determined  
 2 not to be surplus, the Secretary shall not be obligated to  
 3 consider another petition involving the same property or  
 4 improvement for five years beginning on the date on which  
 5 the initial determination was made.”.

6       (b) *ADDITIONAL USE OF DEPARTMENT OF DEFENSE*  
 7 *OVERSEAS MILITARY FACILITY INVESTMENT RECOVERY*  
 8 *ACCOUNT*.—Section 2687a(b) of title 10, United States  
 9 Code, is amended—

10           (1) in paragraph (1), by inserting “property dis-  
 11 posal agreement,” after “forces agreement,”; and

12           (2) in paragraph (2)—

13               (A) by striking “and” at the end of sub-  
 14 paragraph (A);

15               (B) by striking the period at the end of sub-  
 16 paragraph (B) and inserting “; and”; and

17               (C) by adding at the end the following new  
 18 subparagraph:

19                   “(C) military readiness programs.”.

20       (c) *REPORTING REQUIREMENT*.—Section 2687a(a) of  
 21 title 10, United States Code, is amended by adding at the  
 22 end the following new paragraph:

23           “(3) A report under paragraph (1) also shall specify  
 24 the following:



1           “(A) *The number of petitions received under sub-*  
2           *section (g) from foreign governments requesting the*  
3           *transfer of surplus real property or improvements*  
4           *under the jurisdiction of the Department of Defense*  
5           *overseas.*

6           “(B) *The status of each petition, including*  
7           *whether reviewed, denied, or granted.*

8           “(C) *The implementation status of each granted*  
9           *petition.*”.

10           ***Subtitle C—Provision Related to***  
11           ***Asia-Pacific Military Realignment***

12           ***SEC. 2821. LIMITED EXCEPTIONS TO RESTRICTION ON DE-***  
13                           ***VELOPMENT OF PUBLIC INFRASTRUCTURE IN***  
14                           ***CONNECTION WITH REALIGNMENT OF MA-***  
15                           ***RINE CORPS FORCES IN ASIA-PACIFIC RE-***  
16                           ***GION.***

17           *(a) REVISION.—Notwithstanding section 2821(b) of the*  
18           *Military Construction Authorization Act for Fiscal Year*  
19           *2015 (division B of Public Law 113–291; 128 Stat. 3701),*  
20           *the Secretary of Defense may proceed with a public infra-*  
21           *structure project on Guam which is described in subsection*  
22           *(b) if—*

23                           *(1) the project was identified in the report pre-*  
24                           *pared by the Secretary of Defense under section*  
25                           *2822(d)(2) of the Military Construction Authorization*

1 *Act for Fiscal Year 2014 (division B of Public Law*  
 2 *113–66; 127 Stat. 1017); and*

3 *(2) amounts have been appropriated or made*  
 4 *available to be expended by the Department of Defense*  
 5 *for the project.*

6 *(b) PROJECTS DESCRIBED.—A project described in*  
 7 *this subsection is any of the following:*

8 *(1) A project intended to improve water and*  
 9 *wastewater systems.*

10 *(2) A project intended to improve curation of ar-*  
 11 *cheological and cultural artifacts.*

12 *(3) A project intended to improve the control*  
 13 *and containment of public health threats.*

14 *(c) REPEAL OF SUPERSEDED LAW.—Section 2821 of*  
 15 *the Military Construction Authorization Act for Fiscal Year*  
 16 *2016 (division B of Public Law 114–92; 129 Stat. 1177)*  
 17 *is repealed.*

## 18 ***Subtitle D—Land Conveyances***

### 19 ***SEC. 2831. LAND CONVEYANCES, HIGH FREQUENCY ACTIVE*** 20 ***AURORAL RESEARCH PROGRAM FACILITY*** 21 ***AND ADJACENT PROPERTY, GAKONA, ALASKA.***

22 *(a) CONVEYANCES AUTHORIZED.—*

23 *(1) CONVEYANCE TO UNIVERSITY OF ALASKA.—*  
 24 *The Secretary of the Air Force may convey to the*  
 25 *University of Alaska (in this section referred to as the*

1       “University”) all right, title, and interest of the  
2       United States in and to a parcel of real property, in-  
3       cluding improvements thereon, consisting of approxi-  
4       mately 1,158 acres near the Gulkana Village, Alaska,  
5       which were purchased by the Secretary of the Air  
6       Force from Ahtna, Incorporated, in January 1989,  
7       contain a High Frequency Active Auroral Research  
8       Program facility, and comprise a portion of the prop-  
9       erty more particularly described in subsection (b), for  
10      the purpose of permitting the University to use the  
11      conveyed property for public purposes.

12               (2) CONVEYANCE TO ALASKA NATIVE CORPORA-  
13      TION.—The Secretary of the Air Force may convey to  
14      the Ahtna, Incorporated, (in this section referred to as  
15      “Ahtna”), all right, title, and interest of the United  
16      States in and to a parcel of real property, including  
17      improvements thereon, consisting of approximately  
18      4,259 acres near Gulkana Village, Alaska, which were  
19      purchased by the Secretary of the Air Force from  
20      Ahtna, Incorporated, in January 1989 and comprise  
21      the portion of the property more particularly de-  
22      scribed in subsection (b) that does not contain the  
23      High Frequency Active Auroral Research Program fa-  
24      cility. The property to be conveyed under this para-  
25      graph does not include any of the property authorized

1       for conveyance to the University under paragraph  
2       (1).

3       (b) *PROPERTY DESCRIBED.*—Subject to the property  
4       exclusions specified in subsection (c), the real property au-  
5       thorized for conveyance under subsection (a) consists of por-  
6       tions of sections within township 7 north, range 1 east;  
7       township 7 north, range 2 east; township 8 north, range  
8       1 east; and township 8 north, range 2 east; Copper River  
9       Meridian, Chitina Recording District, Third Judicial Dis-  
10      trict, State of Alaska, as follows:

11               (1) *Township 7 north, range 1 east:*

12                       (A) *Section 1.*

13                       (B) *E<sup>1/2</sup>, S<sup>1/2</sup>NW<sup>1/4</sup>, SW<sup>1/4</sup> of section 2.*

14                       (C) *S<sup>1/2</sup>SE<sup>1/4</sup>, NE<sup>1/4</sup>SE<sup>1/4</sup> of section 3.*

15                       (D) *E<sup>1/2</sup> of section 10.*

16                       (E) *Sections 11 and 12.*

17                       (F) *That portion of N<sup>1/2</sup>, N<sup>1/2</sup>S<sup>1/2</sup> of section*  
18                       *13, excluding all lands lying southerly and eas-*  
19                       *terly of the Glenn Highway right-of-way.*

20                       (G) *N<sup>1/2</sup>, N<sup>1/2</sup>S<sup>1/2</sup> of section 14.*

21                       (H) *NE<sup>1/4</sup>, NE<sup>1/4</sup>SE<sup>1/4</sup> of section 15.*

22               (2) *Township 7 north, range 2 east:*

23                       (A) *W<sup>1/2</sup> of section 6.*

1           (B)  $NW^{1/4}$  of section 7, and the portion of  
 2            $N^{1/2}SW^{1/4}$  and  $NW^{1/4}SE^{1/4}$  of such section lying  
 3           northerly of the Glenn Highway right-of-way.

4           (3) Township 8 north, range 1 east:

5           (A)  $SE^{1/4}SE^{1/4}$  of section 35.

6           (B)  $E^{1/2}$ ,  $SW^{1/4}$ ,  $SE^{1/4}NW^{1/4}$  of section  
 7           36.

8           (4) Township 8 north, range 2 east:

9           (A)  $W^{1/2}$  of section 31.

10          (c) *EXCLUSION OF CERTAIN PROPERTY.*—The real  
 11          property authorized for conveyance under subsection (a)  
 12          may not include the following:

13               (1) *Public easements reserved pursuant to section*  
 14               *17(b) of the Alaska Native Claims Settlement Act (43*  
 15               *U.S.C. 1616(b)), as described in the Warranty Deed*  
 16               *from Ahtna, Incorporated, to the United States, dated*  
 17               *March 1, 1990, recorded in Book 31, pages 665*  
 18               *through 668 in the Chitina Recording District, Third*  
 19               *Judicial District, Alaska.*

20               (2) *Easement for an existing trail as described*  
 21               *in the such Warranty Deed from Ahtna, Incorporated,*  
 22               *to the United States.*

23               (3) *The subsurface estate.*

24          (d) *CONSIDERATION.*—

1           (1) *CONVEYANCE TO UNIVERSITY.*—As consider-  
2           ation for the conveyance of property under subsection  
3           (a)(1), the University shall provide the United States  
4           with consideration in an amount that is acceptable to  
5           the Secretary of the Air Force, whether in the form  
6           of cash payment, in-kind consideration, or a com-  
7           bination thereof.

8           (2) *CONVEYANCE TO AHTNA.*—As consideration  
9           for the conveyance of property under subsection  
10          (a)(2), Ahtna shall provide the United States with  
11          consideration in an amount that is acceptable to the  
12          Secretary, whether in the form of cash payment, in-  
13          kind consideration, a land exchange under the Alaska  
14          Native Claims Settlement Act (43 U.S.C. 1601 et seq),  
15          or a combination thereof.

16          (3) *TREATMENT OF CASH CONSIDERATION RE-*  
17          *CEIVED.*—Any cash payment received by the Sec-  
18          retary as consideration for a conveyance under sub-  
19          section (a) shall be deposited in the special account in  
20          the Treasury established under subsection (b) of sec-  
21          tion 572 of title 40, United States Code, and shall be  
22          available in accordance with paragraph (5)(B) of  
23          such subsection.

24          (e) *REVERSIONARY INTEREST.*—If the Secretary of the  
25          Air Force determines at any time that the real property

1 conveyed under subsection (a)(1) is not being used by the  
2 University in accordance with the purposes of the convey-  
3 ance specified in such subsection, all right, title, and inter-  
4 est in and to the land, including any improvements thereto,  
5 shall revert, at the option of the Secretary, to and become  
6 the property of the United States, and the United States  
7 shall have the right of immediate entry onto such land. A  
8 determination by the Secretary under this subsection shall  
9 be made on the record after an opportunity for a hearing.

10 (f) *PAYMENT OF COSTS OF CONVEYANCE.*—

11 (1) *PAYMENT REQUIRED.*—The Secretary of the  
12 Air Force shall require the recipient of real property  
13 under this section to cover all costs to be incurred by  
14 the Secretary, or to reimburse the Secretary for such  
15 costs incurred by the Secretary, to carry out the con-  
16 veyance of that property, including survey costs, costs  
17 for environmental documentation, and any other ad-  
18 ministrative costs related to the conveyance. If  
19 amounts are collected in advance of the Secretary in-  
20 curring the actual costs, and the amount collected ex-  
21 ceeds the costs actually incurred by the Secretary to  
22 carry out the conveyance, the Secretary shall refund  
23 the excess amount to the recipient.

24 (2) *TREATMENT OF AMOUNTS RECEIVED.*—

25 Amounts received under paragraph (1) as reimburse-

1        *ment for costs incurred by the Secretary to carry out*  
2        *a conveyance under this section shall be credited and*  
3        *made available to the Secretary as provided in section*  
4        *2695(c) of title 10, United States Code.*

5        *(g) CONVEYANCE AGREEMENT.—The conveyance of*  
6        *property under this section shall be accomplished using a*  
7        *quit claim deed or other legal instrument and upon terms*  
8        *and conditions mutually satisfactory to the Secretary of the*  
9        *Air Force and the recipient of the property, including such*  
10       *additional terms and conditions as the Secretary considers*  
11       *appropriate to protect the interests of the United States.*

12       **SEC. 2832. LAND CONVEYANCE, CAMPION AIR FORCE RADAR**  
13                                **STATION, GALENA, ALASKA.**

14        *(a) CONVEYANCE AUTHORIZED.—The Secretary of the*  
15        *Air Force may convey, without consideration, to the Town*  
16        *of Galena, Alaska (in this section referred to as the*  
17        *“Town”), all right, title, and interest of the United States*  
18        *in and to public land, including improvements thereon, at*  
19        *the former Campion Air Force Station, Alaska, as further*  
20        *described in subsection (b), for the purpose of permitting*  
21        *the Town to use the conveyed property for public purposes.*  
22        *The conveyance under this subsection is subject to valid ex-*  
23        *isting rights.*

24        *(b) DESCRIPTION OF PROPERTY.—The land to be con-*  
25        *veyed under subsection (a) consists of up to approximately*



1 1,300 acres of the remaining land withdrawn under Public  
2 Land Order No. 843 of June 24, 1952, and Public Land  
3 Order No. 1405 of April 4, 1957, for use by the Secretary  
4 of the Air Force as the former Campion Air Force Station.  
5 The portions of the former Air Force Station that are not  
6 authorized to be conveyed under subsection (a) are those  
7 portions that are subject to environmental land use restric-  
8 tions or are currently undergoing environmental remedi-  
9 ation by the Secretary of the Air Force.

10 (c) *MAP AND LEGAL DESCRIPTION.*—As soon as prac-  
11 ticable after the date of enactment of this Act, the Secretary  
12 of the Air Force, in consultation with the Secretary of the  
13 Interior, shall finalize a map and the legal description of  
14 the land to be conveyed under subsection (a). The Secretary  
15 of the Air Force may correct any minor errors in the map  
16 or the legal description. The map and legal description shall  
17 be on file and available for public inspection in the appro-  
18 priate offices of the Bureau of Land Management.

19 (d) *REVERSIONARY INTEREST.*—If the Secretary of the  
20 Air Force determines at any time that the land conveyed  
21 under subsection (a) is not being used in accordance with  
22 the purposes of the conveyance specified in such subsection,  
23 all right, title, and interest in and to the land, including  
24 any improvements thereto, shall revert, at the option of the  
25 Secretary, to and become the property of the United States,

1 *and the United States shall have the right of immediate*  
2 *entry onto such land. A determination by the Secretary*  
3 *under this subsection shall be made on the record after an*  
4 *opportunity for a hearing.*

5       (e) *CONVEYANCE AGREEMENT.—The conveyance of*  
6 *land under this section shall be accomplished using a quit*  
7 *claim deed or other legal instrument and upon terms and*  
8 *conditions mutually satisfactory to the Secretary of the Air*  
9 *Force, after consulting with the Secretary of the Interior,*  
10 *and the Town, including such additional terms and condi-*  
11 *tions as the Secretary of the Air Force, after consulting with*  
12 *the Secretary of the Interior, considers appropriate to pro-*  
13 *tect the interests of the United States.*

14       (f) *PAYMENT OF COSTS OF CONVEYANCE.—*

15             (1) *PAYMENT REQUIRED.—The Secretary of the*  
16 *Air Force shall require the Town to cover all costs*  
17 *(except costs for environmental remediation of the*  
18 *property) to be incurred by the Secretary of the Air*  
19 *Force and by the Secretary of the Interior, or to reim-*  
20 *burse the appropriate Secretary for such costs in-*  
21 *curring by the Secretary, to carry out the conveyance*  
22 *under this section, including survey costs, costs for en-*  
23 *vironmental documentation, and any other adminis-*  
24 *trative costs related to the conveyance. If amounts are*  
25 *collected in advance of the Secretary incurring the ac-*

1 *tual costs, and the amount collected exceeds the costs*  
 2 *actually incurred by the Secretary to carry out the*  
 3 *conveyance, the appropriate Secretary shall refund*  
 4 *the excess amount to the Town.*

5 (2) *TREATMENT OF AMOUNTS RECEIVED.—*  
 6 *Amounts received under paragraph (1) as reimburse-*  
 7 *ment for costs incurred by the Secretary of the Air*  
 8 *Force or by the Secretary of the Interior to carry out*  
 9 *the conveyance under subsection (a) shall be credited*  
 10 *to the fund or account that was used to cover the costs*  
 11 *incurred by the appropriate Secretary in carrying*  
 12 *out the conveyance. Amounts so credited shall be*  
 13 *merged with amounts in such fund or account and*  
 14 *shall be available for the same purposes, and subject*  
 15 *to the same conditions and limitations, as amounts in*  
 16 *such fund or account.*

17 (g) *SUPERSEDEENCE OF PUBLIC LAND ORDERS.—Pub-*  
 18 *lic Land Order Nos. 843 and 1405 are hereby superseded,*  
 19 *but only insofar as the orders affect the lands conveyed to*  
 20 *the Town under subsection (a).*

21 **SEC. 2833. EXCHANGE OF PROPERTY INTERESTS, SAN**  
 22 **DIEGO UNIFIED PORT DISTRICT, CALIFORNIA.**

23 (a) *EXCHANGE OF PROPERTY INTERESTS AUTHOR-*  
 24 *IZED.—*

1           (1) *INTERESTS TO BE CONVEYED.*—*The Sec-*  
2           *retary of the Navy (hereafter referred to as the “Sec-*  
3           *retary”)* may convey to the San Diego Unified Port  
4           *District (hereafter referred to as the “District”)* all  
5           *right, title, and interest of the United States in and*  
6           *to a parcel of real property, including any improve-*  
7           *ments thereon and, without limitation, any leasehold*  
8           *interests of the United States therein, consisting of*  
9           *approximately 0.33 acres and identified as Parcel No.*  
10          *4 on District Drawing No. 018–107 (April 2013).*  
11          *This parcel contains 48 parking spaces central to the*  
12          *mission conducted on the site of the Navy’s leasehold*  
13          *interest at 1220 Pacific Highway, San Diego, Cali-*  
14          *fornia.*

15           (2) *INTERESTS TO BE ACQUIRED.*—*In exchange*  
16          *for the property interests described in paragraph (1),*  
17          *the Secretary may accept from the District property*  
18          *interests of equal value and similar utility, as deter-*  
19          *mined by the Secretary, located within immediate*  
20          *proximity to the property described in paragraph (1),*  
21          *that provide the rights to an equivalent number of*  
22          *parking spaces of equal value (subject to subsection*  
23          *(c)(1)).*

24          (b) *ENCUMBRANCES.*—

1           (1) *NO ACCEPTANCE OF PROPERTY WITH ENCUM-*  
2           *BRANCES PRECLUDING USE AS PARKING SPACES.—In*  
3           *an exchange of property interests under subsection*  
4           *(a), the Secretary may not accept any property under*  
5           *subsection (a)(2) unless the property is free of encum-*  
6           *brances that would preclude the Department of the*  
7           *Navy from using the property for parking spaces, as*  
8           *determined under paragraph (2).*

9           (2) *DETERMINATION OF FREEDOM FROM ENCUM-*  
10          *BRANCES.—For purposes of paragraph (1), a prop-*  
11          *erty shall be considered to be free of encumbrances*  
12          *that would preclude the Department of the Navy from*  
13          *using the property for parking spaces if—*

14                (A) *the District guarantees and certifies*  
15                *that the property is free of such encumbrances*  
16                *under its own authority to preclude the use of*  
17                *the property for parking spaces; and*

18                (B) *the District obtains guarantees and cer-*  
19                *tifications from appropriate entities of the State*  
20                *and units of local government that the property*  
21                *is free of any such encumbrances that may be in*  
22                *place pursuant to the Tidelands Trust, the North*  
23                *Embarcadero Visionary Plan, the Downtown*  
24                *Community Plan, or any other law, regulation,*  
25                *plan or document.*

1       (c) *EQUALIZATION.*—

2               (1) *TRANSFER OF RIGHTS TO ADDITIONAL PARK-*  
3 *ING SPACES.*—*If the value of the property interests*  
4 *described in subsection (a)(1) is greater than the*  
5 *value of the property interests and rights to parking*  
6 *spaces described in subsection (a)(2), the values shall*  
7 *be equalized by the transfer to the Secretary of rights*  
8 *to additional parking spaces.*

9               (2) *NO AUTHORIZATION OF CASH EQUALIZATION*  
10 *PAYMENTS FROM SECRETARY.*—*If the value of the*  
11 *property interests and parking rights described in*  
12 *subsection (a)(2) are greater than the value of the*  
13 *property interests described in subsection (a)(1), the*  
14 *Secretary may not make a cash equalization payment*  
15 *to equalize the values.*

16       (d) *PAYMENT OF COSTS OF CONVEYANCE.*—

17               (1) *PAYMENT REQUIRED.*—*The Secretary shall*  
18 *require the District to cover all costs to be incurred*  
19 *by the Secretary, or to reimburse the Secretary for*  
20 *such costs incurred by the Secretary, to carry out the*  
21 *exchange of property interests under this section, in-*  
22 *cluding survey costs, costs related to environmental*  
23 *documentation, real estate due diligence such as ap-*  
24 *praisals and any other administrative costs related to*  
25 *the exchange of property interests. If amounts are col-*

1       lected from the District in advance of the Secretary  
2       incurring the actual costs and the amount collected  
3       exceeds the costs actually incurred by the Secretary to  
4       carry out the exchange of property interests, the Sec-  
5       retary shall refund the excess amount to the District.

6           (2) *TREATMENT OF AMOUNTS RECEIVED.*—  
7       Amounts received as reimbursement under paragraph  
8       (1) shall be credited to the fund or account that was  
9       used to cover those costs incurred by the Secretary in  
10      carrying out the exchange of property interests.  
11      Amounts so credited shall be merged with amounts in  
12      such fund or account and shall be available for the  
13      same purposes, and subject to the same conditions  
14      and limitations, as amounts in such fund or account.

15      (e) *DESCRIPTION OF PROPERTY.*—The exact acreage  
16      and legal description of the property interests to be ex-  
17      changed under this section shall be determined by surveys  
18      satisfactory to the Secretary.

19      (f) *CONVEYANCE AGREEMENT.*—The exchange of prop-  
20      erty interests under this section shall be accomplished using  
21      a lease, lease amendment, or other legal instrument and  
22      upon terms and conditions mutually satisfactory to the Sec-  
23      retary and the District, including such additional terms  
24      and conditions as the Secretary considers appropriate to  
25      protect the interests of the United States.

1 **SEC. 2834. RELEASE OF PROPERTY INTERESTS RETAINED**  
2 **IN CONNECTION WITH LAND CONVEYANCE,**  
3 **EGLIN AIR FORCE BASE, FLORIDA.**

4 (a) *RELEASE OF EXCEPTIONS, LIMITATIONS, AND*  
5 *CONDITIONS IN DEEDS.*—With respect to approximately  
6 126 acres of real property in Okaloosa County, Florida,  
7 more particularly described in subsection (b), which were  
8 conveyed by the United States to the Air Force Enlisted  
9 Mens' Widows and Dependents Home Foundation, Incor-  
10 porated ("Air Force Enlisted Village"), the Secretary of the  
11 Air Force may release any and all exceptions, limitations,  
12 and conditions specified by the United States in the deeds  
13 conveying such real property.

14 (b) *PROPERTY DESCRIBED.*—The real property subject  
15 to subsection (a) was part of Eglin Air Force, Florida, and  
16 consists of all parcels conveyed in exchange for fair market  
17 value cash payment by the Air Force Enlisted Village pur-  
18 suant to section 809(c) of the Military Construction Author-  
19 ization Act, 1979 (Public Law 95–356; 92 Stat. 587), as  
20 amended by section 2826 of the Military Construction Au-  
21 thorization Act, 1989 (Public Law 100–456; 102 Stat.  
22 2123) and section 2861 of the Military Construction Au-  
23 thorization Act for Fiscal Year 1999 (Public Law 105–261;  
24 112 Stat. 2223).

25 (c) *INSTRUMENT OF RELEASE AND DESCRIPTION OF*  
26 *PROPERTY.*—The Secretary may execute and record in the



1 *appropriate office a deed of release, amended deed, or other*  
2 *appropriate instrument reflecting the release of exceptions,*  
3 *limitations, and conditions under subsection (a).*

4 *(d) PAYMENT OF ADMINISTRATIVE COSTS.—*

5 *(1) PAYMENT REQUIRED.—The Secretary may*  
6 *require the Air Force Enlisted Village to pay for any*  
7 *costs to be incurred by the Secretary, or to reimburse*  
8 *the Secretary for costs incurred by the Secretary, to*  
9 *carry out the release under subsection (a), including*  
10 *survey costs, costs related to environmental docu-*  
11 *mentation, and other administrative costs related to*  
12 *the release. If amounts paid to the Secretary in ad-*  
13 *vance exceed the costs actually incurred by the Sec-*  
14 *retary to carry out the release, the Secretary shall re-*  
15 *fund the excess amount to the Air Force Enlisted Vil-*  
16 *lage.*

17 *(2) TREATMENT OF AMOUNTS RECEIVED.—*  
18 *Amounts received under paragraph (1) as reimburse-*  
19 *ment for costs incurred by the Secretary to carry out*  
20 *the release under subsection (a) shall be credited and*  
21 *made available to the Secretary as provided in section*  
22 *2695(c) of title 10, United States Code.*

23 *(e) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*  
24 *retary may require such additional terms and conditions*  
25 *in connection with the release of exceptions, limitations,*

1 *and conditions under subsection (a) as the Secretary con-*  
2 *siders appropriate to protect the interests of the United*  
3 *States.*

4 **SEC. 2835. LAND EXCHANGE, FORT HOOD, TEXAS.**

5       *(a) EXCHANGE AUTHORIZED.—The Secretary of the*  
6 *Army may convey to the City of Copperas Cove, Texas (in*  
7 *this section referred to as the “City”), all right, title, and*  
8 *interest of the United States in and to a parcel of real prop-*  
9 *erty, including any improvements thereon, consisting of ap-*  
10 *proximately 437 acres at Fort Hood, Texas, for the purpose*  
11 *of permitting the City to improve arterial transportation*  
12 *routes in the vicinity of Fort Hood and to promote eco-*  
13 *nomie development in the area of the City and Fort Hood.*

14       *(b) CONSIDERATION.—As consideration for the convey-*  
15 *ance under subsection (a), the City shall convey to the Sec-*  
16 *retary of the Army all right, title, and interest of the City*  
17 *in and to one or more parcels of real property that are*  
18 *acceptable to the Secretary. The fair market value of the*  
19 *real property acquired by the Secretary under this sub-*  
20 *section shall be at least equal to the fair market value of*  
21 *the real property conveyed under subsection (a), as deter-*  
22 *mined by appraisals acceptable to the Secretary.*

23       *(c) DESCRIPTION OF PROPERTY.—The exact acreage*  
24 *and legal description of the real property to be exchanged*

1 *under this section shall be determined by surveys satisfac-*  
2 *tory to the Secretary of the Army.*

3 *(d) PAYMENT OF COSTS OF CONVEYANCES.—*

4 *(1) PAYMENT REQUIRED.—The Secretary of the*  
5 *Army shall require the City to cover costs to be in-*  
6 *curring by the Secretary, or to reimburse the Secretary*  
7 *for costs incurred by the Secretary, to carry out the*  
8 *conveyances under this section, including survey costs*  
9 *related to the conveyances. If amounts are collected*  
10 *from the City in advance of the Secretary incurring*  
11 *the actual costs, and the amount collected exceeds the*  
12 *costs actually incurred by the Secretary to carry out*  
13 *the conveyances, the Secretary shall refund the excess*  
14 *amount to the City.*

15 *(2) TREATMENT OF AMOUNTS RECEIVED.—*  
16 *Amounts received under paragraph (1) as reimburse-*  
17 *ment for costs incurred by the Secretary to carry out*  
18 *the conveyances under this section shall be credited to*  
19 *the fund or account that was used to cover the costs*  
20 *incurred by the Secretary in carrying out the convey-*  
21 *ances. Amounts so credited shall be merged with*  
22 *amounts in such fund or account and shall be avail-*  
23 *able for the same purposes, and subject to the same*  
24 *conditions and limitations, as amounts in such fund*  
25 *or account.*

1       (e) *ADDITIONAL TERM AND CONDITIONS.*—*The Sec-*  
2 *retary of the Army may require such additional terms and*  
3 *conditions in connection with the conveyances under this*  
4 *section as the Secretary considers appropriate to protect the*  
5 *interests of the United States.*

6 **SEC. 2836. LAND CONVEYANCE, P-36 WAREHOUSE, COLBERN**  
7                   **UNITED STATES ARMY RESERVE CENTER, LA-**  
8                   **REDO, TEXAS.**

9       (a) *CONVEYANCE AUTHORIZED.*—*The Secretary of the*  
10 *Army (in this section referred to as the “Secretary”) may*  
11 *convey, without consideration, to the Laredo Community*  
12 *College (in this section referred to as the “LCC”) all right,*  
13 *title, and interest of the United States in and to the ap-*  
14 *proximately 725 sq. ft. Historic Building, P-36 Warehouse,*  
15 *including any improvements thereon, at Colbern United*  
16 *States Army Reserve Center, Laredo, TX, for the purposes*  
17 *of educational use and historic preservation.*

18       (b) *PAYMENT OF COSTS OF CONVEYANCE.*—

19           (1) *PAYMENT REQUIRED.*—*The Secretary shall*  
20 *require the LCC to cover costs (except costs for envi-*  
21 *ronmental remediation of the property) to be incurred*  
22 *by the Secretary, or to reimburse the Secretary for*  
23 *such costs incurred by the Secretary, to carry out the*  
24 *conveyance under subsection (a), including survey*  
25 *costs, costs for environmental documentation, and any*

1 *other administrative costs related to the conveyance.*  
2 *If amounts are collected from the LCC in advance of*  
3 *the Secretary incurring the actual costs, and the*  
4 *amount collected exceeds the costs actually incurred*  
5 *by the Secretary to carry out the conveyance, the Sec-*  
6 *retary shall refund the excess amount to the LCC.*

7 (2) *TREATMENT OF AMOUNTS RECEIVED.—*  
8 *Amounts received as reimbursement under paragraph*  
9 *(1) shall be credited to the fund or account that was*  
10 *used to cover those costs incurred by the Secretary in*  
11 *carrying out the conveyance. Amounts so credited*  
12 *shall be merged with amounts in such fund or ac-*  
13 *count, and shall be available for the same purposes,*  
14 *and subject to the same conditions and limitations, as*  
15 *amounts in such fund or account*

16 (c) *DESCRIPTION OF PROPERTY.—The exact acreage*  
17 *and legal description of the property to be conveyed under*  
18 *subsection (a) shall be determined by a survey satisfactory*  
19 *to the Secretary.*

20 (d) *REVERSIONARY INTEREST.—*

21 (1) *REVERSION.—If the Secretary determines at*  
22 *any time that the property conveyed under subsection*  
23 *(a) is not being used in accordance with the purpose*  
24 *of the conveyance specified in subsection (a), all right,*  
25 *title, and interest in and to such property, including*

1     *any improvements thereto, shall, at the option of the*  
2     *Secretary, revert to and become the property of the*  
3     *United States, and the United States shall have the*  
4     *right of immediate entry onto such property. A deter-*  
5     *mination by the Secretary under this paragraph shall*  
6     *be made on the record after an opportunity for a*  
7     *hearing.*

8             (2) *PAYMENT OF CONSIDERATION IN LIEU OF RE-*  
9     *VERSION.—In lieu of exercising the right of reversion*  
10    *retained under paragraph (1) with respect to the*  
11    *property conveyed under subsection (a), the Secretary*  
12    *may require the LCC to pay to the United States an*  
13    *amount equal to the fair market value of the property*  
14    *conveyed, as determined by the Secretary.*

15            (3) *TREATMENT OF CASH CONSIDERATION.—Any*  
16    *cash payment received by the United States under*  
17    *paragraph (2) shall be deposited in the special ac-*  
18    *count in the Treasury established under subsection (b)*  
19    *of section 572 of title 40, United States Code, and*  
20    *shall be available in accordance with paragraph*  
21    *(5)(B) of such subsection.*

22            (e) *ADDITIONAL TERMS.—The Secretary may require*  
23    *such additional terms and conditions in connection with*  
24    *the conveyance under subsection (a) as the Secretary con-*

1 *siders appropriate to protect the interests of the United*  
2 *States.*

3 (f) *COMPLIANCE WITH ENVIRONMENTAL LAWS.—*  
4 *Nothing in this section shall be construed to affect or limit*  
5 *the application of, or any obligation to comply with, any*  
6 *environmental law, including the Comprehensive Environ-*  
7 *mental Response, Compensation, and Liability Act of 1980*  
8 *(42 U.S.C. 9601).*

9 **SEC. 2837. LAND CONVEYANCE, ST. GEORGE NATIONAL**  
10 **GUARD ARMORY, ST. GEORGE, UTAH.**

11 (a) *LAND CONVEYANCE AUTHORIZED.—The Secretary*  
12 *of the Interior may convey, without consideration, to the*  
13 *State of Utah all right, title, and interest of the United*  
14 *States in and to a parcel of public land in St. George, Utah,*  
15 *comprising approximately 70 acres, as described in Public*  
16 *Land Order 6840 published in the Federal Register on*  
17 *March 29, 1991 (56 Fed. Reg. 13081), and containing the*  
18 *St. George National Guard Armory for the purpose of per-*  
19 *mitting the Utah National Guard to use the conveyed land*  
20 *for military purposes.*

21 (b) *TERMINATION OF PRIOR ADMINISTRATIVE AC-*  
22 *TION.—The Public Land Order described in subsection (a),*  
23 *which provided for a 20-year withdrawal of the public land*  
24 *described in the Public Land Order, is withdrawn upon*  
25 *conveyance of the land under this section.*

1       (c) *DESCRIPTION OF PROPERTY.*—*The exact acreage*  
 2 *and legal description of the property to be conveyed under*  
 3 *this section shall be determined by a survey satisfactory to*  
 4 *the Secretary of the Interior.*

5       (d) *CONVEYANCE AGREEMENT.*—*The conveyance under*  
 6 *this section shall be accomplished using a quit claim deed*  
 7 *or other legal instrument and upon terms and conditions*  
 8 *mutually satisfactory to the Secretary of the Interior and*  
 9 *the State of Utah, including such additional terms and con-*  
 10 *ditions as the Secretary considers appropriate to protect the*  
 11 *interests of the United States.*

12 **SEC. 2838. RELEASE OF RESTRICTIONS, RICHLAND INNOVA-**  
 13 **TION CENTER, RICHLAND, WASHINGTON.**

14       (a) *RELEASE AUTHORIZED.*—*The Secretary of Trans-*  
 15 *portation, acting through the Maritime Administrator and*  
 16 *in consultation with the Administrator of General Services,*  
 17 *may, upon receipt of full consideration as provided in sub-*  
 18 *section (b), release all remaining right, title, and interest*  
 19 *of the United States in and to a parcel of real property,*  
 20 *including any improvements thereon, in Richland, Wash-*  
 21 *ington, consisting as of the date of the enactment of this*  
 22 *Act of approximately 71.5 acres and containing personal*  
 23 *and real property, to the Port of Benton (hereafter in this*  
 24 *section referred to as the “Port”).*

25       (b) *CONSIDERATION.*—



1           (1) *CONSIDERATION REQUIRED.*—As consider-  
2           ation for the release under subsection (a), the Port  
3           shall provide an amount that is acceptable to the Sec-  
4           retary of Transportation, whether by cash payment,  
5           in-kind consideration as described under paragraph  
6           (2), or a combination thereof, at such time as the Sec-  
7           retary may require. The Secretary may determine the  
8           level of acceptable consideration under this paragraph  
9           on the basis of the value of the restrictions released  
10          under subsection (a), but only if the value of such re-  
11          strictions is determined without regard to any im-  
12          provements made by the Port.

13          (2) *IN-KIND CONSIDERATION.*—In-kind consider-  
14          ation provided by the Port under paragraph (1) may  
15          include the acquisition, construction, provision, im-  
16          provement, maintenance, repair, or restoration (in-  
17          cluding environmental restoration), or combination  
18          thereof, of any facility or infrastructure under the ju-  
19          risdiction of any office of the Federal government.

20          (3) *TREATMENT OF CONSIDERATION RE-*  
21          *CEIVED.*—Consideration in the form of cash payment  
22          received by the Secretary under paragraph (1) shall  
23          be deposited in the separate fund in the Treasury de-  
24          scribed in section 572(a)(1) of title 40, United States  
25          Code.

1       (c) *PAYMENT OF COST OF RELEASE.*—

2           (1) *PAYMENT REQUIRED.*—*The Secretary of*  
3       *Transportation shall require the Port to cover costs to*  
4       *be incurred by the Secretary, or to reimburse the Sec-*  
5       *retary for such costs incurred by the Secretary, to*  
6       *carry out the release under subsection (a), including*  
7       *survey costs, costs for environmental documentation*  
8       *related to the release, and any other administrative*  
9       *costs related to the release. If amounts are collected*  
10      *from the Port in advance of the Secretary incurring*  
11      *the actual costs, and the amount collected exceeds the*  
12      *costs actually incurred by the Secretary to carry out*  
13      *the release, the Secretary shall refund the excess*  
14      *amount to the Port.*

15          (2) *TREATMENT OF AMOUNTS RECEIVED.*—

16      *Amounts received as reimbursement under paragraph*  
17      *(1) shall be credited to the fund or account that was*  
18      *used to cover the costs incurred by the Secretary in*  
19      *carrying out the release under subsection (a) or, if the*  
20      *period of availability of obligations for that appro-*  
21      *propriation has expired, to the appropriations of fund*  
22      *that is currently available to the Secretary for the*  
23      *same purpose. Amounts so credited shall be merged*  
24      *with amounts in such fund or account and shall be*  
25      *available for the same purposes, and subject to the*

1        *same conditions and limitations, as amounts in such*  
 2        *fund or account.*

3        *(d) DESCRIPTION OF PROPERTY.—The exact acreage*  
 4        *and legal description of the real property which is the sub-*  
 5        *ject of the release under subsection (a) shall be determined*  
 6        *by a survey satisfactory to the Secretary of Transportation.*

7        *(e) ADDITIONAL TERMS AND CONDITIONS.—The Sec-*  
 8        *retary of Transportation may require such additional terms*  
 9        *and conditions in connection with the release under sub-*  
 10       *section (a) as the Secretary, in consultation with the Ad-*  
 11       *ministrator of General Services, considers appropriate to*  
 12       *protect the interests of the United States.*

13       **SEC. 2839. MODIFICATION OF LAND CONVEYANCE, ROCKY**  
 14                        **MOUNTAIN ARSENAL NATIONAL WILDLIFE**  
 15                        **REFUGE.**

16        *Section 5(d)(1) of the Rocky Mountain Arsenal Na-*  
 17        *tional Wildlife Refuge Act of 1992 (Public Law 102-402;*  
 18        *16 U.S.C. 668dd note) is amended by adding at the end*  
 19        *the following new subparagraph:*

20                        *“(C)(i) Notwithstanding clause (i) of subpara-*  
 21                        *graph (A), the restriction attached to any deed to any*  
 22                        *real property designated for disposal under this sec-*  
 23                        *tion that prohibits the use of the property for residen-*  
 24                        *tial or industrial purposes may be modified or re-*  
 25                        *moved if it is determined, through a risk assessment*

1       performed pursuant to the Comprehensive Environ-  
2       mental Response, Compensation, and Liability Act of  
3       1980 (42 U.S.C. 9601 et seq.), that the property is  
4       protective for the proposed use.

5               “(ii) The Secretary of the Army shall not be re-  
6       sponsible or liable for any of the following:

7                       “(I) The cost of any risk assessment de-  
8       scribed in clause (i) or any actions taken in re-  
9       sponse to such risk assessment.

10                      “(II) Any damages attributable to the use of  
11       property for residential or industrial purposes as  
12       the result of the modification or removal of a  
13       deed restriction pursuant to clause (i), or the  
14       costs of any actions taken in response to such  
15       damages.”.

16   **SEC. 2839A. CLOSURE OF ST. MARYS AIRPORT.**

17       (a) *RELEASE OF RESTRICTIONS.*—Subject to sub-  
18       section (b), the United States, acting through the Adminis-  
19       trator of the Federal Aviation Administration, shall release  
20       the city of St. Marys, Georgia, from all restrictions, condi-  
21       tions, and limitations on the use, encumbrance, conveyance,  
22       and closure of the St. Marys Airport, to the extent such re-  
23       strictions, conditions, and limitations are enforceable by the  
24       Administrator.

1       (b) *REQUIREMENTS FOR RELEASE OF RESTRIC-*  
2 *TIONS.—The Administrator shall execute the release under*  
3 *subsection (a) once all of the following occurs:*

4           (1) *The Secretary of the Navy transfers to the*  
5 *Georgia Department of Transportation the amounts*  
6 *described in subsection (c) and requires as an enforce-*  
7 *able condition on such transfer that all funds trans-*  
8 *ferred shall be used only for airport development (as*  
9 *defined in section 47102 of title 49, United States*  
10 *Code) of a general aviation airport in Georgia, con-*  
11 *sistent with planning efforts conducted by the Admin-*  
12 *istrator and the Georgia Department of Transpor-*  
13 *tation.*

14           (2) *The city of St. Marys, for consideration as*  
15 *provided for in this section, grants to the United*  
16 *States, under the administrative jurisdiction of the*  
17 *Secretary, a restrictive use easement in the real prop-*  
18 *erty used for the St. Marys Airport, as determined ac-*  
19 *ceptable by the Secretary, under such terms and con-*  
20 *ditions as the Secretary considers necessary to protect*  
21 *the interests of the United States and prohibiting the*  
22 *future use of such property for all aviation-related*  
23 *purposes and any other purposes deemed by the Sec-*  
24 *retary to be incompatible with the operations, func-*

1        *tions, and missions of Naval Submarine Base, Kings*  
2        *Bay, Georgia.*

3                *(3) The Secretary obtains an appraisal to deter-*  
4        *mine the fair market value of the real property used*  
5        *for the St. Marys Airport in the manner described in*  
6        *subsection (c)(1).*

7                *(4) The Administrator fulfills the obligations*  
8        *under the National Environmental Policy Act of 1969*  
9        *(42 U.S.C. 4321 et seq.) in connection with the release*  
10       *under subsection (a). In carrying out such obliga-*  
11       *tions—*

12                *(A) the Administrator shall not assume or*  
13        *consider any potential or proposed future rede-*  
14        *velopment of the current St. Marys airport prop-*  
15        *erty;*

16                *(B) any potential new general aviation air-*  
17        *port in Georgia shall be deemed to be not con-*  
18        *ected with the release noted in subsection (a)*  
19        *nor the closure of St. Marys Airport; and*

20                *(C) any environmental review under the*  
21        *National Environmental Policy Act of 1969 (42*  
22        *U.S.C. 4321 et seq.) for a potential general avia-*  
23        *tion airport in Georgia shall be considered*  
24        *through an environmental review process sepa-*

1           *rate and apart from the environmental review*  
2           *made a condition of release by this section.*

3           (c) *TRANSFER OF AMOUNTS DESCRIBED.—The*  
4           *amounts described in this subsection are the following:*

5           (1) *An amount equal to the fair market value of*  
6           *the real property of the St. Marys Airport, as deter-*  
7           *mined by the Secretary and concurred in by the Ad-*  
8           *ministrator, based on an appraisal report and title*  
9           *documentation that—*

10           (A) *is prepared or adopted by the Secretary,*  
11           *and concurred in by the Administrator, not more*  
12           *than 180 days prior to the transfer described in*  
13           *subsection (b)(1); and*

14           (B) *meets all requirements of Federal law*  
15           *and the appraisal and documentation standards*  
16           *applicable to the acquisition and disposal of real*  
17           *property interests of the United States.*

18           (2) *An amount equal to the unamortized portion*  
19           *of any Federal development grants (including grants*  
20           *available under a State block grant program estab-*  
21           *lished pursuant to section 47128 of title 49, United*  
22           *States Code), other than used for the acquisition of*  
23           *land, paid to the city of St. Marys for use as the St.*  
24           *Marys Airport.*

1           (3) *An amount equal to the airport revenues re-*  
2           *maining in the airport account for the St. Marys Air-*  
3           *port as of the date of the enactment of this Act and*  
4           *as otherwise due to or received by the city of St.*  
5           *Marys after such date of enactment pursuant to sec-*  
6           *tions 47107(b) and 47133 of title 49, United States*  
7           *Code.*

8           (d) *AUTHORIZATION FOR TRANSFER OF FUNDS.—*  
9           *Using funds available to the Department of the Navy for*  
10          *operation and maintenance, the Secretary may pay the*  
11          *amounts described in subsection (c) to the Georgia Depart-*  
12          *ment of Transportation, conditioned as described in sub-*  
13          *section (b)(1).*

14          (e) *ADDITIONAL REQUIREMENTS.—*

15               (1) *SURVEY.—The exact acreage and legal de-*  
16               *scription of St. Marys Airport shall be determined by*  
17               *a survey satisfactory to the Secretary and concurred*  
18               *in by the Administrator.*

19               (2) *PLANNING OF GENERAL AVIATION AIRPORT.—*  
20               *Any planning effort for the development of a new gen-*  
21               *eral aviation airport in southeast Georgia using the*  
22               *amounts described in subsection (c) shall be conducted*  
23               *in coordination with the Secretary, and shall ensure*  
24               *that any such airport does not encroach on the oper-*



1        *ations, functions, and missions of Naval Submarine*  
2        *Base, Kings Bay, Georgia.*

3        *(f) RULE OF CONSTRUCTION.—Nothing in this section*  
4        *may be construed to limit the applicability of—*

5                *(1) the requirements and processes under section*  
6                *46319 of title 49, United States Code;*

7                *(2) the requirements and processes under part*  
8                *157 of title 14, Code of Federal Regulations; or*

9                *(3) the public notice requirements under section*  
10               *47107(h)(2) of title 49, United States Code.*

11        **SEC. 2839B. PROHIBITION ON TRANSFER OF ADMINISTRA-**  
12                        **TIVE JURISDICTION, PORTION OF ORGAN**  
13                        **MOUNTAINS AREA, FILLMORE CANYON, NEW**  
14                        **MEXICO.**

15        *The Secretary of Defense may not transfer administra-*  
16        *tive jurisdiction over the parcel of Federal land depicted*  
17        *as “Parcel D” on the map entitled “Organ Mountains Area*  
18        *- Fillmore Canyon” and dated April 19, 2016 from the De-*  
19        *partment of Defense to the Secretary of the Interior.*

1                   ***Subtitle E—Military Land***  
2                   ***Withdrawals***

3 **SEC. 2841. BUREAU OF LAND MANAGEMENT WITHDRAWN**  
4                   ***MILITARY LANDS UNDER MILITARY LANDS***  
5                   ***WITHDRAWAL ACT OF 1999.***

6           (a) *ELIMINATION OF TERMINATION DATE AND AU-*  
7 *THORIZATION FOR TRANSFER OF ADMINISTRATIVE JURIS-*  
8 *DICTION.—Subsection (a) of section 3015 of the Military*  
9 *Lands Withdrawal Act of 1999 (title XXX of Public Law*  
10 *106–65; 113 Stat. 892) is amended to read as follows:*

11           “(a) *PERMANENT WITHDRAWAL AND RESERVATION;*  
12 *EFFECT OF TRANSFER ON WITHDRAWAL.—The withdrawal*  
13 *and reservation of lands by section 3011 shall terminate*  
14 *only as follows:*

15                   “(1) *Upon an election by the Secretary of the*  
16 *military department concerned to relinquish any or*  
17 *all of the land withdrawn and reserved by section*  
18 *3011.*

19                   “(2) *Upon a transfer by the Secretary of the In-*  
20 *terior, under section 3016 and upon request by the*  
21 *Secretary of the military department concerned, of*  
22 *administrative jurisdiction over the land to the Sec-*  
23 *retary of the military department concerned. Such a*  
24 *transfer may consist of a portion of the land, in*  
25 *which case the termination of the withdrawal and res-*

1        *ervation applies only with respect to the land so*  
 2        *transferred.”.*

3        *(b) TRANSFER PROCESS AND MANAGEMENT AND USE*  
 4        *OF LANDS.—The Military Lands Withdrawal Act of 1999*  
 5        *(title XXX of Public Law 106–65) is further amended—*

6                *(1) by redesignating sections 3022 and 3023 as*  
 7        *sections 3027 and 3028, respectively; and*

8                *(2) by striking sections 3016 through 3021 and*  
 9        *inserting the following new sections:*

10        **“SEC. 3016. TRANSFER PROCESS.**

11                *“(a) TRANSFER AUTHORIZED.—The Secretary of the*  
 12        *Interior shall, upon the request of the Secretary concerned,*  
 13        *transfer to the Secretary concerned administrative jurisdic-*  
 14        *tion over the land withdrawn and reserved by section 3011,*  
 15        *or a portion of the land as the Secretary concerned may*  
 16        *request.*

17                *“(b) VALID EXISTING RIGHTS.—The transfer of ad-*  
 18        *ministrative jurisdiction under subsection (a) shall be sub-*  
 19        *ject to any valid existing rights.*

20                *“(c) TIME FOR CONVEYANCE.—The transfer of admin-*  
 21        *istrative jurisdiction under subsection (a) shall occur pur-*  
 22        *suant to a schedule agreed upon by the Secretary of the*  
 23        *Interior and the Secretary concerned.*

24                *“(d) MAP AND LEGAL DESCRIPTION.—*

1           “(1) *PREPARATION AND PUBLICATION.*—*The Sec-*  
2           *retary of the Interior shall publish in the Federal*  
3           *Register a legal description of the public land to be*  
4           *transferred under subsection (a).*

5           “(2) *SUBMISSION TO CONGRESS.*—*The Secretary*  
6           *of the Interior shall file with the Committee on En-*  
7           *ergy and Natural Resources of the Senate and the*  
8           *Committee on Natural Resources of the House of Rep-*  
9           *resentatives—*

10                   “(A) *a copy of the legal description pre-*  
11                   *pared under paragraph (1); and*

12                   “(B) *the map referred to in subsection (a).*

13           “(3) *AVAILABILITY FOR PUBLIC INSPECTION.*—  
14           *Copies of the legal description and map filed under*  
15           *paragraph (2) shall be available for public inspection*  
16           *in the appropriate offices of—*

17                   “(A) *the Bureau of Land Management;*

18                   “(B) *the commanding officer of the installa-*  
19                   *tion; and*

20                   “(C) *the Secretary concerned.*

21           “(4) *FORCE OF LAW.*—*The legal description and*  
22           *map filed under paragraph (2) shall have the same*  
23           *force and effect as if included in this Act, except that*  
24           *the Secretary of the Interior may correct clerical and*  
25           *typographical errors in the legal description or map.*

1           “(5) *REIMBURSEMENT OF COSTS.*—Any transfer  
2           entered into pursuant to subsection (a) shall be made  
3           without reimbursement, except that the Secretary con-  
4           cerned shall reimburse the Secretary of the Interior  
5           for any costs incurred by the Secretary of the Interior  
6           to prepare the legal description and map under this  
7           subsection.

8           **“SEC. 3017. ADMINISTRATION OF TRANSFERRED LAND.**

9           “(a) *TREATMENT AND USE OF TRANSFERRED LAND.*—  
10          Upon the transfer of administrative jurisdiction of land  
11          under section 3016—

12                 “(1) the land shall be treated as property (as de-  
13                 fined in section 102(9) of title 40, United States  
14                 Code) under the administrative jurisdiction of the  
15                 Secretary concerned; and

16                 “(2) the Secretary concerned shall administer the  
17                 land for military purposes.

18           “(b) *WITHDRAWAL OF MINERAL ESTATE.*—Subject to  
19          valid existing rights, land for which the administrative ju-  
20          risdiction is transferred under section 3016 is withdrawn  
21          from all forms of appropriation under the public land laws,  
22          including the mining laws, the mineral leasing laws, and  
23          the geothermal leasing laws, for as long as the land is under  
24          the administrative jurisdiction of the Secretary concerned.

1       “(c) *INTEGRATED NATURAL RESOURCES MANAGE-*  
2 *MENT PLAN.*—Not later than one year after the transfer of  
3 land under section 3016, the Secretary concerned, in co-  
4 operation with the Secretary of the Interior, shall prepare  
5 an integrated natural resources management plan pursuant  
6 to the Sikes Act (16 U.S.C. 670a et seq.) for the transferred  
7 land.

8       “(d) *RELATION TO GENERAL PROVISIONS.*—Sections  
9 3018 through 3026 do not apply to lands transferred under  
10 section 3016 or to the management of such land.

11       “(e) *TRANSFERS BETWEEN ARMED FORCES.*—Nothing  
12 in this subtitle shall be construed as limiting the authority  
13 to transfer administrative jurisdiction over the land trans-  
14 ferred under section 3016 to another armed force pursuant  
15 to section 2696 of title 10, United States Code, and the pro-  
16 visions of this section shall continue to apply to any such  
17 lands.

18 **“SEC. 3018. GENERAL APPLICABILITY; DEFINITIONS.**

19       “(a) *APPLICABILITY.*—Sections 3014 through 3028  
20 apply to the lands withdrawn and reserved by section 3011  
21 except—

22               “(1) to the B-16 Range referred to in section  
23       3011(a)(3)(A), for which only section 3019 applies;

1           “(2) to the ‘Shoal Site’ referred to in section  
2           3011(a)(3)(B), for which sections 3014 through 3028  
3           apply only to the surface estate;

4           “(3) to the ‘Pahute Mesa’ area referred to in sec-  
5           tion 3011(b)(2); and

6           “(4) to the Desert National Wildlife Refuge re-  
7           ferred to in section 3011(b)(5)—

8           “(A) except for section 3024(b); and

9           “(B) for which sections 3014 through 3028  
10          shall only apply to the authorities and respon-  
11          sibilities of the Secretary of the Air Force under  
12          section 3011(b)(5).

13          “(b) *RULES OF CONSTRUCTION.*—Nothing in this sub-  
14          title assigns management of real property under the admin-  
15          istrative jurisdiction of the Secretary concerned to the Sec-  
16          retary of the Interior.

17          “(c) *DEFINITIONS.*—In this subtitle:

18                 “(1) *INDIAN TRIBE.*—The term ‘Indian tribe’ has  
19                 the meaning given the term in section 102 of the Fed-  
20                 erally Recognized Indian Tribe List Act of 1994 (25  
21                 U.S.C. 479a).

22                 “(2) *MANAGE; MANAGEMENT.*—

23                         “(A) *INCLUSIONS.*—The terms ‘manage’ and  
24                         ‘management’ include the authority to exercise

1           *jurisdiction, custody, and control over the lands*  
2           *withdrawn and reserved by section 3011.*

3           “(B) *EXCLUSIONS.*—*Such terms do not in-*  
4           *clude authority for disposal of the lands with-*  
5           *drawn and reserved by section 3011.*

6           “(3) *SECRETARY CONCERNED.*—*The term ‘Sec-*  
7           *retary concerned’ has the meaning given the term in*  
8           *section 101(a) of title 10, United States Code.*

9   **“SEC. 3019. ACCESS RESTRICTIONS.**

10          “(a) *AUTHORITY TO IMPOSE RESTRICTIONS.*—*If the*  
11          *Secretary concerned determines that military operations,*  
12          *public safety, or national security require the closure to the*  
13          *public of any road, trail, or other portion of land with-*  
14          *drawn and reserved by section 3011, the Secretary may take*  
15          *such action as the Secretary determines to be necessary to*  
16          *implement and maintain the closure.*

17          “(b) *LIMITATION.*—*Any closure under subsection (a)*  
18          *shall be limited to the minimum area and duration that*  
19          *the Secretary concerned determines are required for the pur-*  
20          *poses of the closure.*

21          “(c) *CONSULTATION REQUIRED.*—

22                  “(1) *IN GENERAL.*—*Subject to paragraph (3), be-*  
23                  *fore a closure is implemented under this section, the*  
24                  *Secretary concerned shall consult with the Secretary*  
25                  *of the Interior.*



1           “(2) *INDIAN TRIBE.*—Subject to paragraph (3),  
2           if a closure proposed under this section may affect ac-  
3           cess to or use of sacred sites or resources considered  
4           to be important by an Indian tribe, the Secretary  
5           concerned shall consult, at the earliest practicable  
6           date, with the affected Indian tribe.

7           “(3) *LIMITATION.*—No consultation shall be re-  
8           quired under paragraph (1) or (2)—

9                   “(A) if the closure is provided for in an in-  
10                  tegrated natural resources management plan, an  
11                  installation cultural resources management plan,  
12                  or a land use management plan; or

13                   “(B) in the case of an emergency, as deter-  
14                  mined by the Secretary concerned.

15           “(d) *NOTICE.*—Immediately preceding and during  
16           any closure implemented under subsection (a), the Sec-  
17           retary concerned shall post appropriate warning notices  
18           and take other appropriate actions to notify the public of  
19           the closure.

20   **“SEC. 3020. CHANGES IN USE.**

21           “(a) *OTHER USES AUTHORIZED.*—In addition to the  
22           purposes described in section 3011, the Secretary concerned  
23           may authorize the use of land withdrawn and reserved by  
24           section 3011 for defense-related purposes.

25           “(b) *NOTICE TO SECRETARY OF THE INTERIOR.*—

1           “(1) *IN GENERAL.*—*The Secretary concerned*  
2           *shall promptly notify the Secretary of the Interior if*  
3           *the land withdrawn and reserved by section 3011 is*  
4           *used for additional defense-related purposes.*

5           “(2) *REQUIREMENTS.*—*A notification under*  
6           *paragraph (1) shall specify—*

7                   “(A) *each additional use;*

8                   “(B) *the planned duration of each addi-*  
9                   *tional use; and*

10                   “(C) *the extent to which each additional use*  
11                   *would require that additional or more stringent*  
12                   *conditions or restrictions be imposed on other-*  
13                   *wise-permitted nondefense-related uses of the*  
14                   *withdrawn and reserved land or portions of*  
15                   *withdrawn and reserved land.*

16   **“SEC. 3021. BRUSH AND RANGE FIRE PREVENTION AND**  
17                   **SUPPRESSION.**

18           “(a) *REQUIRED ACTIVITIES.*—*Consistent with any ap-*  
19           *plicable land management plan, the Secretary concerned*  
20           *shall take necessary precautions to prevent, and actions to*  
21           *suppress, brush and range fires occurring as a result of*  
22           *military activities on the land withdrawn and reserved by*  
23           *section 3011, including fires that occur on other land that*  
24           *spread from the withdrawn and reserved land.*

1       “(b) *COOPERATION OF SECRETARY OF THE INTE-*  
2 *RIOR.—*

3               “(1) *IN GENERAL.—At the request of the Sec-*  
4 *retary concerned, the Secretary of the Interior shall*  
5 *provide assistance in the suppression of fires under*  
6 *subsection (a). The Secretary concerned shall reim-*  
7 *burse the Secretary of the Interior for the costs in-*  
8 *curring by the Secretary of the Interior in providing*  
9 *such assistance.*

10              “(2) *TRANSFER OF FUNDS.—Notwithstanding*  
11 *section 2215 of title 10, United States Code, the Sec-*  
12 *retary concerned may transfer to the Secretary of the*  
13 *Interior, in advance, funds to be used to reimburse the*  
14 *costs of the Department of the Interior in providing*  
15 *assistance under this subsection.*

16 **“SEC. 3022. ONGOING DECONTAMINATION.**

17              “(a) *PROGRAM OF DECONTAMINATION REQUIRED.—*  
18 *During the period of a withdrawal and reservation of land*  
19 *by section 3011, the Secretary concerned shall maintain,*  
20 *to the extent funds are available to carry out this subsection,*  
21 *a program of decontamination of contamination caused by*  
22 *defense-related uses on the withdrawn land. The decon-*  
23 *tamination program shall be carried out consistent with*  
24 *applicable Federal and State law.*

1       “(b) *ANNUAL REPORT.*—*The Secretary of Defense shall*  
2 *include in the annual report required by section 2711 of*  
3 *title 10, United States Code, a description of decontamina-*  
4 *tion activities conducted under subsection (a).*

5       **“SEC. 3023. WATER RIGHTS.**

6       “(a) *NO RESERVATION OF WATER RIGHTS.*—*Nothing*  
7 *in this subtitle—*

8               “(1) *establishes a reservation in favor of the*  
9 *United States with respect to any water or water*  
10 *right on the land withdrawn and reserved by section*  
11 *3011; or*

12               “(2) *authorizes the appropriation of water on the*  
13 *land withdrawn and reserved by section 3011, except*  
14 *in accordance with applicable State law.*

15       “(b) *EFFECT ON PREVIOUSLY ACQUIRED OR RE-*  
16 *SERVED WATER RIGHTS.*—

17               “(1) *IN GENERAL.*—*Nothing in this section af-*  
18 *fects any water rights acquired or reserved by the*  
19 *United States before October 5, 1999, on the land*  
20 *withdrawn and reserved by section 3011.*

21               “(2) *AUTHORITY OF SECRETARY CONCERNED.*—  
22 *The Secretary concerned may exercise any water*  
23 *rights described in paragraph (1).*

1 **“SEC. 3024. HUNTING, FISHING, AND TRAPPING.**

2       “(a) *IN GENERAL.*—Section 2671 of title 10, United  
3 States Code, shall apply to all hunting, fishing, and trap-  
4 ping on the land—

5               “(1) that is withdrawn and reserved by section  
6 3011; and

7               “(2) for which management of the land has been  
8 assigned to the Secretary concerned.

9       “(b) *DESERT NATIONAL WILDLIFE REFUGE.*—Hunt-  
10 ing, fishing, and trapping within the Desert National Wild-  
11 life Refuge shall be conducted in accordance with the Na-  
12 tional Wildlife Refuge System Administration Act of 1966  
13 (16 U.S.C. 668dd et seq.), the Recreation Use of Wildlife  
14 Areas Act of 1969 (16 U.S.C. 460k et seq.), and other laws  
15 applicable to the National Wildlife Refuge System.

16 **“SEC. 3025. RELINQUISHMENT.**

17       “(a) *NOTICE OF INTENTION TO RELINQUISH.*—If, dur-  
18 ing the period of withdrawal and reservation made by sec-  
19 tion 3011, the Secretary concerned decides to relinquish any  
20 or all of the land withdrawn and reserved by section 3011,  
21 the Secretary concerned shall submit to the Secretary of the  
22 Interior notice of the intention to relinquish the land.

23       “(b) *DETERMINATION OF CONTAMINATION.*—The Sec-  
24 retary concerned shall include in the notice submitted under  
25 subsection (a) a written determination concerning whether  
26 and to what extent the land that is to be relinquished is

1 *contaminated with explosive materials or toxic or haz-*  
2 *ardous substances.*

3       “(c) *PUBLIC NOTICE.—The Secretary of the Interior*  
4 *shall publish in the Federal Register the notice of intention*  
5 *to relinquish the land under this section, including the de-*  
6 *termination concerning the contaminated state of the land.*

7       “(d) *DECONTAMINATION OF LAND TO BE RELIN-*  
8 *QUISHED.—*

9               “(1) *DECONTAMINATION REQUIRED.—The Sec-*  
10 *retary concerned shall decontaminate land subject to*  
11 *a notice of intention under subsection (a) to the ex-*  
12 *tent that funds are appropriated for that purpose,*  
13 *if—*

14                       “(A) *the land subject to the notice of inten-*  
15 *tion is contaminated, as determined by the Sec-*  
16 *retary concerned; and*

17                       “(B) *the Secretary of the Interior, in con-*  
18 *sultation with the Secretary concerned, deter-*  
19 *mines that—*

20                               “(i) *decontamination is practicable*  
21 *and economically feasible, after taking into*  
22 *consideration the potential future use and*  
23 *value of the contaminated land; and*

24                               “(ii) *on decontamination of the land,*  
25 *the land could be opened to operation of*

1           *some or all of the public land laws, includ-*  
2           *ing the mining laws, the mineral leasing*  
3           *laws, and the geothermal leasing laws.*

4           “(2) *ALTERNATIVES TO RELINQUISHMENT.—The*  
5           *Secretary of the Interior shall not be required to ac-*  
6           *cept the land proposed for relinquishment under sub-*  
7           *section (a), if—*

8                   “(A) *the Secretary of the Interior, after con-*  
9                   *sultation with the Secretary concerned, deter-*  
10                  *mines that—*

11                           “(i) *decontamination of the land is not*  
12                           *practicable or economically feasible; or*

13                           “(ii) *the land cannot be decontami-*  
14                           *nated sufficiently to be opened to operation*  
15                           *of some or all of the public land laws; or*

16                           “(B) *sufficient funds are not appropriated*  
17                           *for the decontamination of the land.*

18           “(3) *STATUS OF CONTAMINATED LAND PROPOSED*  
19           *TO BE RELINQUISHED.—If, because of the contami-*  
20           *nated state of the land, the Secretary of the Interior*  
21           *declines to accept land withdrawn and reserved by*  
22           *section 3011 that has been proposed for relinquish-*  
23           *ment—*

24                           “(A) *the Secretary concerned shall take ap-*  
25                           *propriate steps to warn the public of—*

1                   “(i) *the contaminated state of the land;*

2                   *and*

3                   “(ii) *any risks associated with entry*

4                   *onto the land;*

5                   “(B) *the Secretary concerned shall submit*

6                   *to the Secretary of the Interior and Congress a*

7                   *report describing—*

8                   “(i) *the status of the land; and*

9                   “(ii) *any actions taken under this*

10                  *paragraph.*

11                  “(e) *REVOCATION AUTHORITY.—*

12                  “(1) *IN GENERAL.—If the Secretary of the Inte-*

13                  *rior determines that it is in the public interest to ac-*

14                  *cept the land proposed for relinquishment under sub-*

15                  *section (a), the Secretary of the Interior may order*

16                  *the revocation of a withdrawal and reservation made*

17                  *by section 3011.*

18                  “(2) *REVOCATION ORDER.—To carry out a rev-*

19                  *ocation under paragraph (1), the Secretary of the In-*

20                  *terior shall publish in the Federal Register a revoca-*

21                  *tion order that—*

22                  “(A) *terminates the withdrawal and res-*

23                  *ervation;*

24                  “(B) *constitutes official acceptance of the*

25                  *land by the Secretary of the Interior; and*



1           “(C) specifies the date on which the land  
2           will be opened to the operation of some or all of  
3           the public land laws, including the mining laws,  
4           the mineral leasing laws, and the geothermal  
5           leasing laws.

6           “(f) ACCEPTANCE BY SECRETARY OF THE INTERIOR.—

7           “(1) IN GENERAL.—Nothing in this section re-  
8           quires the Secretary of the Interior to accept the land  
9           proposed for relinquishment if the Secretary deter-  
10          mines that the land is not suitable for return to the  
11          public domain.

12          “(2) NOTICE.—If the Secretary makes a deter-  
13          mination that the land is not suitable for return to  
14          the public domain, the Secretary shall provide notice  
15          of the determination to Congress.

16        **“SEC. 3026. EFFECT OF TERMINATION OF MILITARY USE.**

17          “(a) NOTICE AND EFFECT.—Upon a determination by  
18          the Secretary concerned that there is no longer a military  
19          need for all or portions of the land for which administrative  
20          jurisdiction was transferred under section 3016, the Sec-  
21          retary concerned shall notify the Secretary of the Interior  
22          of such determination. Subject to subsections (b), (c), and  
23          (d), the Secretary concerned shall transfer administrative  
24          jurisdiction over the land subject to such a notice back to

1 *the administrative jurisdiction of the Secretary of the Inte-*  
2 *rior.*

3       “(b) *CONTAMINATION.*—*Before transmitting a notice*  
4 *under subsection (a), the Secretary concerned shall prepare*  
5 *a written determination concerning whether and to what*  
6 *extent the land to be transferred is contaminated with ex-*  
7 *plosive materials or toxic or hazardous substances. A copy*  
8 *of the determination shall be transmitted with the notice.*  
9 *Copies of the notice and the determination shall be pub-*  
10 *lished in the Federal Register.*

11       “(c) *DECONTAMINATION.*—*The Secretary concerned*  
12 *shall decontaminate any contaminated land that is the sub-*  
13 *ject of a notice under subsection (a) if—*

14               “(1) *the Secretary of the Interior, in consultation*  
15 *with the Secretary concerned, determines that—*

16                       “(A) *decontamination is practicable and*  
17 *economically feasible (taking into consideration*  
18 *the potential future use and value of the land);*  
19 *and*

20                       “(B) *upon decontamination, the land could*  
21 *be opened to operation of some or all of the pub-*  
22 *lic land laws, including the mining laws; and*

23               “(2) *funds are appropriated for such decon-*  
24 *tamination.*

1       “(d) *NO REQUIRED ACCEPTANCE.*—*The Secretary of*  
 2 *the Interior is not required to accept land proposed for*  
 3 *transfer under subsection (a) if the Secretary of the Interior*  
 4 *is unable to make the determinations under subsection*  
 5 *(c)(1) or if Congress does not appropriate a sufficient*  
 6 *amount of funds for the decontamination of the land.*

7       “(e) *ALTERNATIVE DISPOSAL.*—*If the Secretary of the*  
 8 *Interior declines to accept land proposed for transfer under*  
 9 *subsection (a), the Secretary concerned shall dispose of the*  
 10 *land in accordance with property disposal procedures estab-*  
 11 *lished by law.”.*

12       (c) *CONFORMING AND CLERICAL AMENDMENTS.*—

13           (1) *CONFORMING AMENDMENTS.*—*Section 3014*  
 14 *of the Military Lands Withdrawal Act of 1999 (title*  
 15 *XXX of Public Law 106–65; 113 Stat. 890) is amend-*  
 16 *ed by striking subsections (b), (d), and (f).*

17           (2) *CLERICAL AMENDMENTS.*—*The table of sec-*  
 18 *tions at the beginning of the Military Lands With-*  
 19 *drawal Act of 1999 (title XXX of Public Law 106–*  
 20 *65; 113 Stat. 885) is amended by striking the items*  
 21 *relating to sections 3016 through 3023 and inserting*  
 22 *the following new items:*

“Sec. 3016. *Transfer process.*

“Sec. 3017. *Administration of transferred land.*

“Sec. 3018. *General applicability; definitions.*

“Sec. 3019. *Access restrictions.*

“Sec. 3020. *Changes in use.*

“Sec. 3021. *Brush and range fire prevention and suppression.*

“Sec. 3022. *Ongoing decontamination.*

- “Sec. 3023. *Water rights.*  
 “Sec. 3024. *Hunting, fishing, and trapping.*  
 “Sec. 3025. *Relinquishment.*  
 “Sec. 3026. *Effect of termination of military use.*  
 “Sec. 3027. *Use of mineral materials.*  
 “Sec. 3028. *Immunity of United States.*”.

1 **SEC. 2842. PERMANENT WITHDRAWAL OR TRANSFER OF AD-**  
 2 **MINISTRATIVE JURISDICTION OF PUBLIC**  
 3 **LAND, NAVAL AIR WEAPONS STATION CHINA**  
 4 **LAKE, CALIFORNIA.**

5 *Section 2979 of the Military Construction Authoriza-*  
 6 *tion Act for Fiscal Year 2014 (division B of Public Law*  
 7 *113–66; 127 Stat. 1044) is amended by striking “on March*  
 8 *31, 2039.” and inserting the following: “only as follows:*

9 *“(1) If the Secretary of the Navy makes an elec-*  
 10 *tion to terminate the withdrawal and reservation of*  
 11 *the public land.*

12 *“(2) If the Secretary of the Interior, upon request*  
 13 *by the Secretary of the Navy, transfers administrative*  
 14 *jurisdiction over the public land to the Secretary of*  
 15 *the Navy. A transfer under this paragraph may con-*  
 16 *sist of a portion of the land, in which case the termi-*  
 17 *nation of the withdrawal and reservation applies only*  
 18 *with respect to the land so transferred.”.*

1       ***Subtitle F—Military Memorials,***  
 2               ***Monuments, and Museums***

3   ***SEC. 2851. CYBER CENTER FOR EDUCATION AND INNOVA-***  
 4                       ***TION—HOME OF THE NATIONAL CRYPTOLOGIC***  
 5                       ***MUSEUM.***

6       (a) *AUTHORITY TO ESTABLISH AND OPERATE CEN-*  
 7   *TER.*—Chapter 449 of title 10, United States Code, is  
 8   amended by adding at the end the following new section:

9   ***“§4781. Cyber Center for Education and Innovation—***  
 10                       ***Home of the National Cryptologic Museum***

11       “(a) *ESTABLISHMENT.*—The Secretary of Defense may  
 12   establish at a publicly accessible location at Fort George  
 13   G. Meade the ‘Cyber Center for Education and Innovation—  
 14   Home of the National Cryptologic Museum’ (in this section  
 15   referred to as the ‘Center’). The Center may be used for the  
 16   identification, curation, storage, and public viewing of ma-  
 17   terials relating to the activities of the National Security  
 18   Agency, its predecessor or successor organizations, and the  
 19   history of cryptology. The Center may contain meeting, con-  
 20   ference, and classroom facilities that will be used to support  
 21   such education, training, public outreach, and other pur-  
 22   poses as the Secretary considers appropriate.

23       “(b) *DESIGN, CONSTRUCTION, AND OPERATION.*—The  
 24   Secretary may enter into an agreement with the National  
 25   Cryptologic Museum Foundation (in this section referred

1 to as the ‘Foundation’), a nonprofit organization, for the  
2 design, construction, and operation of the Center.

3 “(c) *ACCEPTANCE AUTHORITY.*—

4 “(1) *ACCEPTANCE OF FACILITY.*—If the Founda-  
5 tion constructs the Center pursuant to an agreement  
6 with the Foundation under subsection (b), upon satis-  
7 factory completion of the Center’s construction or any  
8 phase thereof, as determined by the Secretary, and  
9 upon full satisfaction by the Foundation of any other  
10 obligations pursuant to such agreement, the Secretary  
11 may accept the Center (or any phase thereof) from the  
12 Foundation, and all right, title, and interest in the  
13 Center or such phase shall vest in the United States.

14 “(2) *ACCEPTANCE OF SERVICES.*—Notwith-  
15 standing section 1342 of title 31, the Secretary may  
16 accept services from the Foundation in connection  
17 with the design, construction, and operation of the  
18 Center. For purposes of this section and any other  
19 provision of law, employees or personnel of the Foun-  
20 dation shall not be considered to be employees of the  
21 United States.

22 “(d) *FEEES AND USER CHARGES.*—

23 “(1) *AUTHORITY TO ASSESS FEES AND USER*  
24 *CHARGES.*—Under regulations prescribed by the Sec-  
25 retary, the Director may assess fees and user charges

1       *sufficient to cover the cost of the use of Center facili-*  
2       *ties and property, including rental, user, conference,*  
3       *and concession fees, except that the Director may not*  
4       *assess fees for general admission to the National*  
5       *Cryptologic Museum.*

6               “(2) *USE OF FUNDS.*—*Amounts received by the*  
7       *Director under paragraph (1) shall be deposited into*  
8       *the Fund established under subsection (e).*

9               “(e) *FUND.*—

10              “(1) *ESTABLISHMENT.*—*Upon the Secretary’s ac-*  
11       *ceptance of the Center under subsection (e)(1), there*  
12       *is established in the Treasury a fund to be known as*  
13       *the ‘Cyber Center for Education and Innovation–*  
14       *Home of the National Cryptologic Museum Fund’ (in*  
15       *this section referred to as the ‘Fund’).*

16              “(2) *CONTENTS.*—*The Fund shall consist of the*  
17       *following amounts:*

18                      “(A) *Fees and user charges deposited by the*  
19       *Director under subsection (d).*

20                      “(B) *Any other amounts received by the Di-*  
21       *rector which are attributable to the operation of*  
22       *the Center.*

23                      “(C) *Such amounts as may be appropriated*  
24       *under law.*

1           “(3) *USE OF FUND.*—Amounts in the Fund shall  
2           be available to the Director for the benefit and oper-  
3           ation of the Center, including the costs of operation  
4           and the acquisition of books, manuscripts, works of  
5           art, historical artifacts, drawings, plans, models, and  
6           condemned or obsolete combat materiel.

7           “(4) *CONTINUING AVAILABILITY OF AMOUNTS.*—  
8           Amounts in the Fund shall be available without fiscal  
9           year limitation.”.

10          (b) *CLERICAL AMENDMENT.*—The table of sections at  
11          the beginning of such chapter is amended by adding at the  
12          end the following new item:

“4781. *Cyber Center for Education and Innovation—Home of the National  
Cryptologic Museum.*”.

13          **SEC. 2852. RENAMING SITE OF THE DAYTON AVIATION HER-**  
14                                        **ITAGE NATIONAL HISTORICAL PARK, OHIO.**

15          Section 101(b)(5) of the Dayton Aviation Heritage  
16          Preservation Act of 1992 (16 U.S.C. 410ww(b)(5)) is  
17          amended by striking “Aviation Center” and inserting “Na-  
18          tional Museum”.

19          **SEC. 2853. SUPPORT FOR MILITARY SERVICE MEMORIALS**  
20                                        **AND MUSEUMS HIGHLIGHTING ROLE OF**  
21                                        **WOMEN IN THE MILITARY.**

22          (a) *AUTHORIZATION OF SUPPORT.*—Subject to appro-  
23          priation, the Secretary of Defense may provide financial  
24          support for military service memorials and museums in the



1 *acquisition, installation, and maintenance of exhibits, fa-*  
2 *cilities, and programs that highlight the role of women in*  
3 *the military.*

4 (b) *AGREEMENT WITH NONPROFIT ORGANIZATIONS.—*

5 (1) *AUTHORIZATION OF AGREEMENT.—Subject to*  
6 *paragraph (2), the Secretary may carry out sub-*  
7 *section (a) by entering into contracts with nonprofit*  
8 *organizations under which such an organization shall*  
9 *carry out the activities described in such subsection.*

10 (2) *REPORT REQUIRED PRIOR TO AGREEMENT.—*

11 *The Secretary may not enter into a contract under*  
12 *paragraph (1) until the congressional defense commit-*  
13 *tees have received a report from the Secretary that de-*  
14 *scribes how the use of such a contract will help edu-*  
15 *cate and inform the public on the history and mission*  
16 *of the military, or support training and leadership*  
17 *development of military personnel, and is in the best*  
18 *interests of the Department of Defense.*

19 **SEC. 2854. PETERSBURG NATIONAL BATTLEFIELD BOUND-**  
20 **ARY MODIFICATION.**

21 (a) *IN GENERAL.—The boundary of the Petersburg Na-*  
22 *tional Battlefield is modified to include the land and inter-*  
23 *ests in land as generally depicted on the map titled “Peters-*  
24 *burg National Battlefield Proposed Boundary Expansion”,*  
25 *numbered 325/80,080, and dated March 2016. The map*

1 *shall be on file and available for public inspection in the*  
2 *appropriate offices of the National Park Service.*

3 *(b) ACQUISITION OF PROPERTIES.—*

4 *(1) AUTHORITY.—The Secretary of the Interior*  
5 *(referred to in this section as the “Secretary”) is au-*  
6 *thorized to acquire the land and interests in land, de-*  
7 *scribed in subsection (a), from willing sellers only, by*  
8 *donation, purchase with donated or appropriated*  
9 *funds, exchange, or transfer.*

10 *(2) NO USE OF CONDEMNATION.—The Secretary*  
11 *may not acquire by condemnation any land or inter-*  
12 *est in land under this Act or for the purposes of this*  
13 *Act.*

14 *(3) NO BUFFER ZONE CREATED.—Nothing in*  
15 *this Act, the acquisition of the land or an interest in*  
16 *land authorized under subsection (a), or the manage-*  
17 *ment plan for the Petersburg National Battlefield (in-*  
18 *cluding the acquired land) shall be construed to create*  
19 *buffer zones outside the Petersburg National Battle-*  
20 *field. That activities or uses can be seen, heard, or de-*  
21 *tected from the acquired land shall not preclude,*  
22 *limit, control, regulate, or determine the conduct or*  
23 *management of activities or uses outside of the Peters-*  
24 *burg National Battlefield.*

1           (4) *WRITTEN CONSENT OF THE OWNER.*—No  
2           *non-Federal property may be included in the Peters-*  
3           *burg National Battlefield without the written consent*  
4           *of the owner.*

5           (5) *TECHNICAL AMENDMENT.*—Section 313(a) of  
6           *the National Parks and Recreation Act of 1978 (Pub-*  
7           *lic Law 95–625; 92 Stat. 3479) is amended by strik-*  
8           *ing “twenty-one” and inserting “twenty-five”.*

9           (c) *ADMINISTRATION.*—*The Secretary shall administer*  
10          *any land or interests in land acquired under subsection (b)*  
11          *as part of the Petersburg National Battlefield in accordance*  
12          *with applicable laws and regulations.*

13          (d) *ADMINISTRATIVE JURISDICTION TRANSFER.*—

14           (1) *IN GENERAL.*—*There is transferred—*

15           (A) *from the Secretary to the Secretary of*  
16           *the Army administrative jurisdiction over the*  
17           *approximately 1.170-acre parcel of land depicted*  
18           *as “Area to be transferred to Fort Lee Military*  
19           *Reservation” on the map described in paragraph*  
20           *(2); and*

21           (B) *from the Secretary of the Army to the*  
22           *Secretary administrative jurisdiction over the*  
23           *approximately 1.171-acre parcel of land depicted*  
24           *as “Area to be transferred to Petersburg National*

1           *Battlefield*” on the map described in paragraph  
2           (2).

3           (2) *MAP.*—*The land to be exchanged is depicted*  
4           *on the map titled “Petersburg National Battlefield*  
5           *Proposed Transfer of Administrative Jurisdiction”,*  
6           *numbered 325/80,801A, dated March 2016. The map*  
7           *shall be on file and available for public inspection in*  
8           *the appropriate offices of the National Park Service.*

9           (3) *CONDITIONS OF TRANSFER.*—*The transfer of*  
10          *administrative jurisdiction under paragraph (1) shall*  
11          *be subject to the following conditions:*

12                 (A) *NO REIMBURSEMENT OR CONSIDER-*  
13                 *ATION.*—*The transfer shall occur without reim-*  
14                 *bursement or consideration.*

15                 (B) *MANAGEMENT.*—*The land transferred to*  
16                 *the Secretary under paragraph (1) shall be in-*  
17                 *cluded within the boundary of the Petersburg*  
18                 *National Battlefield and administered as part of*  
19                 *that park in accordance with applicable laws*  
20                 *and regulations, and the land transferred to the*  
21                 *Secretary of the Army shall be excluded from the*  
22                 *boundary of the Petersburg National Battlefield.*

1 **SEC. 2855. AMENDMENTS TO THE NATIONAL HISTORIC**  
2 **PRESERVATION ACT.**

3 *Section 101(a) of the National Historic Preservation*  
4 *Act (16 U.S.C. 470a(a)) is amended as follows:*

5 (1) *In paragraph (2)—*

6 (A) *in subparagraph (E), by striking “;*  
7 *and” and inserting a semicolon;*

8 (B) *in subparagraph (F), by striking the*  
9 *period and inserting “; and”; and*

10 (C) *by adding at the end the following:*

11 “(G) *notifying the Committee on Natural Re-*  
12 *sources of the United States House of Representatives*  
13 *and the Committee on Energy and Natural Resources*  
14 *of the Senate if the property is owned by the Federal*  
15 *Government when the property is being considered for*  
16 *inclusion on the National Register, for designation as*  
17 *a National Historic Landmark, or for nomination to*  
18 *the World Heritage List.”.*

19 (2) *By redesignating paragraphs (7) and (8) as*  
20 *paragraphs (8) and (9), respectively.*

21 (3) *By inserting after paragraph (6) the fol-*  
22 *lowing:*

23 “(7) *If the head of the agency managing any*  
24 *Federal property objects to such inclusion or designa-*  
25 *tion for reasons of national security, such as any im-*  
26 *act the inclusion or designation would have on use*

1 of the property for military training or readiness  
2 purposes, that Federal property shall be neither in-  
3 cluded on the National Register nor designated as a  
4 National Historic Landmark until the objection is  
5 withdrawn.”.

6 (4) By adding after paragraph (9) (as so reded-  
7 icated by paragraph (2) of this section) the fol-  
8 lowing:

9 “(10) The Secretary shall promulgate regulations  
10 to allow for expedited removal of Federal property  
11 listed on the National Register of Historic Places if  
12 the managing agency of that Federal property sub-  
13 mits to the Secretary a written request to remove the  
14 Federal property from the National Register of His-  
15 toric Places for reasons of national security, such as  
16 any impact the inclusion or designation would have  
17 on use of the property for military training or readi-  
18 ness purposes.”.

19 **SEC. 2856. RECOGNITION OF THE NATIONAL MUSEUM OF**  
20 **WORLD WAR II AVIATION.**

21 (a) *FINDINGS.*—Congress finds the following:

22 (1) World War II was one of the most important  
23 events in the history of the Nation, a time of moral  
24 clarity and common purpose that remains today as  
25 an inspiration to all people in the United States.

1           (2) *The role of aviation was a critical factor in*  
2 *the success of winning World War II and defeating*  
3 *the enemies worldwide.*

4           (3) *The bravery, courage, dedication, and her-*  
5 *oism of World War II aviators and support personnel*  
6 *was an important element in the winning of World*  
7 *War II.*

8           (4) *The National Museum of World War II Avia-*  
9 *tion in Colorado Springs, Colorado, exists to help pre-*  
10 *serve and promote an understanding of the role of*  
11 *aviation in winning World War II.*

12           (5) *The National Museum of World War II Avia-*  
13 *tion is dedicated to celebrating the spirit of the*  
14 *United States, recognizing the teamwork, collabora-*  
15 *tion, patriotism, and courage of the men and women*  
16 *who fought, as well as those on the homefront who mo-*  
17 *bilized and supported the national aviation effort.*

18           (b) *CONDITIONS ON RECOGNITION OF AMERICA'S NA-*  
19 *TIONAL WORLD WAR II AVIATION MUSEUM.—The Sec-*  
20 *retary of the Air Force, Secretary of the Navy, and Sec-*  
21 *retary of the Army shall—*

22           (1) *each provide a briefing to the Committees on*  
23 *Armed Services of the House of Representatives and*  
24 *the Senate evaluating the suitability of the museum*  
25 *for recognition as a national museum; and*

1           (2) *each certify to such Committees that the mu-*  
2           *seum is suitable for such recognition.*

3           (c) *ELEMENTS OF CERTIFICATION.*—*The Secretary of*  
4           *the Air Force, Secretary of the Navy, and Secretary of the*  
5           *Army shall provide the certification under subsection (b)(2)*  
6           *only if each certifies that each of the following is correct:*

7           (1) *The museum possesses the infrastructure nec-*  
8           *essary to maintain and preserve military cultural re-*  
9           *sources.*

10          (2) *The museum is accredited.*

11          (3) *The museum prevents the private use of any*  
12          *item donated to the museum.*

13          (4) *The museum applies industry standards for*  
14          *the preservation of military cultural resources.*

15          (5) *The museum employs sufficient staff, trained*  
16          *to industry standards, to ensure the preservation of*  
17          *military cultural resources.*

18       **SEC. 2857. BATTLESHIP PRESERVATION GRANT PROGRAM.**

19          (a) *ESTABLISHMENT.*—*There is hereby established*  
20          *within the Department of the Interior a grant program for*  
21          *the preservation of our nation's most historic battleships.*

22          (b) *USE OF GRANTS.*—*Amounts received through*  
23          *grants under this section shall be used for the preservation*  
24          *of our nation's most historic battleships in a manner that*  
25          *is self-sustaining and has an educational component.*



1       (c) *CRITERIA FOR ELIGIBILITY.*—*To be eligible for a*  
2 *grant under this section, an entity shall—*

3           (1) *submit an application under procedures pre-*  
4 *scribed by the Secretary;*

5           (2) *match the amount of the grant, on a 1-to-1*  
6 *basis, with non-Federal assets from non-Federal*  
7 *sources, which may include cash or durable goods and*  
8 *materials fairly valued as determined by the Sec-*  
9 *retary;*

10          (3) *maintain records as may be reasonably nec-*  
11 *essary to fully disclose—*

12           (A) *the amount and the disposition of the*  
13 *proceeds of the grant;*

14           (B) *the total cost of the project for which the*  
15 *grant is made; and*

16           (C) *other records as may be required by the*  
17 *Secretary, including such records as will facili-*  
18 *tate an effective accounting for project funds;*  
19 *and*

20          (4) *provide access to the Secretary for the pur-*  
21 *poses of any required audit and examination of any*  
22 *books, documents, papers, and records of the entity.*

23       (d) *MOST HISTORIC BATTLESHIP DEFINED.*—*In this*  
24 *section, the term “most historic battleship” means a battle-*  
25 *ship that is—*

- 1           (1) *between 75 and 115 years old;*  
2           (2) *listed on the National Historic Register; and*  
3           (3) *located within the State for which it was*  
4           *named.*

5           (e) *SAVINGS PROVISION.—The authorities contained in*  
6 *this section shall be in addition to, and shall not be con-*  
7 *strued to supercede or modify those contained in the Na-*  
8 *tional Historic Preservation Act (16 U.S.C. 470–470x–6).*

9           (f) *PRIVATE PROPERTY PROTECTION.—*

10           (1) *IN GENERAL.—No Federal funds made avail-*  
11 *able to carry out this section may be used to acquire*  
12 *any real property, or any interest in any real prop-*  
13 *erty, without the written consent of the owner (or*  
14 *owners) of that property or interest in property.*

15           (2) *NO DESIGNATION.—The authority granted by*  
16 *this section shall not constitute a Federal designation*  
17 *or have any effect on private property ownership.*

18           (g) *SUNSET.—The authority to make grants under this*  
19 *section expires on September 30, 2023.*

1 ***Subtitle G—Designations and Other***  
2 ***Matters***

3 ***SEC. 2861. DESIGNATION OF PORTION OF MOFFETT FED-***  
4 ***ERAL AIRFIELD, CALIFORNIA, AS MOFFETT***  
5 ***AIR NATIONAL GUARD BASE.***

6 (a) *DESIGNATION.*—*The 111-acre cantonment area at*  
7 *Moffett Federal Airfield, California, utilized by the 129th*  
8 *Rescue Wing of the California Air National Guard shall*  
9 *be known and designated as “Moffett Air National Guard*  
10 *Base”.*

11 (b) *REFERENCES.*—*Any reference in any law, regula-*  
12 *tion, map, document, paper, other record of the United*  
13 *States to the cantonment area at Moffett Federal Airfield*  
14 *described in subsection (a) shall be considered to be a ref-*  
15 *erence to Moffett Air National Guard Base.*

16 ***SEC. 2862. REDESIGNATION OF MIKE O’CALLAGHAN FED-***  
17 ***ERAL MEDICAL CENTER.***

18 *Section 2867 of the Military Construction Authoriza-*  
19 *tion Act for Fiscal Year 1997 (division B of Public Law*  
20 *104–201; 110 Stat. 2806), as amended by section 8135(a)*  
21 *of the Department of Defense Appropriations Act, 1997 (sec-*  
22 *tion 101(b) of division A of the Omnibus Consolidated Ap-*  
23 *propriations Act, 1997 (Public Law 104–208; 110 Stat.*  
24 *3009–118)), and as amended by section 2862 of the Mili-*  
25 *tary Construction Authorization Act for Fiscal Year 2012*

1 *(division B of Public Law 112–81; 125 Stat. 1701) is fur-*  
 2 *ther amended—*

3           (1) *by striking “Mike O’Callaghan Federal Med-*  
 4 *ical Center” each place it appears and inserting*  
 5 *“Mike O’Callaghan Military Medical Center”; and*

6           (2) *in the heading, by striking “MIKE*  
 7 *O’CALLAGHAN” and all that follows and inserting*  
 8 *“MIKE O’CALLAGHAN MILITARY MEDICAL CEN-*  
 9 *TER.”.*

10 **SEC. 2863. TRANSFER OF CERTAIN ITEMS OF THE OMAR**  
 11 **BRADLEY FOUNDATION TO THE DESCEND-**  
 12 **ANTS OF GENERAL OMAR BRADLEY.**

13           (a) *TRANSFER AUTHORIZED.—The Omar Bradley*  
 14 *Foundation, Pennsylvania, may transfer, without consider-*  
 15 *ation, to the child of General of the Army Omar Nelson*  
 16 *Bradley and his first wife Mary Elizabeth Quayle Bradley,*  
 17 *namely Elizabeth Bradley, such items of the Omar Bradley*  
 18 *estate under the control of the Foundation as the Secretary*  
 19 *of the Army determines to be without historic value to the*  
 20 *Army.*

21           (b) *TIME OF SUBMITTAL OF CLAIM FOR TRANSFER.—*  
 22 *No item may be transferred under subsection (a) unless the*  
 23 *claim for the transfer of such item is submitted to the Omar*  
 24 *Bradley Foundation during the 180-day period beginning*  
 25 *on the date of the enactment of this Act.*

1 **SEC. 2864. PROTECTION AND RECOVERY OF GREATER SAGE**

2 **GROUSE.**

3 (a) *DEFINITIONS.—In this section:*

4 (1) *FEDERAL RESOURCE MANAGEMENT PLAN.—*

5 *The term “Federal resource management plan”*  
6 *means—*

7 (A) *a land use plan prepared by the Bureau*  
8 *of Land Management for public lands pursuant*  
9 *to section 202 of the Federal Land Policy and*  
10 *Management Act of 1976 (43 U.S.C. 1712); or*

11 (B) *a land and resource management plan*  
12 *prepared by the Forest Service for National For-*  
13 *est System lands pursuant to section 6 of the*  
14 *Forest and Rangeland Renewable Resources*  
15 *Planning Act of 1974 (16 U.S.C. 1604).*

16 (2) *GREATER SAGE GROUSE.—The term “Great-*  
17 *er Sage Grouse” means a sage grouse of the species*  
18 *Centrocercus urophasianus.*

19 (3) *STATE MANAGEMENT PLAN.—The term*  
20 *“State management plan” means a State-approved*  
21 *plan for the protection and recovery of the Greater*  
22 *Sage Grouse.*

23 (b) *PURPOSE.—The purpose of this section is—*

24 (1) *to facilitate implementation of State man-*  
25 *agement plans over a period of multiple, consecutive*  
26 *Greater Sage Grouse life cycles; and*

1           (2) *to demonstrate the efficacy of the State man-*  
2 *agement plans for the protection and recovery of the*  
3 *Greater Sage Grouse.*

4           (c) *DELAY IN MAKING ENDANGERED SPECIES ACT OF*  
5 *1973 FINDING.—*

6           (1) *DELAY REQUIRED.—In the case of any State*  
7 *with a State management plan, the Secretary of the*  
8 *Interior may not make a finding under clause (i),*  
9 *(ii), or (iii) of section 4(b)(3)(B) of the Endangered*  
10 *Species Act of 1973 (16 U.S.C. 1533(b)(3)(B)) with*  
11 *respect to the Greater Sage Grouse in that State be-*  
12 *fore September 30, 2026.*

13           (2) *EFFECT ON OTHER LAWS.—The delay im-*  
14 *posed by paragraph (1) is, and shall remain, effective*  
15 *without regard to any other statute, regulation, court*  
16 *order, legal settlement, or any other provision of law*  
17 *or in equity.*

18           (3) *EFFECT ON CONSERVATION STATUS.—Until*  
19 *the date specified in paragraph (1), the conservation*  
20 *status of the Greater Sage Grouse shall remain not*  
21 *warranted for listing under the Endangered Species*  
22 *Act of 1973 (16 U.S.C. 1531 et seq.).*

23           (d) *COORDINATION OF FEDERAL LAND MANAGEMENT*  
24 *AND STATE MANAGEMENT PLANS.—*

1           (1) *PROHIBITION ON WITHDRAWALS AND MODI-*  
2           *FICATIONS OF FEDERAL RESOURCE MANAGEMENT*  
3           *PLANS.*—*In order to foster coordination between a*  
4           *State management plan and Federal resource man-*  
5           *agement plans that affect the Greater Sage Grouse,*  
6           *upon notification by the Governor of a State with a*  
7           *State management plan, the Secretary of the Interior*  
8           *and the Secretary of Agriculture, as applicable, may*  
9           *not exercise authority under section 204 of the Fed-*  
10           *eral Land Policy and Management Act of 1976 (43*  
11           *U.S.C. 1714) to make, modify, or extend any with-*  
12           *drawal, nor amend or otherwise modify any Federal*  
13           *resource management plan applicable to Federal land*  
14           *in the State, in a manner inconsistent with the State*  
15           *management plan for a period, to be specified by the*  
16           *Governor in the notification, of at least five years be-*  
17           *ginning on the date of the notification.*

18           (2) *RETROACTIVE EFFECT.*—*In the case of any*  
19           *State that provides notification under paragraph (1),*  
20           *if any withdrawal was made, modified, or extended*  
21           *or if any amendment or modification of a Federal re-*  
22           *source management plan applicable to Federal lands*  
23           *in the State was issued during the three-year period*  
24           *preceding the date of the notification and the with-*  
25           *drawal, amendment, or modification altered manage-*

1        *ment of the Greater Sage Grouse or its habitat, imple-*  
2        *mentation and operation of the withdrawal, amend-*  
3        *ment, or modification shall be stayed to the extent*  
4        *that the withdrawal, amendment, or modification is*  
5        *inconsistent with the State management plan. The*  
6        *Federal resource management plan, as in effect imme-*  
7        *diately before the amendment or modification, shall*  
8        *apply instead with respect to management of the*  
9        *Greater Sage Grouse and its habitat, to the extent*  
10       *consistent with the State management plan.*

11            (3) *DETERMINATION OF INCONSISTENCY.—Any*  
12        *disagreement regarding whether a withdrawal, or an*  
13        *amendment or other modification of a Federal re-*  
14        *source management plan, is inconsistent with a State*  
15        *management plan shall be resolved by the Governor of*  
16        *the affected State.*

17            (e) *RELATION TO NATIONAL ENVIRONMENTAL POLICY*  
18        *ACT OF 1969.—With regard to any major Federal action*  
19        *consistent with a State management plan, any findings,*  
20        *analyses, or conclusions regarding the Greater Sage Grouse*  
21        *or its habitat under section 102(2)(C) of the National Envi-*  
22        *ronmental Policy Act of 1969 (42 U.S.C. 4332(2)(C)) shall*  
23        *not have a preclusive effect on the approval or implementa-*  
24        *tion of the major Federal action in that State.*



1       (f) *REPORTING REQUIREMENT.*—Not later than one  
 2 year after the date of the enactment of this Act and annu-  
 3 ally thereafter through 2026, the Secretary of the Interior  
 4 and the Secretary of Agriculture shall jointly submit to the  
 5 Committee on Energy and Natural Resources of the Senate  
 6 and the Committee on Natural Resources of the House of  
 7 Representatives a report on the Secretaries’ implementation  
 8 and effectiveness of systems to monitor the status of Greater  
 9 Sage Grouse on Federal lands under their jurisdiction.

10       (g) *JUDICIAL REVIEW.*—Notwithstanding any other  
 11 provision of statute or regulation, the requirements and im-  
 12 plementation of this section, including determinations  
 13 made under subsection (d)(3), are not subject to judicial  
 14 review.

15 **SEC. 2865. IMPLEMENTATION OF LESSER PRAIRIE-CHICKEN**  
 16 **RANGE-WIDE CONSERVATION PLAN AND**  
 17 **OTHER CONSERVATION MEASURES.**

18       (a) *DEFINITIONS.*—In this section:

19           (1) *CANDIDATE CONSERVATION AGREEMENTS.*—  
 20 The terms “Candidate Conservation Agreement” and  
 21 “Candidate and Conservation Agreement With Assur-  
 22 ances” have the meaning given those terms in—

23           (A) the announcement of the Department of  
 24 the Interior and the Department of Commerce  
 25 entitled “Announcement of Final Policy for Can-

1            *didate Conservation Agreements with Assur-*  
2            *ances” (64 Fed. Reg. 32726 (June 17, 1999));*  
3            *and*

4            *(B) sections 17.22(d) and 17.32(d) of title*  
5            *50, Code of Federal Regulations (as in effect on*  
6            *the date of enactment of this Act).*

7            *(2) RANGE-WIDE PLAN.—The term “Range-Wide*  
8            *Plan” means the Lesser Prairie-Chicken Range-Wide*  
9            *Conservation Plan of the Western Association of Fish*  
10           *and Wildlife Agencies, as endorsed by the United*  
11           *States Fish and Wildlife Service on October 23, 2013,*  
12           *and published for comment on January 29, 2014 (79*  
13           *Fed. Reg. 4652).*

14           *(3) SECRETARY.—The term “Secretary” means*  
15           *the Secretary of the Interior.*

16           *(b) PROHIBITION ON TREATMENT AS THREATENED OR*  
17           *ENDANGERED SPECIES.—*

18           *(1) IN GENERAL.—Notwithstanding any prior*  
19           *action by the Secretary, the lesser prairie-chicken*  
20           *shall not be treated as a threatened species or endan-*  
21           *gered species under the Endangered Species Act of*  
22           *1973 (16 U.S.C. 1531 et seq.) before December 31,*  
23           *2022.*

24           *(2) PROHIBITION ON PROPOSAL.—Effective be-*  
25           *ginning on January 1, 2023, the lesser prairie-chick-*

1        *en may not be treated as a threatened species or en-*  
2        *dangered species under the Endangered Species Act of*  
3        *1973 (16 U.S.C. 1531 et seq.) unless the Secretary*  
4        *publishes a determination, based on the totality of the*  
5        *scientific evidence, that conservation (as that term is*  
6        *used in that Act) under the Range-Wide Plan and the*  
7        *agreements, programs, and efforts referred to in sub-*  
8        *section (c) have not achieved the conservation goals*  
9        *established by the Range-Wide Plan.*

10        *(c) MONITORING OF PROGRESS OF CONSERVATION*  
11        *PROGRAMS.—The Secretary shall monitor and annually*  
12        *submit to Congress a report on progress in conservation of*  
13        *the lesser prairie-chicken under the Range-Wide Plan and*  
14        *all related—*

15                *(1) Candidate Conservation Agreements and*  
16                *Candidate and Conservation Agreements With Assur-*  
17                *ances;*

18                *(2) other Federal conservation programs admin-*  
19                *istered by the United States Fish and Wildlife Serv-*  
20                *ice, the Bureau of Land Management, and the De-*  
21                *partment of Agriculture;*

22                *(3) State conservation programs; and*

23                *(4) private conservation efforts.*

1 **SEC. 2866. REMOVAL OF ENDANGERED SPECIES STATUS**  
2 **FOR AMERICAN BURYING BEETLE.**

3 *Notwithstanding the final rule of the United States*  
4 *Fish and Wildlife Service entitled “Endangered and*  
5 *Threatened Wildlife and Plants; Determination of Endan-*  
6 *gered Status for the American Burying Beetle” (54 Fed.*  
7 *Reg. 29652 (July 13, 1989)), the American burying beetle*  
8 *shall not be listed as a threatened species or endangered spe-*  
9 *cies under the Endangered Species Act of 1973 (16 U.S.C.*  
10 *1531 et seq.).*

11 **SEC. 2867. REPORT ON DOCUMENTATION FOR ACQUISITION**  
12 **OF CERTAIN PROPERTIES ALONG COLUMBIA**  
13 **RIVER, WASHINGTON, BY CORPS OF ENGI-**  
14 **NEERS.**

15 *(a) REPORT ON DOCUMENTATION.—Not later than 180*  
16 *days after the date of the enactment of this Act, the Sec-*  
17 *retary of the Army, acting through the Chief of Engineers,*  
18 *shall submit a report to Congress on the process by which*  
19 *the Corps of Engineers acquired the properties described in*  
20 *subsection (b), and shall include in the report the specific*  
21 *legal documentation pursuant to which the properties were*  
22 *acquired.*

23 *(b) PROPERTIES DESCRIBED.—The properties de-*  
24 *scribed in this subsection are each of the properties de-*  
25 *scribed in paragraph (2) of section 501(i) of the Water Re-*

1 *sources Development Act of 1996 (Public Law 104–303; 110*  
 2 *Stat. 3752).*

3 **TITLE XXIX—OVERSEAS CONTIN-**  
 4 **GENY OPERATIONS MILI-**  
 5 **TARY CONSTRUCTION**

6 **SEC. 2901. AUTHORIZED NAVY CONSTRUCTION AND LAND**  
 7 **ACQUISITION PROJECTS.**

8 *The Secretary of the Navy may acquire real property*  
 9 *and carry out the military construction projects for the in-*  
 10 *stallations outside the United States, and in the amounts,*  
 11 *set forth in the following table:*

***Navy: Outside the United States***

<b>Country</b>	<b>Installation</b>	<b>Amount</b>
<i>Djibouti .....</i>	<i>Camp Lemonier .....</i>	<i>\$37,409,000</i>
<i>Iceland .....</i>	<i>Keflavik .....</i>	<i>\$19,600,000</i>

12 **SEC. 2902. AUTHORIZED AIR FORCE CONSTRUCTION AND**  
 13 **LAND ACQUISITION PROJECTS.**

14 *The Secretary of the Air Force may acquire real prop-*  
 15 *erty and carry out the military construction projects for*  
 16 *the installations outside the United States, and in the*  
 17 *amounts, set forth in the following table:*

***Air Force: Outside the United States***

<b>Country</b>	<b>Installation</b>	<b>Amount</b>
<i>Bulgaria .....</i>	<i>Graf Ignatievo .....</i>	<i>\$13,400,000</i>
<i>Djibouti .....</i>	<i>Chabelley Airfield .....</i>	<i>\$10,500,000</i>
<i>Estonia .....</i>	<i>Amari Air Base .....</i>	<i>\$6,500,000</i>
<i>Germany .....</i>	<i>Spangdahlem Air Base .....</i>	<i>\$18,700,000</i>
<i>Lithuania .....</i>	<i>Siauliai .....</i>	<i>\$3,000,000</i>
<i>Poland .....</i>	<i>Powidz Air Base .....</i>	<i>\$4,100,000</i>
	<i>Lask Air Base .....</i>	<i>\$4,100,000</i>
<i>Romania .....</i>	<i>Campia Turzii .....</i>	<i>\$18,500,000</i>

1 **SEC. 2903. AUTHORIZATION OF APPROPRIATIONS.**

2 *Funds are hereby authorized to be appropriated for fis-*  
3 *cal years beginning after September 30, 2016, for the mili-*  
4 *tary construction projects outside the United States author-*  
5 *ized by this title as specified in the funding table in section*  
6 *4602 and 4603.*

7 **TITLE XXX—UTAH TEST AND**  
8 **TRAINING RANGE ENCROACH-**  
9 **MENT PREVENTION AND TEM-**  
10 **PORARY CLOSURE AUTHORI-**  
11 **TIES**

12 **SEC. 3001. FINDINGS AND DEFINITIONS.**

13 *(a) FINDINGS.—Congress finds that—*

14 *(1) the testing and development of military*  
15 *weapons systems and the training of military forces*  
16 *are critical to ensuring the national security of the*  
17 *United States;*

18 *(2) the Utah Test and Training Range is a*  
19 *unique and irreplaceable national asset at the core of*  
20 *the test and training mission of the Department of*  
21 *Defense;*

22 *(3) continued access to the special use airspace*  
23 *and land that comprise the Utah Test and Training*  
24 *Range, under the terms and conditions described in*  
25 *this title is a national security priority;*

1           (4) *multiple use of, sustained yield activities on,*  
 2 *and access to the BLM land are vital to the customs,*  
 3 *culture, economy, ranching, grazing, and transpor-*  
 4 *tation interests of the counties in which the BLM*  
 5 *land is situated; and*

6           (5) *the limited use by the military of the BLM*  
 7 *land and airspace above the BLM land is vital to im-*  
 8 *proving and maintaining the readiness of the Armed*  
 9 *Forces.*

10 (b) *DEFINITIONS.—In this title:*

11           (1) *BLM LAND.—The term “BLM land” means*  
 12 *the Bureau of Land Management land in the State*  
 13 *comprising approximately 625,643 acres, as generally*  
 14 *depicted on the map entitled “Utah Test and Train-*  
 15 *ing Range Enhancement/West Desert Land Ex-*  
 16 *change” and dated February 12, 2016.*

17           (2) *SECRETARY.—The term “Secretary” means*  
 18 *the Secretary of the Interior.*

19           (3) *STATE.—The term “State” means the State*  
 20 *of Utah.*

21           (4) *UTAH TEST AND TRAINING RANGE.—*

22           (A) *IN GENERAL.—The term “Utah Test*  
 23 *and Training Range” means the portions of the*  
 24 *military land and airspace operating area of the*

1           *Utah Test and Training Area that are located in*  
2           *the State.*

3                   (B) *INCLUSION.—The term “Utah Test and*  
4                   *Training Range” includes the Dugway Proving*  
5                   *Ground.*

6           ***Subtitle A—Utah Test and Training***  
7                                   ***Range***

8           ***SEC. 3011. MANAGEMENT OF BLM LAND.***

9                   (a) *MEMORANDUM OF AGREEMENT.—*

10                           (1) *DRAFT.—*

11                                   (A) *IN GENERAL.—Not later than 90 days*  
12                                   *after the date of enactment of this Act, the Sec-*  
13                                   *retary and the Secretary of the Air Force shall*  
14                                   *complete a draft of the memorandum of agree-*  
15                                   *ment required under paragraph (2).*

16                                   (B) *PUBLIC COMMENT PERIOD.—During the*  
17                                   *30-day period beginning on the date on which*  
18                                   *the draft memorandum of agreement is com-*  
19                                   *pleted under subparagraph (A), there shall be an*  
20                                   *opportunity for public comment on the draft*  
21                                   *memorandum of agreement, including an oppor-*  
22                                   *tunity for the Utah Test and Training Range*  
23                                   *Community Resource Group established under*  
24                                   *section 3013(a) to provide comments on the draft*  
25                                   *memorandum of agreement.*



1           (2) *REQUIREMENT; DEADLINE.*—

2                   (A) *IN GENERAL.*—Not later than 180 days  
3 after the date of enactment of this Act, the Sec-  
4 retary and the Secretary of the Air Force shall  
5 enter into a memorandum of agreement that pro-  
6 vides for the continued management of the BLM  
7 land by the Secretary, in a manner that provides  
8 for the limited use of the BLM land by the Sec-  
9 retary of the Air Force, consistent with this title.

10                   (B) *SIGNATURES REQUIRED.*—The terms of  
11 the memorandum of agreement, including a tem-  
12 porary closure of the BLM land under the memo-  
13 randum of agreement, may not be carried out  
14 until the date on which all parties to the memo-  
15 randum of agreement have signed the memo-  
16 randum of agreement.

17           (3) *MANAGEMENT BY SECRETARY.*—The memo-  
18 randum of agreement under paragraph (2) shall pro-  
19 vide that the Secretary (acting through the Director  
20 of the Bureau of Land Management) shall continue to  
21 manage the BLM land—

22                   (A) as land described in section 6901(1)(B)  
23 of title 31, United States Code;

24                   (B) for multiple use and sustained yield  
25 goals and activities as required under sections

1           102(a)(7) and 202(c)(1) of the *Federal Land Pol-*  
2           *icy and Management Act of 1976 (43 U.S.C.*  
3           *1701(a)(7), 1712(c)(1)) and defined in section*  
4           *103 of that Act (43 U.S.C. 1702), including all*  
5           *principal or major uses on Federal land recog-*  
6           *nized pursuant to the definition of the term in*  
7           *section 103 of that Act (43 U.S.C. 1702);*

8                     *(C) in accordance with section 202 of the*  
9           *Federal Land Policy and Management Act of*  
10           *1976 (43 U.S.C. 1712); and*

11                    *(D) subject to use by the Secretary of the*  
12           *Air Force provided under section 3012 for—*

13                            *(i) the preservation of the Utah Test*  
14                            *and Training Range against current and*  
15                            *future encroachments that the Secretary of*  
16                            *the Air Force finds to be incompatible with*  
17                            *current and future test and training re-*  
18                            *quirements;*

19                            *(ii) the testing of—*

20                                    *(I) advanced weapon systems, in-*  
21                                    *cluding current weapons systems, 5th*  
22                                    *generation weapon systems, and future*  
23                                    *weapon systems; and*

24                                    *(II) the standoff distance for*  
25                                    *weapons;*

1                   (iii) the testing and evaluation of  
2                   hypersonic weapons;

3                   (iv) increased public safety for civil-  
4                   ians accessing the BLM land; and

5                   (v) other purposes relating to meeting  
6                   national security needs.

7           (b) *MAP.*—The Secretary may correct any minor er-  
8           rors in the map.

9           (c) *LAND USE PLANS.*—Any land use plan in existence  
10           on the date of enactment of this Act that applies to the BLM  
11           land shall continue to apply to the BLM land.

12           (d) *MAINTAIN CURRENT USES.*—

13                   (1) *IN GENERAL.*—Notwithstanding subsection  
14                   (a)(3)(D), the memorandum of agreement entered into  
15                   under subsection (a) and the land use plans described  
16                   in subsection (c) shall not diminish any major or  
17                   principle use that is recognized pursuant to section  
18                   103(l) of the Federal Land Policy and Management  
19                   Act of 1976 (43 U.S.C. 1702(l)), except to the extent  
20                   authorized in subsection (a).

21                   (2) *ACTIONS BY SECRETARY OF THE AIR*  
22                   *FORCE.*—The Secretary of the Air Force shall—

23                           (A) if corrective action is necessary due to  
24                           an action of the Air Force, as determined by the

1           *Secretary of the Air Force, render the BLM land*  
2           *safe for public use; and*

3                     *(B) appropriately communicate the safety*  
4                     *of the land to the Secretary once the BLM land*  
5                     *is rendered safe for public use.*

6       *(e) GRAZING.—*

7                     *(1) NEW GRAZING LEASES AND PERMITS.—*

8                             *(A) IN GENERAL.—The Secretary shall issue*  
9                             *and administer any new grazing lease or permit*  
10                            *on the BLM land, in accordance with applicable*  
11                            *law (including regulations) and other authorities*  
12                            *applicable to livestock grazing on Bureau of*  
13                            *Land Management land.*

14                            *(B) NON-FEDERAL LAND LEVELS.—The Sec-*  
15                            *retary (acting through the Director of the Bu-*  
16                            *reau of Land Management) shall continue to*  
17                            *issue and administer livestock grazing leases and*  
18                            *permits on the non-Federal land described in sec-*  
19                            *tion 3022(3), subject to the requirements de-*  
20                            *scribed in subparagraphs (A) through (C) of*  
21                            *paragraph (2).*

22                            *(2) EXISTING GRAZING LEASES AND PERMITS.—*  
23                            *Any livestock grazing lease or permit applicable to*  
24                            *the BLM land that is in existence on the date of en-*  
25                            *actment of this Act shall continue in effect—*

1           (A) *at the number of permitted animal unit*  
2           *months authorized under current applicable land*  
3           *use plans;*

4           (B) *if range conditions permit, at levels*  
5           *greater than the level of active use; and*

6           (C) *subject to such reasonable increases and*  
7           *decreases of active use of animal unit months*  
8           *and other reasonable regulations, policies, and*  
9           *practices as the Secretary may consider appro-*  
10          *priate based on rangeland conditions.*

11          (f) *MEMORANDUM OF UNDERSTANDING ON EMER-*  
12          *GENCY ACCESS AND RESPONSE.—Nothing in this section*  
13          *precludes the continuation of the memorandum of under-*  
14          *standing that is between the Department of the Interior and*  
15          *the Department of the Air Force with respect to emergency*  
16          *access and response, as in existence as of the date of enact-*  
17          *ment of this Act.*

18          (g) *WITHDRAWAL.—Subject to valid existing rights,*  
19          *the BLM land is withdrawn from all forms of appropri-*  
20          *ation under the public land laws, including the mining laws,*  
21          *the mineral leasing laws, and the geothermal leasing laws.*

22          (h) *LIMITATION ON FUTURE RIGHTS-OF-WAY OR USE*  
23          *PERMITS.—The Secretary may not issue any new use per-*  
24          *mits or rights-of-way on the BLM land for any purposes*  
25          *that the Secretary of the Air Force determines to be incom-*

1 *patible with current or projected military requirements,*  
2 *with consideration given to the rangeland improvements*  
3 *under section 3015(h).*

4 (i) *GRAZING AND RANCHING.*—*Efforts described in*  
5 *this title to facilitate grazing and ranching on the BLM*  
6 *land and the non-Federal land described in section 3022(3)*  
7 *shall be considered to be compatible with mission require-*  
8 *ments of the Utah Test and Training Range.*

9 **SEC. 3012. TEMPORARY CLOSURES.**

10 (a) *IN GENERAL.*—*If the Secretary of the Air Force*  
11 *determines that military operations (including operations*  
12 *relating to the fulfillment of the mission of the Utah Test*  
13 *and Training Range), public safety, or national security*  
14 *require the temporary closure to public use of any road,*  
15 *trail, or other portion of the BLM land, the Secretary of*  
16 *the Air Force may take such action as the Secretary of the*  
17 *Air Force determines necessary to carry out the temporary*  
18 *closure.*

19 (b) *LIMITATIONS.*—*Any temporary closure under sub-*  
20 *section (a)—*

21 (1) *shall be limited to the minimum areas and*  
22 *periods during which the Secretary of the Air Force*  
23 *determines are required to carry out a closure under*  
24 *this section;*

1           (2) shall not occur on a State or Federal holi-  
2 day, unless notice is provided in accordance with sub-  
3 section (c)(1)(B);

4           (3) shall not occur on a Friday, Saturday, or  
5 Sunday, unless notice is provided in accordance with  
6 subsection (c)(1)(B); and

7           (4)(A) if practicable, shall be for not longer than  
8 a 3-hour period per day;

9           (B) shall only be for longer than a 3-hour period  
10 per day—

11                 (i) for mission essential reasons; and

12                 (ii) as infrequently as practicable and in no  
13 case for more than 10 days per year; and

14           (C) shall in no case be for longer than a 6-hour  
15 period per day.

16 (c) NOTICE.—

17           (1) IN GENERAL.—Except as provided in para-  
18 graph (2), the Secretary of the Air Force shall—

19                 (A) keep appropriate warning notices post-  
20 ed before and during any temporary closure; and

21                 (B) provide notice to the Secretary, public,  
22 and relevant stakeholders concerning the tem-  
23 porary closure—

24                         (i) at least 30 days before the date on  
25 which the temporary closure goes into effect;

1                   (ii) *in the case of a closure during the*  
2                   *period beginning on March 1 and ending on*  
3                   *May 31, at least 60 days before the date on*  
4                   *which the closure goes into effect; or*

5                   (iii) *in the case of a closure described*  
6                   *in paragraph (3) or (4) of subsection (b), at*  
7                   *least 90 days before the date on which the*  
8                   *closure goes into effect.*

9                   (2) *SPECIAL NOTIFICATION PROCEDURES.—In*  
10                  *each case for which a mission-unique security require-*  
11                  *ment does not allow for the notifications described in*  
12                  *paragraph (1)(B), the Secretary of the Air Force shall*  
13                  *work with the Secretary to achieve a mutually agree-*  
14                  *able timeline for notification.*

15                  (d) *MAXIMUM ANNUAL CLOSURES.—The total cumu-*  
16                  *lative hours of temporary closures authorized under this sec-*  
17                  *tion with respect to the BLM land shall not exceed 100*  
18                  *hours annually.*

19                  (e) *PROHIBITION ON CERTAIN TEMPORARY CLO-*  
20                  *SURES.—The northernmost area identified as “Newfound-*  
21                  *land’s” on the map shall not be subject to any temporary*  
22                  *closure between August 21 and February 28, in accordance*  
23                  *with the lawful hunting methods and seasons of the State*  
24                  *of Utah.*



1           (f) *EMERGENCY GROUND RESPONSE.*—A temporary  
2 closure of a portion of the BLM land shall not affect the  
3 conduct of emergency response activities on the BLM land  
4 during the temporary closure.

5           (g) *LAW ENFORCEMENT AND SECURITY.*—The Sec-  
6 retary and the Secretary of the Air Force may enter into  
7 cooperative agreements with State and local law enforce-  
8 ment officials with respect to lawful procedures and proto-  
9 cols to be used in promoting public safety and operation  
10 security on or near the BLM land during noticed test and  
11 training periods.

12           (h) *LIVESTOCK.*—Livestock shall be allowed to remain  
13 on the BLM land during a temporary closure of the BLM  
14 land under this section.

15 **SEC. 3013. COMMUNITY RESOURCE GROUP.**

16           (a) *ESTABLISHMENT.*—Not later than 60 days after  
17 the date of enactment of this Act, there shall be established  
18 the Utah Test and Training Range Community Resource  
19 Group (referred to in this section as the “Community  
20 Group”) to provide regular and continuing input to the  
21 Secretary and the Secretary of the Air Force on matters  
22 involving public access to, use of, and overall management  
23 of the BLM land.

24           (b) *MEMBERSHIP.*—

1           (1) *IN GENERAL.*—*The Secretary (acting through*  
2 *the State Bureau of Land Management Office) shall*  
3 *appoint members to the Community Group, includ-*  
4 *ing—*

5                   (A) *operational and land management per-*  
6 *sonnel of the Air Force;*

7                   (B) *1 Indian representative, to be nomi-*  
8 *nated by a majority vote conducted among the*  
9 *Indian tribes in the vicinity of the BLM land;*

10                  (C) *not more than 2 county commissioners*  
11 *from each of Box Elder, Tooele, and Juab Coun-*  
12 *ties, Utah;*

13                  (D) *2 representatives of off-road and high-*  
14 *way use, hunting, and other recreational groups;*

15                  (E) *2 representatives of livestock grazers on*  
16 *any public land located within the BLM land;*

17                  (F) *1 representative of the Utah Depart-*  
18 *ment of Agriculture and Food; and*

19                  (G) *not more than 3 representatives of State*  
20 *or Federal offices or agencies, or private groups,*  
21 *if the Secretary determines that such representa-*  
22 *tives would further the goals and objectives of the*  
23 *Community Group.*

1           (2) *CHAIRPERSON.*—*The members described in*  
2 *paragraph (1) shall elect from among the members of*  
3 *the Community Group—*

4                   (A) *1 member to serve as Chairperson of the*  
5 *Community Group; and*

6                   (B) *1 member to serve as Vice-Chairperson*  
7 *of the Community Group.*

8 (c) *CONDITIONS AND TERMS OF APPOINTMENT.*—

9           (1) *IN GENERAL.*—*Each member of the Commu-*  
10 *nity Group shall serve voluntarily and without remu-*  
11 *neration.*

12           (2) *TERM OF APPOINTMENT.*—

13                   (A) *IN GENERAL.*—*Each member of the*  
14 *Community Group shall be appointed for a term*  
15 *of 4 years.*

16                   (B) *ORIGINAL MEMBERS.*—*Notwithstanding*  
17 *subparagraph (A), the Chairperson shall select*  
18  *$\frac{1}{2}$  of the original members of the Community*  
19 *Group to serve for a term of 4 years and the  $\frac{1}{2}$*   
20 *to serve for a term of 2 years to ensure the re-*  
21 *placement of members shall be staggered from*  
22 *year to year.*

23                   (C) *REAPPOINTMENT AND REPLACEMENT.*—

24           *The Secretary may reappoint or replace a mem-*

1           *ber of the Community Group appointed under*  
 2           *subsection (b)(1), if—*

3                     *(i) the term of the member has expired;*

4                     *(ii) the member has retired; or*

5                     *(iii) the position held by the member*  
 6                     *described in subparagraphs (A) through (G)*  
 7                     *of paragraph (1) has changed to the extent*  
 8                     *that the ability of the member to represent*  
 9                     *the group or entity that the member rep-*  
 10                    *resents has been significantly affected.*

11           *(d) MEETINGS.—*

12                    *(1) IN GENERAL.—The Community Group shall*  
 13                    *meet not less than once per year, and at such other*  
 14                    *frequencies as determined by five or more of the mem-*  
 15                    *bers of the Community Group.*

16                    *(2) RESPONSIBILITIES OF COMMUNITY GROUP.—*  
 17                    *The Community Group shall be responsible for deter-*  
 18                    *mining appropriate schedules for, details of, and ac-*  
 19                    *tions for meetings of the Community Group.*

20                    *(3) NOTICE.—The Chairperson shall provide no-*  
 21                    *tice to each member of the Community Group not less*  
 22                    *than 10 business days before the date of a scheduled*  
 23                    *meeting.*

24                    *(4) EXEMPT FROM FEDERAL ADVISORY COM-*  
 25                    *MITTEE ACT.—The Federal Advisory Committee Act*

1       (5 U.S.C. App.) shall not apply to meetings of the  
2       Community Group.

3       (e) *COORDINATION WITH RECOMMENDATIONS OF COM-*  
4 *MUNITY GROUP.*—The Secretary and the Secretary of the  
5 *Air Force, consistent with existing laws (including regula-*  
6 *tions), shall take under consideration recommendations*  
7 *from the Community Group.*

8       (f) *TERMINATION OF AUTHORITY.*—The Community  
9 *Group shall terminate on the date that is seven years after*  
10 *the date of enactment of this Act, unless the Secretary and*  
11 *the Community Group mutually elect to terminate the Com-*  
12 *munity Group before that date.*

13       (g) *RENEWAL.*—The Community Group may elect, by  
14 *simple majority, to renew the term of the Community*  
15 *Group for an additional seven years, with the option to*  
16 *renew the term every seven years thereafter. Each renewal*  
17 *must occur upon or within 90 days before termination of*  
18 *the Community Group.*

19 **SEC. 3014. LIABILITY.**

20       *The United States (including all departments, agen-*  
21 *cies, officers, and employees of the United States) shall be*  
22 *held harmless and shall not be liable for any injury or dam-*  
23 *age to any individual or property suffered in the course*  
24 *of any mining, mineral, or geothermal activity, or any*

1 *other authorized nondefense-related activity, conducted on*  
 2 *the BLM land.*

3 **SEC. 3015. EFFECTS OF SUBTITLE.**

4 (a) *EFFECT ON WEAPON IMPACT AREA.—Nothing in*  
 5 *this subtitle expands the boundaries of the weapon impact*  
 6 *area of the Utah Test and Training Range.*

7 (b) *EFFECT ON SPECIAL USE AIRSPACE AND TRAINING*  
 8 *ROUTES.—Nothing in this subtitle precludes—*

9 (1) *the designation of new units of special use*  
 10 *airspace; or*

11 (2) *the expansion of existing units of special use*  
 12 *airspace.*

13 (c) *EFFECT ON EXISTING RIGHTS AND AGREE-*  
 14 *MENTS.—*

15 (1) *KNOLLS SPECIAL RECREATION MANAGEMENT*  
 16 *AREA; BLM COMMUNITY PITS CENTRAL GRAYBACK AND*  
 17 *SOUTH GRAYBACK.—Except as provided in section*  
 18 *3012, nothing in this subtitle limits or alters any ex-*  
 19 *isting right or right of access to—*

20 (A) *the Knolls Special Recreation Manage-*  
 21 *ment Area; or*

22 (B)(i) *the Bureau of Land Management*  
 23 *Community Pits Central Grayback and South*  
 24 *Grayback; and*

1           (ii) any other county or community pit lo-  
2           cated within close proximity to the BLM land.

3           (2) NATIONAL HISTORIC TRAILS AND OTHER HIS-  
4           TORICAL LANDMARKS.—*Except as provided in section*  
5           *3012, nothing in this subtitle limits or alters any ex-*  
6           *isting right or right of access to a component of the*  
7           *National Trails System or other Federal or State his-*  
8           *toric landmarks within the BLM land, including the*  
9           *California National Historic Trail, the Pony Express*  
10          *National Historic Trail, or the GAPA Launch Site*  
11          *and Blockhouse.*

12          (3) CLOSURE OF INTERSTATE 80.—*Nothing in*  
13          *this subtitle authorizes any additional authority or*  
14          *right to the Secretary or the Secretary of the Air*  
15          *Force to temporarily close Interstate 80.*

16          (4) EFFECT ON LIMITATION ON AMENDMENTS TO  
17          CERTAIN INDIVIDUAL RESOURCE MANAGEMENT  
18          PLANS.—*Nothing in this subtitle affects the limitation*  
19          *established under section 2815(d) of the National De-*  
20          *fense Authorization Act for Fiscal Year 2000 (Public*  
21          *Law 106–65; 113 Stat. 852).*

22          (5) EFFECT ON MEMORANDUM OF UNDER-  
23          STANDING.—*Nothing in this subtitle affects the memo-*  
24          *randum of understanding entered into by the Air*  
25          *Force, the Bureau of Land Management, the Utah De-*

1 *partment of Natural Resources, and the Utah Divi-*  
2 *sion of Wildlife Resources relating to the reestablish-*  
3 *ment of bighorn sheep in the Newfoundland Moun-*  
4 *tains and signed by the parties to the memorandum*  
5 *of understanding during the period beginning on*  
6 *January 24, 2000, and ending on February 4, 2000.*

7 (6) *EFFECT ON EXISTING MILITARY SPECIAL USE*  
8 *AIRSPACE AGREEMENT.—Nothing in this subtitle lim-*  
9 *its or alters the Military Operating Areas of Airspace*  
10 *Use Agreement between the Federal Aviation Admin-*  
11 *istration and the Air Force in effect on the date of*  
12 *enactment of this Act.*

13 (d) *EFFECT ON WATER RIGHTS.—*

14 (1) *NO RESERVATION CREATED.—Nothing in this*  
15 *subtitle—*

16 (A) *establishes any reservation in favor of*  
17 *the United States with respect to any water or*  
18 *water right on the BLM land; or*

19 (B) *authorizes any appropriation of water*  
20 *on the BLM land, except in accordance with ap-*  
21 *plicable State law.*

22 (2) *PREVIOUSLY ACQUIRED AND RESERVED*  
23 *WATER RIGHTS.—Nothing in this subtitle affects—*



1           (A) any water right acquired or reserved by  
2           the United States before the date of enactment of  
3           this Act; or

4           (B) the authority of the Secretary or the  
5           Secretary of the Air Force, as applicable, to exer-  
6           cise any water right described in subparagraph  
7           (A).

8           (3) *NO EFFECT ON MCCARRAN AMENDMENT.*—  
9           Nothing in this subtitle diminishes, enhances, or oth-  
10          erwise affects in any way the rights, duties, and obli-  
11          gations of the United States, the State of Utah, the  
12          counties in which the BLM land is situated, and the  
13          residents and stakeholders in those counties under sec-  
14          tion 208 of the Act of July 10, 1952 (commonly  
15          known as the “McCarran Amendment”) (43 U.S.C.  
16          666).

17          (e) *EFFECT ON FEDERALLY RECOGNIZED INDIAN*  
18          *TRIBES.*—

19               (1) *IN GENERAL.*—Nothing in this subtitle alters  
20               any right reserved by treaty or Federal law for a fed-  
21               erally recognized Indian tribe for tribal use.

22               (2) *CONSULTATION.*—The Secretary of the Air  
23               Force shall consult with any federally recognized In-  
24               dian tribe in the vicinity of the BLM land before tak-

1 *ing any action that will affect any tribal right or cul-*  
2 *tural resource protected by treaty or Federal law.*

3 *(f) EFFECT ON PAYMENTS IN LIEU OF TAXES.—*

4 *(1) ELIGIBILITY OF BLM LAND AND NON-FED-*  
5 *ERAL LAND.—The BLM land and the non-Federal*  
6 *land described in section 3022(3) shall remain eligible*  
7 *as entitlement land under section 6901 of title 31,*  
8 *United States Code.*

9 *(2) NO PREJUDICE TO COUNTY PAYMENT IN LIEU*  
10 *OF TAXES RIGHTS.—Nothing in this subtitle dimin-*  
11 *ishes, enhances, or otherwise affects any other right or*  
12 *entitlement of the counties in which the BLM land is*  
13 *situated to payments in lieu of taxes based on the*  
14 *BLM land, under section 6901 of title 31, United*  
15 *States Code.*

16 *(g) WILDLIFE GUZZLERS.—*

17 *(1) IN GENERAL.—The Bureau of Land Manage-*  
18 *ment and the Utah Division of Wildlife Resources*  
19 *shall continue the management of wildlife guzzlers in*  
20 *existence as of the date of enactment of this Act on*  
21 *the BLM land.*

22 *(2) NEW GUZZLERS.—Nothing in this subtitle*  
23 *prevents the Bureau of Land Management and the*  
24 *Utah Division of Wildlife Resources from entering*  
25 *into agreements for new wildlife guzzlers.*

1           (3) *ACQUIRED GUZZLERS.*—*The Secretary shall*  
2           *continue to manage existing wildlife guzzlers or wild-*  
3           *life improvements on the non-Federal land conveyed*  
4           *to the Secretary under section 3023(a) that were in*  
5           *existence on the day before the date of the conveyance.*

6           (h) *RANGELAND IMPROVEMENTS.*—*The Secretary shall*  
7           *continue to manage, in a manner that promotes and facili-*  
8           *tates grazing—*

9                   (1) *rangeland improvements on the BLM land*  
10           *that are in existence on the date of enactment of this*  
11           *Act; and*

12                   (2) *rangeland improvements on the non-Federal*  
13           *land conveyed to the Secretary under section 3023(a)*  
14           *that were in existence on the day before the date of*  
15           *the conveyance.*

16           (i) *NEW RANGELAND IMPROVEMENTS.*—*Nothing in*  
17           *this subtitle prevents the Bureau of Land Management, the*  
18           *Utah Department of Agriculture or other State entity, or*  
19           *a Federal land permittee from entering into agreements for*  
20           *new rangeland improvements that promote and facilitate*  
21           *grazing.*

22           (j) *SCHOOL AND INSTITUTIONAL TRUST LANDS AD-*  
23           *MINISTRATION.*—*The Bureau of Land Management shall*  
24           *maintain rangeland grazing improvements in existence as*

1 *of the date of enactment of this Act on acquired land of*  
2 *the School and Institutional Trust Lands Administration.*

3 ***Subtitle B—Land Exchange***

4 ***SEC. 3021. FINDINGS AND PURPOSE.***

5 *(a) FINDINGS.—Congress finds that—*

6 *(1) the State owns approximately 68,057 acres of*  
7 *land and approximately 10,280 acres of mineral in-*  
8 *terests located within the Utah Test and Training*  
9 *Range in Box Elder, Tooele, and Juab Counties,*  
10 *Utah;*

11 *(2) the State owns approximately 2,353 acres of*  
12 *land and approximately 3,560 acres of mineral inter-*  
13 *ests located wholly or partially within the Cedar*  
14 *Mountains Wilderness in Tooele County, Utah;*

15 *(3) the parcels of State land described in para-*  
16 *graphs (1) and (2)—*

17 *(A) were granted by Congress to the State*  
18 *pursuant to the Act of July 16, 1894 (28 Stat.*  
19 *107, chapter 138), to be held in trust for the ben-*  
20 *efit of the public school system and other public*  
21 *institutions of the State; and*

22 *(B) are largely scattered in checkerboard*  
23 *fashion among Federal land;*

24 *(4) continued State ownership and development*  
25 *of State trust land within the Utah Test and Train-*

1 *ing Range and the Cedar Mountains Wilderness is in-*  
2 *compatible with—*

3 *(A) the critical national defense uses of the*  
4 *Utah Test and Training Range; and*

5 *(B) the Federal management of the Cedar*  
6 *Mountains Wilderness; and*

7 *(5) it is in the public interest of the United*  
8 *States to acquire in a timely manner all State trust*  
9 *land within the Utah Test and Training Range and*  
10 *the Cedar Mountains Wilderness, in exchange for the*  
11 *conveyance of the Federal land to the State, in ac-*  
12 *cordance with the terms and conditions described in*  
13 *this subtitle.*

14 *(b) PURPOSE.—It is the purpose of this subtitle to di-*  
15 *rect, facilitate, and expedite the exchange of certain Federal*  
16 *land and non-Federal land between the United States and*  
17 *the State.*

18 **SEC. 3022. DEFINITIONS.**

19 *In this subtitle:*

20 *(1) EXCHANGE MAP.—The term “Exchange*  
21 *Map” means the map prepared by the Bureau of*  
22 *Land Management entitled “Utah Test and Training*  
23 *Range Enhancement/West Desert Land Exchange”*  
24 *and dated February 12, 2016.*

1           (2) *FEDERAL LAND*.—The term “Federal land”  
 2           means the Bureau of Land Management land located  
 3           in Box Elder, Millard, Juab, Tooele, and Beaver  
 4           Counties, Utah, that is identified on the Exchange  
 5           Map as “BLM Lands Proposed for Transfer to State  
 6           Trust Lands”.

7           (3) *NON-FEDERAL LAND*.—The term “non-Fed-  
 8           eral land” means the land owned by the State in Box  
 9           Elder, Tooele, and Juab Counties, Utah, that is iden-  
 10          tified on the Exchange Map as—

11                   (A) “State Trust Land Proposed for Trans-  
 12                   fer to BLM”; and

13                   (B) “State Trust Minerals Proposed for  
 14                   Transfer to BLM”.

15          (4) *STATE*.—The term “State” means the State  
 16          of Utah, acting through the School and Institutional  
 17          Trust Lands Administration.

18 **SEC. 3023. EXCHANGE OF FEDERAL LAND AND NON-FED-**  
 19 **ERAL LAND.**

20          (a) *IN GENERAL*.—If the State offers to convey to the  
 21          United States title to the non-Federal land, the Secretary  
 22          shall—

23                   (1) accept the offer; and

24                   (2) on receipt of all right, title, and interest in  
 25          and to the non-Federal land, convey to the State (or

1        *a designee) all right, title, and interest of the United*  
2        *States in and to the Federal land.*

3        *(b) VALID EXISTING RIGHTS.—The exchange author-*  
4        *ized under subsection (a) shall be subject to valid existing*  
5        *rights.*

6        *(c) TITLE APPROVAL.—Title to the Federal land and*  
7        *non-Federal land to be exchanged under this section shall*  
8        *be in a format acceptable to the Secretary and the State.*

9        *(d) APPRAISALS.—*

10            *(1) IN GENERAL.—The value of the Federal land*  
11            *and the non-Federal land to be exchanged under this*  
12            *section shall be determined by appraisals conducted*  
13            *by one or more independent appraisers retained by*  
14            *the State, with the consent of the Secretary.*

15            *(2) APPLICABLE LAW.—The appraisals under*  
16            *paragraph (1) shall be conducted in accordance with*  
17            *nationally recognized appraisal standards, including,*  
18            *as appropriate, the Uniform Appraisal Standards for*  
19            *Federal Land Acquisitions.*

20            *(3) MINERAL LAND.—*

21            *(A) MINERAL REPORTS.—The appraisals*  
22            *under paragraph (1) shall take into account*  
23            *mineral and technical reports provided by the*  
24            *Secretary and the State in the evaluation of*

1           *mineral deposits in the Federal land and non-*  
2           *Federal land.*

3                   (B) *MINING CLAIMS.*—*An appraisal of any*  
4           *parcel of Federal land that is encumbered by a*  
5           *mining or millsite claim located under sections*  
6           *2318 through 2352 of the Revised Statutes (com-*  
7           *monly known as the “Mining Law of 1872”) (30*  
8           *U.S.C. 21 et seq.) shall take into account the en-*  
9           *cumbrance created by the claim for purposes of*  
10           *determining the value of the parcel of the Federal*  
11           *land.*

12                   (C) *VALIDITY EXAMINATION.*—*Nothing in*  
13           *this subtitle requires the United States to con-*  
14           *duct a mineral examination for any mining*  
15           *claim on the Federal land.*

16                   (4) *APPROVAL.*—*The appraisals conducted under*  
17           *paragraph (1) shall be submitted to the Secretary and*  
18           *the State for approval.*

19                   (5) *DISPUTE RESOLUTION.*—*If, by the date that*  
20           *is 90 days after the date of submission of an ap-*  
21           *praisal for review and approval under this subsection,*  
22           *the Secretary or the State do not agree to accept the*  
23           *findings of the appraisals with respect to one or more*  
24           *parcels of Federal land or non-Federal land, the dis-*  
25           *pute shall be resolved in accordance with section*



1       206(d)(2) of the *Federal Land Policy and Manage-*  
2       *ment Act of 1976 (43 U.S.C. 1716(d)(2)).*

3               (6) *DURATION.*—*The appraisals conducted under*  
4       *paragraph (1) shall remain valid until the date of the*  
5       *completion of the exchange authorized under this sub-*  
6       *title.*

7               (7) *REIMBURSEMENT OF STATE COSTS.*—*The*  
8       *Secretary shall reimburse the State in an amount*  
9       *equal to 50 percent of the costs incurred by the State*  
10       *in retaining independent appraisers under paragraph*  
11       *(1).*

12              (e) *CONVEYANCE OF TITLE.*—*The land exchange au-*  
13       *thorized under this subtitle shall be completed by the later*  
14       *of—*

15              (1) *the date that is 1 year after the date of final*  
16       *approval by the Secretary and the State of the ap-*  
17       *praisals conducted under subsection (d); and*

18              (2) *the date that is 1 year after the date of com-*  
19       *pletion of the dispute resolution process authorized*  
20       *under subsection (d)(5).*

21              (f) *PUBLIC INSPECTION AND NOTICE.*—

22              (1) *PUBLIC INSPECTION.*—*At least 30 days before*  
23       *the date of conveyance of the Federal land and non-*  
24       *Federal land, all final appraisals and appraisal re-*  
25       *views for land to be exchanged under this section shall*

1 *be available for public review at the office of the State*  
 2 *Director of the Bureau of Land Management in the*  
 3 *State of Utah.*

4 (2) *NOTICE.*—*The Secretary or the State, as ap-*  
 5 *plicable, shall publish in a newspaper of general cir-*  
 6 *culation in Salt Lake County, Utah, a notice that the*  
 7 *appraisals conducted under subsection (d) are avail-*  
 8 *able for public inspection.*

9 (g) *EQUAL VALUE EXCHANGE.*—

10 (1) *IN GENERAL.*—*The value of the Federal land*  
 11 *and non-Federal land to be exchanged under this sec-*  
 12 *tion—*

13 (A) *shall be equal; or*

14 (B) *shall be made equal in accordance with*  
 15 *paragraph (2).*

16 (2) *EQUALIZATION.*—

17 (A) *SURPLUS OF FEDERAL LAND.*—

18 (i) *IN GENERAL.*—*If the value of the*  
 19 *Federal land exceeds the value of the non-*  
 20 *Federal land, the value of the Federal land*  
 21 *and non-Federal land shall be equalized by*  
 22 *the State conveying to the United States—*

23 (I) *State trust land parcel 1, as*  
 24 *described in the assessment entitled*  
 25 *“Bureau of Land Management Envi-*

1                    *ronmental Assessment UT-100-06-*  
2                    *EA*”, numbered *UTU-82090*, and  
3                    *dated March 2008; or*

4                    *(II) State trust land located with-*  
5                    *in any of the wilderness areas or na-*  
6                    *tional conservation areas in Wash-*  
7                    *ington County, Utah, established under*  
8                    *subtitle O of title I of the Omnibus*  
9                    *Public Land Management Act of 2009*  
10                   *(Public Law 111-11; 123 Stat. 1075)*  
11                   *that has an appraised value equal to*  
12                   *the difference between—*

13                   *(aa) the value of the Federal*  
14                   *land; and*

15                   *(bb) the value of the non-Fed-*  
16                   *eral land.*

17                   *(ii) ORDER OF CONVEYANCES.—Any*  
18                   *non-Federal land required to be conveyed to*  
19                   *the United States under clause (i) shall be*  
20                   *conveyed until the value of the Federal land*  
21                   *and non-Federal land is equalized, in the*  
22                   *following order:*

23                   *(I) The State trust land parcel de-*  
24                   *scribed in clause (i)(I).*

1                   (II) *State trust land parcels lo-*  
2                   *cated in the Red Cliffs National Con-*  
3                   *servation Area.*

4                   (III) *State trust land parcels lo-*  
5                   *cated in the Docs Pass Wilderness.*

6                   (IV) *State trust land parcels lo-*  
7                   *cated in the Beaver Dam Wash Na-*  
8                   *tional Conservation Area.*

9                   (B) *SURPLUS OF NON-FEDERAL LAND.—If*  
10                  *the value of the non-Federal land exceeds the*  
11                  *value of the Federal land, the value of the Fed-*  
12                  *eral land and the non-Federal land shall be*  
13                  *equalized by the Secretary making a cash equali-*  
14                  *zation payment to the State, in accordance with*  
15                  *section 206(b) of the Federal Land Policy Man-*  
16                  *agement (43 U.S.C. 1716(b)).*

17                  (h) *WITHDRAWAL OF FEDERAL LAND FROM MINERAL*  
18                  *ENTRY PRIOR TO EXCHANGE.—Subject to valid existing*  
19                  *rights, the Federal land to be conveyed to the State under*  
20                  *this section is withdrawn from mineral location, entry, and*  
21                  *patent under the mining laws pending conveyance of the*  
22                  *Federal land to the State.*

1 **SEC. 3024. STATUS AND MANAGEMENT OF NON-FEDERAL**  
2 **LAND AFTER EXCHANGE.**

3 (a) *NON-FEDERAL LAND WITHIN UTAH TEST AND*  
4 *TRAINING RANGE.*—*On conveyance to the United States*  
5 *under this subtitle, the non-Federal land located within the*  
6 *Utah Test and Training Range shall be managed in accord-*  
7 *ance with the memorandum of agreement entered into*  
8 *under section 3011(a).*

9 (b) *NON-FEDERAL LAND WITHIN CEDAR MOUNTAINS*  
10 *WILDERNESS.*—*On conveyance to the United States under*  
11 *this subtitle, the non-Federal land located within the Cedar*  
12 *Mountains Wilderness shall, in accordance with section*  
13 *206(c) of the Federal Land Policy Act of 1976 (43 U.S.C.*  
14 *1716(c)), be added to, and administered as part of, the*  
15 *Cedar Mountains Wilderness.*

16 **SEC. 3025. HAZARDOUS MATERIALS.**

17 (a) *COSTS.*—*Except as provided in subsection (b), the*  
18 *costs of remedial actions relating to hazardous materials*  
19 *on land acquired under this subtitle shall be paid by those*  
20 *entities responsible for the costs under applicable law.*

21 (b) *REMEDICATION OF PRIOR TESTING AND TRAINING*  
22 *ACTIVITY.*—*The Department of Defense shall bear all costs*  
23 *of evaluation, management, and remediation caused by the*  
24 *previous testing of military weapons systems and the train-*  
25 *ing of military forces on non-Federal land to be conveyed*  
26 *to the United States under this subtitle.*

1 **Subtitle C—Highway Rights-of-way**

2 **SEC. 3031. RECOGNITION AND TRANSFER OF CERTAIN**  
3 **HIGHWAY RIGHTS-OF-WAY.**

4 (a) *DEFINITIONS.—In this section:*

5 (1) *HIGHWAY RIGHT-OF-WAY.—The term “high-*  
6 *way right-of-way” means a right-of-way across Fed-*  
7 *eral land for all county roads in the Counties of Box*  
8 *Elder, Tooele, and Juab, in the State of Utah, accord-*  
9 *ing to official transportation map and centerline de-*  
10 *scriptions of each county in existence as of March 1,*  
11 *2015.*

12 (2) *MAP.—The term “official transportation*  
13 *map and centerline description” means—*

14 (A) *the map entitled “Official Transpor-*  
15 *tation Map of Box Elder County, Utah” and*  
16 *dated March 1, 2015, and accompanying center-*  
17 *line description of each road on file with the*  
18 *Clerk of Box Elder County as of March 1, 2015;*

19 (B) *the map entitled “Official Transpor-*  
20 *tation Map of Tooele County” and dated March*  
21 *1, 2015, and accompanying centerline descrip-*  
22 *tion of each road on file with the Clerk of Tooele*  
23 *County as of March 1, 2015; and*

24 (C) *the map entitled “Official Transpor-*  
25 *tation Map of Juab County” and dated March*

1           1, 2015, and accompanying centerline descrip-  
 2           tion of each road on file with the Clerk of Juab  
 3           County as of March 1, 2015.

4           (3)    *SECRETARY.*—*The term “Secretary”*  
 5           *means—*

6                    (A) *the Secretary of Agriculture, with re-*  
 7                    *spect to land administered by the Chief of the*  
 8                    *Forest Service; or*

9                    (B) *the Secretary of the Interior, with re-*  
 10                    *spect to land administered by the Director of the*  
 11                    *Bureau of Land Management.*

12           (b) *RECOGNITION OF EXISTENCE AND VALIDITY OF*  
 13           *RIGHTS-OF-WAY.*—*Congress recognizes the existence and*  
 14           *validity of each of the highway rights-of-way identified on*  
 15           *the official transportation maps and centerline descrip-*  
 16           *tions.*

17           (c) *CONVEYANCE OF AN EASEMENT ACROSS FEDERAL*  
 18           *LAND.*—

19                    (1) *BOX ELDER COUNTY, UTAH.*—*The Secretary*  
 20                    *shall convey, without consideration, to Box Elder*  
 21                    *County, Utah, and the State of Utah as joint tenants*  
 22                    *with undivided interests, easements for motorized*  
 23                    *travel rights-of-way across Federal land for all high-*  
 24                    *ways shown and described in the official transpor-*

1 *tation map and centerline description of the county*  
 2 *described in subsection (a)(2)(A).*

3 (2) *JUAB COUNTY, UTAH.—The Secretary shall*  
 4 *convey, without consideration, to Juab County, Utah,*  
 5 *and the State of Utah as joint tenants with undivided*  
 6 *interests, easements for motorized travel rights-of-way*  
 7 *across Federal land for all highways shown and de-*  
 8 *scribed in the official transportation map and center-*  
 9 *line description of the county described in subsection*  
 10 *(a)(2)(B).*

11 (3) *TOOELE COUNTY, UTAH.—The Secretary*  
 12 *shall convey, without consideration, to Tooele County,*  
 13 *Utah, and the State of Utah as joint tenants with un-*  
 14 *divided interests, easements for motorized travel*  
 15 *rights-of-way across Federal land for all highways*  
 16 *shown and described in the official transportation*  
 17 *map and centerline description of the county de-*  
 18 *scribed in subsection (a)(2)(C).*

19 (d) *DESCRIPTION OF FEDERAL LAND SUBJECT TO*  
 20 *EASEMENT.—*

21 (1) *IN GENERAL.—All easements under sub-*  
 22 *section (c) shall include—*

23 (A) *the current disturbed width of each sub-*  
 24 *ject highway as shown and described in the offi-*



1           *cial transportation maps and centerline descrip-*  
2           *tions; and*

3                     *(B) any additional acreage on either side of*  
4           *the disturbed width that the respective county*  
5           *transportation department determines is nec-*  
6           *essary for the efficient maintenance, repair, sign-*  
7           *age, administration, and use of the Federal land*  
8           *subject to the easement.*

9           (2) *DESCRIPTION.—*

10                    *(A) IN GENERAL.—The exact acreage and*  
11           *legal description of the Federal land subject to*  
12           *the easements conveyed under subsection (c) shall*  
13           *be—*

14                            *(i) as described in the centerline de-*  
15           *scriptions;*

16                            *(ii) as referenced in the official trans-*  
17           *portation maps; and*

18                            *(iii) as described and referenced ac-*  
19           *cording to the disturbed width of each high-*  
20           *way as of the date of conveyance for travel*  
21           *purposes, plus any reasonable additional*  
22           *width as may be necessary for surface*  
23           *maintenance, repairs, and turnaround pur-*  
24           *poses.*

1           (B) *SURVEY NOT REQUIRED.*—Notwith-  
2           standing any other provision of law, the convey-  
3           ance of easements under subsection (c) shall be  
4           effective without a survey of the exact acreage  
5           and local description of the Federal land subject  
6           to the easements.

7           (e) *RETENTION OF MAPS AND CENTERLINE DESCRIP-*  
8           *TIONS.*—The maps and centerline descriptions referred to  
9           in clauses (i) and (ii) of subsection (d)(2)(A) shall be on  
10          file in the appropriate office of the Secretary.

11          (f) *EXCLUSION OF CERTAIN CLASS D ROADS FROM*  
12          *ROAD EASEMENT CONVEYANCES.*—Notwithstanding the  
13          highway rights-of-way identified on the official transpor-  
14          tation maps and centerline descriptions, this section does  
15          not apply to any class D road located within the boundaries  
16          of—

17               (1) *Cedar Mountain Wilderness Area designated*  
18               *by section 384(a) of the National Defense Authoriza-*  
19               *tion Act for Fiscal Year 2006 (Public Law 109–163;*  
20               *119 Stat. 3217; 16 U.S.C. 1132 note); or*

21               (2) *any wilderness study area within Box Elder*  
22               *County, Tooele County, or Juab County, Utah, des-*  
23               *ignated in law or by administrative action.*

1 ***DIVISION C—DEPARTMENT OF***  
2 ***ENERGY NATIONAL SECURITY***  
3 ***AUTHORIZATIONS AND***  
4 ***OTHER AUTHORIZATIONS***  
5 ***TITLE XXXI—DEPARTMENT OF***  
6 ***ENERGY NATIONAL SECURITY***  
7 ***PROGRAMS***  
8 ***Subtitle A—National Security***  
9 ***Programs Authorizations***

10 ***SEC. 3101. NATIONAL NUCLEAR SECURITY ADMINISTRA-***  
11 ***TION.***

12 *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*  
13 *hereby authorized to be appropriated to the Department of*  
14 *Energy for fiscal year 2017 for the activities of the National*  
15 *Nuclear Security Administration in carrying out programs*  
16 *as specified in the funding table in section 4701.*

17 *(b) AUTHORIZATION OF NEW PLANT PROJECTS.—*  
18 *From funds referred to in subsection (a) that are available*  
19 *for carrying out plant projects, the Secretary of Energy*  
20 *may carry out new plant projects for the National Nuclear*  
21 *Security Administration as follows:*

22 *Project 17–D–630, Expand Electrical Distribu-*  
23 *tion System, Lawrence Livermore National Labora-*  
24 *tory, Livermore, California, \$25,000,000.*

1            *Project 17–D–640, U1a Complex Enhancements*  
2            *Project, Nevada National Security Site, Mercury, Ne-*  
3            *vada, \$11,500,000.*

4            *Project 17–D–911, BL Fire System Upgrade,*  
5            *Bettis Atomic Power Laboratory, West Mifflin, Penn-*  
6            *sylvania, \$1,400,000.*

7    **SEC. 3102. DEFENSE ENVIRONMENTAL CLEANUP.**

8            *(a) AUTHORIZATION OF APPROPRIATIONS.—Funds are*  
9            *hereby authorized to be appropriated to the Department of*  
10           *Energy for fiscal year 2017 for defense environmental*  
11           *cleanup activities in carrying out programs as specified in*  
12           *the funding table in section 4701.*

13           *(b) AUTHORIZATION OF NEW PLANT PROJECTS.—*  
14           *From funds referred to in subsection (a) that are available*  
15           *for carrying out plant projects, the Secretary of Energy*  
16           *may carry out, for defense environmental cleanup activities,*  
17           *the following new plant project:*

18           *Project 17–D–401, Saltstone Disposal Unit #7,*  
19           *Savannah River Site, Aiken, South Carolina,*  
20           *\$9,729,000.*

21    **SEC. 3103. OTHER DEFENSE ACTIVITIES.**

22           *Funds are hereby authorized to be appropriated to the*  
23           *Department of Energy for fiscal year 2017 for other defense*  
24           *activities in carrying out programs as specified in the fund-*  
25           *ing table in section 4701.*

1 **SEC. 3104. NUCLEAR ENERGY.**

2 *Funds are hereby authorized to be appropriated to the*  
 3 *Department of Energy for fiscal year 2017 for nuclear en-*  
 4 *ergy as specified in the funding table in section 4701.*

5 **Subtitle B—Program Authoriza-**  
 6 **tions, Restrictions, and Limita-**  
 7 **tions**

8 **SEC. 3111. INDEPENDENT ACQUISITION PROJECT REVIEWS**  
 9 **OF CAPITAL ASSETS ACQUISITION PROJECTS.**

10 *(a) IN GENERAL.—The Atomic Energy Defense Act (50*  
 11 *U.S.C. 2501 et seq.) is amended by inserting after section*  
 12 *4732 the following new section:*

13 **“SEC. 4733. INDEPENDENT ACQUISITION PROJECT REVIEWS**  
 14 **OF CAPITAL ASSETS ACQUISITION PROJECTS.**

15 *“(a) REVIEWS.—The appropriate head shall ensure*  
 16 *that an independent entity conducts reviews of each capital*  
 17 *assets acquisition project as the project moves toward the*  
 18 *approval of each of critical decision 0, critical decision 1,*  
 19 *and critical decision 2 in the acquisition process.*

20 *“(b) PRE-CRITICAL DECISION 1 REVIEWS.—In addi-*  
 21 *tion to any other matters, with respect to each review of*  
 22 *a capital assets acquisition project under subsection (a)*  
 23 *that has not reached critical decision 1 approval in the ac-*  
 24 *quisition process, such review shall include—*

25 *“(1) a review using best practices of the analysis*  
 26 *of alternatives for the project; and*

1           “(2) *identification of any deficiencies in such*  
2           *analysis of alternatives for the appropriate head to*  
3           *address.*

4           “(c) *INDEPENDENT ENTITIES.—The appropriate head*  
5           *shall ensure that each review of a capital assets acquisition*  
6           *project under subsection (a) is conducted by an independent*  
7           *entity with the appropriate expertise with respect to the*  
8           *project and the stage in the acquisition process of the*  
9           *project.*

10          “(d) *DEFINITIONS.—In this section:*

11           “(1) *The term ‘acquisition process’ means the ac-*  
12           *quisition process for a project, as defined in Depart-*  
13           *ment of Energy Order 413.3B (relating to project*  
14           *management and project management for the acquisi-*  
15           *tion of capital assets), or a successor order.*

16           “(2) *The term ‘appropriate head’ means—*

17           “(A) *the Administrator, with respect to cap-*  
18           *ital assets acquisition projects of the Administra-*  
19           *tion; and*

20           “(B) *the Assistant Secretary of Energy for*  
21           *Environmental Management, with respect to*  
22           *capital assets acquisition projects of the Office of*  
23           *Environmental Management.*

24           “(3) *The term ‘capital assets acquisition project’*  
25           *means a project that—*

1           “(A) the total project cost of which is more  
2 than \$500,000,000; and

3           “(B) is covered by Department of Energy  
4 Order 413.3, or a successor order, for the acquisi-  
5 tion of capital assets for atomic energy defense  
6 activities.”.

7           (b) *CLERICAL AMENDMENT.*—The table of contents for  
8 such Act is amended by inserting after the item relating  
9 to section 4732 the following new item:

“Sec. 4733. Independent acquisition project reviews of capital assets acquisition projects.”.

10 **SEC. 3112. RESEARCH AND DEVELOPMENT OF ADVANCED**  
11 **NAVAL NUCLEAR FUEL SYSTEM BASED ON**  
12 **LOW-ENRICHED URANIUM.**

13           (a) *PROHIBITION.*—Except as provided in subsection  
14 (b), none of the funds authorized to be appropriated by this  
15 Act or otherwise made available for fiscal year 2017 for the  
16 Department of Energy may be obligated or expended to  
17 plan or carry out research and development of an advanced  
18 naval nuclear fuel system based on low-enriched uranium.

19           (b) *EXCEPTION.*—Of the funds authorized to be appro-  
20 priated by this Act or otherwise made available for fiscal  
21 year 2017 for defense nuclear nonproliferation, as specified  
22 in the funding table in division D, not more than  
23 \$5,000,000 shall be made available to the Deputy Adminis-  
24 trator for Naval Reactors for initial planning and early

1 *research and development of an advanced naval nuclear fuel*  
2 *system based on low-enriched uranium.*

3 *(c) BUDGET MATTERS.—Section 3118 of the National*  
4 *Defense Authorization Act for Fiscal Year 2016 (Public*  
5 *Law 114–92; 129 Stat. 1196) is amended—*

6 *(1) by striking paragraph (2) of subsection (c)*  
7 *and inserting the following new paragraph:*

8 *“(2) BUDGET REQUESTS.—If the Secretaries de-*  
9 *termine under paragraph (1) that research and devel-*  
10 *opment of an advanced naval nuclear fuel system*  
11 *based on low-enriched uranium should continue, the*  
12 *Secretaries shall ensure that each budget of the Presi-*  
13 *dent submitted to Congress under section 1105(a) of*  
14 *title 31, United States Code, for fiscal year 2018 and*  
15 *each fiscal year thereafter in which such research and*  
16 *development is carried out includes in the budget line*  
17 *item for the ‘Defense Nuclear Nonproliferation’ ac-*  
18 *count amounts necessary to carry out the conceptual*  
19 *plan under subsection (b).”;* and

20 *(2) in subsection (d), by striking “for material*  
21 *management and minimization”.*

22 **SEC. 3113. DISPOSITION OF WEAPONS-USABLE PLUTONIUM.**

23 *(a) IN GENERAL.—Except as provided by subsection*  
24 *(c), using funds described in subsection (b), the Secretary*



1 *of Energy shall carry out construction and project support*  
2 *activities relating to the MOX facility.*

3 (b) *FUNDS DESCRIBED.*—*The funds described in this*  
4 *subsection are the following:*

5 (1) *Funds authorized to be appropriated by this*  
6 *Act or otherwise made available for fiscal year 2017*  
7 *for the National Nuclear Security Administration for*  
8 *the MOX facility for construction and project support*  
9 *activities.*

10 (2) *Funds authorized to be appropriated for a*  
11 *fiscal year prior to fiscal year 2017 for the National*  
12 *Nuclear Security Administration for the MOX facility*  
13 *for construction and project support activities that*  
14 *are unobligated as of the date of the enactment of this*  
15 *Act.*

16 (c) *WAIVER.*—*The Secretary may waive the require-*  
17 *ment in subsection (a) to carry out construction and project*  
18 *support activities relating to the MOX facility if—*

19 (1) *the Secretary submits to the congressional de-*  
20 *fense committees—*

21 (A) *an updated performance baseline for*  
22 *construction and project support activities relat-*  
23 *ing to the MOX facility as required by section*  
24 *3119(b) of the National Defense Authorization*

1 *Act for Fiscal Year 2016 (Public Law 114–92;*  
2 *129 Stat. 1197);*

3 *(B) notification that the Secretary has*  
4 *sought to enter into consultations with any rel-*  
5 *evant State or government of a foreign country*  
6 *necessary to pursue an alternative option for*  
7 *carrying out the plutonium disposition program,*  
8 *including a comprehensive description of the sta-*  
9 *tus of such consultations and a detailed plan*  
10 *and schedule for concluding such consultations;*

11 *(C) the commitment of the Secretary to re-*  
12 *move plutonium from South Carolina and en-*  
13 *sure a sustainable future for the Savannah River*  
14 *Site; and*

15 *(D) either—*

16 *(i) notification that the prime con-*  
17 *tractor of the MOX facility has not sub-*  
18 *mitted a proposal, during the three-month*  
19 *period following the date on which the Sec-*  
20 *retary requests such a proposal, for a fixed-*  
21 *price contract for completing construction*  
22 *and project support activities for the MOX*  
23 *facility; or*

24 *(ii) certification that such proposal is*  
25 *materially deficient or non-responsive, or*

1           that an alternative option for carrying out  
2           the plutonium disposition program exists  
3           and the total lifecycle cost of such alter-  
4           native option would be less than approxi-  
5           mately half of the estimated remaining total  
6           lifecycle cost of the mixed-oxide fuel pro-  
7           gram; and

8           (2) a period of 15 days has elapsed following the  
9           date of such submission.

10          (d) *DEFINITIONS.*—In this section:

11           (1) The term “MOX facility” means the mixed-  
12           oxide fuel fabrication facility at the Savannah River  
13           Site, Aiken, South Carolina.

14           (2) The term “project support activities” means  
15           activities that support the design, long-lead equip-  
16           ment procurement, and site preparation of the MOX  
17           facility.

18          **SEC. 3114. DESIGN BASIS THREAT.**

19           (a) *UPDATE TO ORDER.*—Not later than August 31,  
20           2016, the Secretary of Energy shall update Department of  
21           Energy Order 470.3B relating to the design basis threat for  
22           protecting nuclear weapons, special nuclear material, and  
23           other critical assets in the custody of the Department of En-  
24           ergy.

1       (b) *SENSE OF CONGRESS.*—*It is the sense of Congress*  
2 *that—*

3           (1) *the intelligence community (as defined in*  
4 *section 3(4) of the National Security Act of 1947 (50*  
5 *U.S.C. 3003(4)) should promulgate regular, biannual*  
6 *updates to the Nuclear Security Threat Capabilities*  
7 *Assessment to better inform nuclear security postures*  
8 *within the Department of Defense and the Depart-*  
9 *ment of Energy;*

10          (2) *the Department of Defense and the Depart-*  
11 *ment of Energy should closely, and in real-time, track*  
12 *and assess national, regional, and local threats to the*  
13 *defense nuclear facilities of the respective Depart-*  
14 *ments; and*

15          (3) *the Department of Defense and the Depart-*  
16 *ment of Energy should regularly review assessments*  
17 *and other input provided by activities described in*  
18 *paragraphs (1) and (2) and adjust security postures*  
19 *accordingly.*

20 **SEC. 3115. PROHIBITION ON AVAILABILITY OF FUNDS FOR**  
21 **PROVISION OF CERTAIN ASSISTANCE TO RUS-**  
22 **SIAN FEDERATION.**

23       (a) *PROHIBITION.*—

24           (1) *IN GENERAL.*—*None of the funds described in*  
25 *paragraph (2) may be obligated or expended to enter*

1        *into a contract with, or otherwise provide assistance*  
2        *to, the Russian Federation.*

3            (2) *FUNDS DESCRIBED.—The funds described in*  
4        *this paragraph are the following:*

5            (A) *Funds authorized to be appropriated by*  
6        *this Act or otherwise made available for fiscal*  
7        *year 2017 for atomic energy defense activities.*

8            (B) *Funds authorized to be appropriated or*  
9        *otherwise made available for a fiscal year prior*  
10       *to fiscal year 2017 for atomic energy defense ac-*  
11       *tivities that are unobligated as of the date of the*  
12       *enactment of this Act.*

13        (b) *WAIVER.—The Secretary of Energy, without dele-*  
14       *gation, may waive the prohibition in subsection (a)(1)*  
15       *only—*

16            (1) *to meet requirements the Secretary deter-*  
17        *mines to be new and emergency in nature; and*

18            (2) *if—*

19            (A) *the Secretary submits to the appro-*  
20        *priate congressional committees a report con-*  
21        *taining—*

22            (i) *a notification that such a waiver is*  
23        *in the national security interest of the*  
24        *United States;*

1                   (ii) justification for such a waiver, in-  
2                   cluding an explanation of how meets the re-  
3                   quirements under paragraph (1); and

4                   (iii) a certification that there is no  
5                   backlog of deferred maintenance with re-  
6                   spect to physical security equipment and re-  
7                   lated infrastructure at each Department of  
8                   Energy defense nuclear facility; and

9                   (B) a period of 15 days elapses following  
10                  the date on which the Secretary submits such re-  
11                  port.

12                  (c) *DEFINITIONS.*—*In this section:*

13                  (1) The term “appropriate congressional com-  
14                  mittees” means the following:

15                         (A) The congressional defense committees.

16                         (B) The Committee on Foreign Relations of  
17                         the Senate and the Committee on Foreign Affairs  
18                         of the House of Representatives.

19                  (2) The term “Department of Energy defense nu-  
20                  clear facility” has the meaning given that term in  
21                  section 318 of the Atomic Energy Act of 1954 (42  
22                  U.S.C. 2286g).

1 **SEC. 3116. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
2 **FEDERAL SALARIES AND EXPENSES.**

3 *Of the funds authorized to be appropriated by this Act*  
4 *or otherwise made available for fiscal year 2017 for the Na-*  
5 *tional Nuclear Security Administration for defense-related*  
6 *Federal salaries and expenses, not more than 90 percent*  
7 *may be obligated or expended until the date on which the*  
8 *Secretary of Energy submits to the congressional defense*  
9 *committees and the congressional intelligence committees*  
10 *the following:*

11 *(1) The updated plan on the designing and*  
12 *building of prototypes of nuclear weapons that is re-*  
13 *quired to be developed by not later than the same time*  
14 *as the budget of the President for fiscal year 2018*  
15 *pursuant to paragraphs (2) and (3)(B) of section*  
16 *4509(a) of the Atomic Energy Defense Act (50 U.S.C.*  
17 *2660(a)(2)).*

18 *(2) A description of the determination of the Sec-*  
19 *retary under paragraph (4)(B) of such section with*  
20 *respect to the manner in which the designing and*  
21 *building of prototypes of nuclear weapons is carried*  
22 *out under such updated plan.*

1 **SEC. 3117. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
2 **DEFENSE ENVIRONMENTAL CLEANUP PRO-**  
3 **GRAM DIRECTION.**

4 *Of the funds authorized to be appropriated by this Act*  
5 *or otherwise made available for fiscal year 2017 for defense*  
6 *environmental cleanup for program direction, not more*  
7 *than 90 percent may be obligated or expended until the date*  
8 *on which the Secretary of Energy submits to Congress the*  
9 *future-years defense environmental cleanup plan required*  
10 *to be submitted during 2017 under section 4402A of the*  
11 *Atomic Energy Defense Act (50 U.S.C. 2582A).*

12 **SEC. 3118. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
13 **ACCELERATION OF NUCLEAR WEAPONS DIS-**  
14 **MANTLEMENT.**

15 *(a) LIMITATION ON MAXIMUM AMOUNT FOR DIS-*  
16 *MANTLEMENT.—Of the funds authorized to be appropriated*  
17 *by this Act or otherwise made available for any of fiscal*  
18 *years 2017 through 2021 for the National Nuclear Security*  
19 *Administration, not more than \$56,000,000 may be obli-*  
20 *gated or expended in each such fiscal year to carry out the*  
21 *nuclear weapons dismantlement and disposition activities*  
22 *of the Administration.*

23 *(b) LIMITATION ON ACCELERATION OF DISMANTLE-*  
24 *MENT ACTIVITIES.—Except as provided by subsection (d),*  
25 *none of the funds authorized to be appropriated by this Act*  
26 *or otherwise made available for any of fiscal years 2017*



1 *through 2021 for the National Nuclear Security Adminis-*  
2 *tration may be obligated or expended to accelerate the nu-*  
3 *clear weapons dismantlement activities of the Administra-*  
4 *tion to a rate that exceeds the rate described in the Stockpile*  
5 *Stewardship and Management Plan schedule.*

6       (c) *LIMITATION ON DISMANTLEMENT OF CERTAIN*  
7 *CRUISE MISSILE WARHEADS.—Except as provided by sub-*  
8 *section (d), none of the funds authorized to be appropriated*  
9 *by this Act or otherwise made available for any of fiscal*  
10 *years 2017 through 2021 for the National Nuclear Security*  
11 *Administration may be obligated or expended to dismantle*  
12 *or dispose a W84 nuclear weapon.*

13       (d) *EXCEPTION.—The limitations in subsection (b)*  
14 *and (c) shall not apply to the following:*

15           (1) *The dismantlement of a nuclear weapon not*  
16 *covered by the Stockpile Stewardship and Manage-*  
17 *ment Plan schedule if the Administrator for Nuclear*  
18 *Security certifies, in writing, to the congressional de-*  
19 *fense committees that—*

20                   (A) *the components of the nuclear weapon*  
21 *are directly required for the purposes of a cur-*  
22 *rent life extension program; or*

23                   (B) *such dismantlement is necessary to con-*  
24 *duct maintenance or surveillance of the nuclear*

1           *weapons stockpile or to ensure the safety or reli-*  
2           *ability of the nuclear weapons stockpile.*

3           (2) *The dismantlement of a nuclear weapon if*  
4           *the President certifies, in writing, to the congressional*  
5           *defense committees that—*

6                   (A) *such dismantlement is being carried out*  
7                   *pursuant to a nuclear arms reduction treaty or*  
8                   *similar international agreement that requires*  
9                   *such dismantlement; and*

10                   (B) *such treaty or similar international*  
11                   *agreement—*

12                           (i) *has entered into force after the date*  
13                           *of the enactment of this Act; and*

14                           (ii) *was approved—*

15                                   (I) *with the advice and consent of*  
16                                   *the Senate pursuant to Article II, sec-*  
17                                   *tion 2, clause 2 of the Constitution*  
18                                   *after the date of the enactment of this*  
19                                   *Act; or*

20   (II) *by an Act of Congress, as de-*  
21   *scribed in section 303(b) of the Arms*  
22   *Control and Disarmament Act (22*  
23   *U.S.C. 2573(b)).*

24           (e) *STOCKPILE STEWARDSHIP AND MANAGEMENT*  
25 *PLAN SCHEDULE DEFINED.—In this section, the term*

1 “*Stockpile Stewardship and Management Plan schedule*”  
2 *means the schedule described in table 2–7 of the annex of*  
3 *the report titled “Fiscal Year 2016 Stockpile Stewardship*  
4 *and Management Plan” submitted in March 2015 by the*  
5 *Administrator for Nuclear Security to the congressional de-*  
6 *fense committees under section 4203(b)(2) of the Atomic En-*  
7 *ergy Defense Act (50 U.S.C. 2523(b)(2)).*

8 **SEC. 3119. ANNUAL CERTIFICATION OF SHIPMENTS TO**  
9 **WASTE ISOLATION PILOT PLANT.**

10 (a) *ANNUAL CERTIFICATION.*—*During the five-year*  
11 *period beginning on the date of the enactment of this Act,*  
12 *not later than February 1 of each year, the Secretary of*  
13 *Energy shall certify to the congressional defense committees*  
14 *the following, with respect to the year covered by the certifi-*  
15 *cation:*

16 (1) *The covered contractors have certified to the*  
17 *Administrator for Nuclear Security that the covered*  
18 *contractors are aware of the contents of each con-*  
19 *tainer shipped by the covered contractors to the Waste*  
20 *Isolation Pilot Plant, Carlsbad, New Mexico, in suffi-*  
21 *cient detail to ensure that the container is handled*  
22 *properly to prevent the release of radiation or con-*  
23 *tamination.*

24 (2) *The Administrator is aware of the contents*  
25 *of each container shipped by the Administrator or*

1 covered contractors to the Waste Isolation Pilot Plant,  
2 Carlsbad, New Mexico, in such sufficient detail.

3 (3) *The Assistant Secretary of Energy for Envi-*  
4 *ronmental Management is aware of the contents of*  
5 *each container shipped from a clean-up site to the*  
6 *Waste Isolation Pilot Plant in such sufficient detail.*

7 (b) *COVERED CONTRACTORS DEFINED.—In this sec-*  
8 *tion, the term “covered contractors” means each manage-*  
9 *ment and operating contractor of a national security lab-*  
10 *oratory or nuclear weapons production facility (as such*  
11 *terms are defined in section 4002 of the Atomic Energy De-*  
12 *fense Act (50 U.S.C. 2501) that ships materials to the Waste*  
13 *Isolation Pilot Plant, Carlsbad, New Mexico.*

14 **SEC. 3119A. LIMITATION ON AVAILABILITY OF FUNDS FOR**  
15 **THE DEPARTMENT OF ENERGY.**

16 (a) *LIMITATION.—Of the funds authorized to be appro-*  
17 *priated or otherwise made available for fiscal year 2017 for*  
18 *the Department of Energy for the Office of the Secretary*  
19 *of Energy, not more than 50 percent may be obligated or*  
20 *expended until the date on which the Secretary submits to*  
21 *the appropriate congressional committees the report under*  
22 *subsection (b).*

23 (b) *REPORT.—Not later than 15 days after the date*  
24 *of the enactment of this Act, the Secretary shall submit to*  
25 *the appropriate congressional committees the full report,*

1 *and any related materials, titled “U.S. Nuclear Deterrence*  
 2 *in the Coming Decades”, dated August 15, 2014.*

3 (c) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
 4 *FINED.—In this section, the term “appropriate congress-*  
 5 *sional committees” means—*

6 (1) *the congressional defense committees; and*

7 (2) *the Permanent Select Committee on Intel-*  
 8 *ligence of the House of Representatives and the Select*  
 9 *Committee on Intelligence of the Senate.*

10 **SEC. 3119B. SENSE OF CONGRESS REGARDING ACCOUNT-**  
 11 **ING PRACTICES BY LABORATORY OPERATING**  
 12 **CONTRACTORS AND PLANT OR SITE MAN-**  
 13 **AGERS OF NATIONAL NUCLEAR SECURITY AD-**  
 14 **MINISTRATION FACILITIES.**

15 *It is the sense of Congress that the Secretary of Energy*  
 16 *should ensure that each laboratory operating contractor or*  
 17 *plant or site manager of a National Nuclear Security Ad-*  
 18 *ministration facility adopt generally accepted and con-*  
 19 *sistent accounting practices for laboratory, plant, or site di-*  
 20 *rected research and development.*

21 **SEC. 3119C. PROTECTION OF CERTAIN NUCLEAR FACILI-**  
 22 **TIES FROM UNMANNED AIRCRAFT.**

23 (a) *IN GENERAL.—The Atomic Energy Defense Act (50*  
 24 *U.S.C. 2501 et seq.) is amended by inserting after section*  
 25 *4509 the following new section:*

1 **“SEC. 4510. PROTECTION OF CERTAIN NUCLEAR FACILITIES**  
2 **FROM UNMANNED AIRCRAFT.**

3       “(a) *AUTHORITY.*—*The Secretary of Energy may take*  
4 *such actions described in subsection (b)(1) that are nec-*  
5 *essary to mitigate the threat of an unmanned aircraft sys-*  
6 *tem or unmanned aircraft that poses an imminent threat*  
7 *(as defined by the Secretary of Energy, in coordination*  
8 *with the Secretary of Transportation) to the safety or secu-*  
9 *rity of a covered facility.*

10       “(b) *ACTIONS DESCRIBED.*—(1) *The actions described*  
11 *in this paragraph are the following:*

12               “(A) *Disrupt control of the unmanned aircraft*  
13 *system or unmanned aircraft.*

14               “(B) *Seize and exercise control of the unmanned*  
15 *aircraft system or unmanned aircraft.*

16               “(C) *Seize or otherwise confiscate the unmanned*  
17 *aircraft system or unmanned aircraft.*

18               “(D) *Use reasonable force to disable or destroy*  
19 *the unmanned aircraft system or unmanned aircraft.*

20       “(2) *The Secretary of Energy shall develop the actions*  
21 *described in paragraph (1) in coordination with the Sec-*  
22 *retary of Transportation, consistent with the protection of*  
23 *information regarding sensitive defense or national security*  
24 *capabilities.*

1       “(c) *FORFEITURE.*—(1) *Any unmanned aircraft sys-*  
2 *tem or unmanned aircraft described in subsection (a) shall*  
3 *be subject to seizure and forfeiture to the United States.*

4       “(2) *The Secretary of Energy may prescribe regula-*  
5 *tions to establish reasonable exceptions to paragraph (1),*  
6 *including in cases where—*

7               “(A) *the operator of the unmanned aircraft sys-*  
8 *tem or unmanned aircraft obtained the control and*  
9 *possession of such system or aircraft illegally; or*

10              “(B) *the operator of the unmanned aircraft sys-*  
11 *tem or unmanned aircraft is an employee of a com-*  
12 *mon carrier acting in manner described in subsection*  
13 *(a) without the knowledge of the common carrier.*

14       “(d) *REGULATIONS.*—*Not later than 180 days after the*  
15 *date of the enactment of this section, the Secretary of En-*  
16 *ergy and the Secretary of Transportation shall prescribe*  
17 *regulations and issue guidance in the respective areas of*  
18 *each Secretary to carry out this section.*

19       “(e) *DEFINITIONS.*—*In this section:*

20              “(1) *The term ‘covered facility’ means any facil-*  
21 *ity that—*

22                      “(A) *is identified by the Secretary of En-*  
23 *ergy for purposes of this section;*

1           “(B) is located in the United States (includ-  
2           ing the territories and possessions of the United  
3           States); and

4           “(C) is owned by the United States, or con-  
5           tracted to the United States, to store or use spe-  
6           cial nuclear material.

7           “(2) The terms ‘unmanned aircraft’ and ‘un-  
8           manned aircraft system’ have the meaning given those  
9           terms in section 331 of the FAA Modernization and  
10          Reform Act of 2012 (Public Law 112–95; 49 U.S.C.  
11          40101 note).”.

12          (b) CLERICAL AMENDMENT.—The table of contents for  
13          such Act is amended by inserting after the item relating  
14          to section 4509 the following new item:

          “Sec. 4510. Protection of certain nuclear facilities from unmanned aircraft.”.

## 15           ***Subtitle C—Plans and Reports***

### 16          **SEC. 3121. CLARIFICATION OF ANNUAL REPORT AND CER-** 17                           **TIFICATION ON STATUS OF SECURITY OF** 18                           **ATOMIC ENERGY DEFENSE FACILITIES.**

19          Section 4506(b)(1)(B) of the Atomic Energy Defense  
20          Act (50 U.S.C. 2657) is amended to read as follows:

21           “(B) written certification that such facilities are  
22           secure and that the security measures at such facili-  
23           ties meet the security standards and requirements of  
24           the Department of Energy.”.



1 **SEC. 3122. ANNUAL REPORT ON SERVICE SUPPORT CON-**  
2 **TRACTS OF THE NATIONAL NUCLEAR SECU-**  
3 **RITY ADMINISTRATION.**

4 *Section 3241A(f) of the National Nuclear Security Ad-*  
5 *ministration Act (50 U.S.C. 2441a(f)) is amended by add-*  
6 *ing at the end the following new paragraph:*

7 “(5) *With respect to each contract identified*  
8 *under paragraph (2)—*

9 “(A) *the cost of the contract; and*

10 “(B) *identification of the program or pro-*  
11 *gram direction accounts that support the con-*  
12 *tract.”.*

13 **SEC. 3123. REPEAL OF CERTAIN REPORTING REQUIRE-**  
14 **MENTS.**

15 (a) *REPORTS ON PLAN TO PROTECT AGAINST INAD-*  
16 *VERTENT RELEASE OF RESTRICTED DATA AND FORMERLY*  
17 *RESTRICTED DATA.—Section 4522 of the Atomic Energy*  
18 *Defense Act (50 U.S.C. 2672) is amended—*

19 (1) *by striking subsection (e); and*

20 (2) *by redesignating subsection (f) as subsection*  
21 *(e).*

22 (b) *GAO REPORT ON PROGRAM ON SCIENTIFIC EN-*  
23 *GAGEMENT FOR NONPROLIFERATION.—Section 3122 of the*  
24 *National Defense Authorization Act for Fiscal Year 2013*  
25 *(Public Law 112–239; 50 U.S.C. 2571 note), as amended*  
26 *by section 3125 of the National Defense Authorization Act*

1 *for Fiscal Year 2014 (Public Law 113–66; 127 Stat. 1063),*  
2 *is further amended—*

3           (1) *in subsection (b)(1), by striking “, and to the*  
4 *Comptroller General of the United States,”;*

5           (2) *by striking subsection (e); and*

6           (3) *by redesignating subsections (f) and (g) as*  
7 *subsections (e) and (f), respectively.*

8 **SEC. 3124. INDEPENDENT ASSESSMENT OF TECHNOLOGY**

9                           **DEVELOPMENT UNDER DEFENSE ENVIRON-**

10                           **MENTAL CLEANUP PROGRAM.**

11           (a) *ASSESSMENT.*—*Not later than 60 days after the*  
12 *date of the enactment of this Act, the Secretary of Energy*  
13 *shall seek to enter into an agreement with the National*  
14 *Academy of Sciences to conduct an independent assessment*  
15 *of the technology development efforts of the defense environ-*  
16 *mental cleanup program of the Department of Energy.*

17           (b) *ELEMENTS.*—*The assessment under subsection (a)*  
18 *shall include the following:*

19                   (1) *A review of the technology development efforts*  
20 *of the defense environmental cleanup program of the*  
21 *Department of Energy, including an assessment of the*  
22 *process by which the Secretary identifies and chooses*  
23 *technologies to pursue under the program.*

1           (2) *A comprehensive review and assessment of*  
2 *technologies or alternative approaches to defense envi-*  
3 *ronmental cleanup efforts that could—*

4                 (A) *reduce the long-term costs of such ef-*  
5 *forts;*

6                 (B) *accelerate schedules for carrying out*  
7 *such efforts;*

8                 (C) *mitigate uncertainties, vulnerabilities,*  
9 *or risks relating to such efforts; or*

10                (D) *otherwise significantly improve the de-*  
11 *fense environmental cleanup program.*

12           (c) *SUBMISSION.—Not later than September 30, 2017,*  
13 *the National Academy of Sciences shall submit to the con-*  
14 *gressional defense committees and the Secretary a report on*  
15 *the assessment under subsection (a).*

16 **SEC. 3125. UPDATED PLAN FOR VERIFICATION AND MONI-**  
17 **TORING OF PROLIFERATION OF NUCLEAR**  
18 **WEAPONS AND FISSILE MATERIAL.**

19           (a) *UPDATED PLAN.—*

20                (1) *TRANSMISSION.—Not later than 90 days*  
21 *after the date of the enactment of this Act, the Presi-*  
22 *dent shall transmit to the appropriate congressional*  
23 *committees a comprehensive and detailed update to*  
24 *the plan developed under section 3133(a) of the Carl*  
25 *Levin and Howard P. “Buck” McKeon National De-*

1        *fense Authorization Act for Fiscal Year 2015 (Public*  
2        *Law 113–291; 128 Stat. 3896) with respect to*  
3        *verification and monitoring relating to the potential*  
4        *proliferation of nuclear weapons, components of such*  
5        *weapons, and fissile material.*

6            (2) *FORM.—The updated plan under paragraph*  
7        *(1) shall be transmitted in unclassified form, but may*  
8        *include a classified annex.*

9            (b) *LIMITATION.—Of the funds authorized to be appro-*  
10       *priated by this Act or otherwise made available for fiscal*  
11       *year 2017 for the Department of Defense for supporting the*  
12       *Executive Office of the President, \$10,000,000 may not be*  
13       *obligated or expended until the date on which the President*  
14       *transmits to the appropriate congressional committees the*  
15       *updated plan under subsection (a)(1).*

16           (c) *BRIEFING.—Not later than 30 days after the date*  
17       *of the enactment of this Act, the President shall provide to*  
18       *the Committees on Armed Services of the House of Rep-*  
19       *resentatives and the Senate (and any other appropriate*  
20       *congressional committee upon request) an interim briefing*  
21       *on the updated plan under subsection (a)(1).*

22           (d) *APPROPRIATE CONGRESSIONAL COMMITTEES DE-*  
23       *FINED.—In this section, the term “appropriate congres-*  
24       *sional committees” means the following:*

25            (1) *The congressional defense committees.*

1           (2) *The Permanent Select Committee on Intel-*  
2           *ligence of the House of Representatives and the Select*  
3           *Committee on Intelligence of the Senate.*

4           (3) *The Committee on Foreign Affairs of the*  
5           *House of Representatives and the Committee on For-*  
6           *ign Relations of the Senate.*

7           (4) *The Committee on Homeland Security of the*  
8           *House of Representatives and the Committee on*  
9           *Homeland Security and Governmental Affairs of the*  
10          *Senate.*

11          (5) *The Committee on Energy and Commerce of*  
12          *the House of Representatives and the Committee on*  
13          *Commerce, Science, and Transportation of the Senate.*

14 **SEC. 3126. BRIEFING ON THE INFORMATION-INTERCHANGE**  
15                           **OF LOW-ENRICHED URANIUM.**

16          (a) *BRIEFING.*—*Not later than 120 days after the date*  
17          *of the enactment of this Act, the Secretary of Defense, the*  
18          *Secretary of Energy, and the Secretary of State shall pro-*  
19          *vide a briefing to the appropriate congressional committees*  
20          *on the feasibility and potential benefits of a dialogue be-*  
21          *tween the United States and France on the use of low-en-*  
22          *riched uranium in naval reactors.*

23          (b) *APPROPRIATE CONGRESSIONAL COMMITTEES.*—*In*  
24          *this section, the term “appropriate congressional commit-*  
25          *tees” means—*

1           (1) *the congressional defense committees;*

2           (2) *the Committee on Foreign Affairs of the*  
3 *House of Representatives and the Committee on For-*  
4 *oreign Relations of the Senate;*

5           (3) *the Permanent Select Committee on Intel-*  
6 *ligence of the House of Representatives and the Select*  
7 *Committee on Intelligence of the Senate; and*

8           (4) *the Committee on Energy and Commerce of*  
9 *the House of Representatives and the Committee on*  
10 *Energy and Natural Resources of the Senate.*

11 **TITLE       XXXII—DEFENSE       NU-**  
12 **CLEAR   FACILITIES   SAFETY**  
13 **BOARD**

14 **SEC. 3201. AUTHORIZATION.**

15       *There are authorized to be appropriated for fiscal year*  
16 *2017, \$31,000,000 for the operation of the Defense Nuclear*  
17 *Facilities Safety Board under chapter 21 of the Atomic En-*  
18 *ergy Act of 1954 (42 U.S.C. 2286 et seq.).*

19 **TITLE XXXIII—NUCLEAR ENERGY**  
20 **INNOVATION CAPABILITIES**

21 **SEC. 3301. SHORT TITLE.**

22       *This title may be cited as the “Nuclear Energy Innova-*  
23 *tion Capabilities Act”.*

1 **SEC. 3302. NUCLEAR ENERGY.**

2 *Section 951 of the Energy Policy Act of 2005 (42*  
3 *U.S.C. 16271) is amended to read as follows:*

4 **“SEC. 951. NUCLEAR ENERGY.**

5 *“(a) MISSION.—The Secretary shall conduct programs*  
6 *of civilian nuclear research, development, demonstration,*  
7 *and commercial application, including activities in this*  
8 *subtitle. Such programs shall take into consideration the*  
9 *following objectives:*

10 *“(1) Providing research infrastructure to pro-*  
11  *mote scientific progress and enable users from aca-*  
12  *demia, the National Laboratories, and the private sec-*  
13  *tor to make scientific discoveries relevant for nuclear,*  
14  *chemical, and materials science engineering.*

15 *“(2) Maintaining National Laboratory and uni-*  
16  *versity nuclear energy research and development pro-*  
17  *grams, including their infrastructure.*

18 *“(3) Providing the technical means to reduce the*  
19 *likelihood of nuclear weapons proliferation and in-*  
20 *creasing confidence margins for public safety of nu-*  
21 *clear energy systems.*

22 *“(4) Reducing the environmental impact of nu-*  
23 *clear energy related activities.*

24 *“(5) Supporting technology transfer from the*  
25 *National Laboratories to the private sector.*

1           “(6) *Enabling the private sector to partner with*  
2 *the National Laboratories to demonstrate novel reac-*  
3 *tor concepts for the purpose of resolving technical un-*  
4 *certainty associated with the aforementioned objec-*  
5 *tives in this subsection.*

6           “(b) *DEFINITIONS.—In this subtitle:*

7           “(1) *ADVANCED NUCLEAR REACTOR.—The term*  
8 *‘advanced nuclear reactor’ means—*

9           “(A) *a nuclear fission reactor with signifi-*  
10 *cant improvements over the most recent genera-*  
11 *tion of nuclear fission reactors, which may in-*  
12 *clude inherent safety features, lower waste yields,*  
13 *greater fuel utilization, superior reliability, re-*  
14 *sistance to proliferation, and increased thermal*  
15 *efficiency; or*

16           “(B) *a nuclear fusion reactor.*

17           “(2) *FAST NEUTRON.—The term ‘fast neutron’*  
18 *means a neutron with kinetic energy above 100*  
19 *kiloelectron volts.*

20           “(3) *NATIONAL LABORATORY.—The term ‘Na-*  
21 *tional Laboratory’ has the meaning given that term*  
22 *in paragraph (3) of section 2, except that with respect*  
23 *to subparagraphs (G), (H), and (N) of such para-*  
24 *graph, for purposes of this subtitle the term includes*  
25 *only the civilian activities thereof.*



1           “(4) *NEUTRON FLUX*.—The term ‘neutron flux’  
2           means the intensity of neutron radiation measured as  
3           a rate of flow of neutrons applied over an area.

4           “(5) *NEUTRON SOURCE*.—The term ‘neutron  
5           source’ means a research machine that provides neu-  
6           tron irradiation services for research on materials  
7           sciences and nuclear physics as well as testing of ad-  
8           vanced materials, nuclear fuels, and other related  
9           components for reactor systems.”.

10 **SEC. 3303. NUCLEAR ENERGY RESEARCH PROGRAMS.**

11           Section 952 of the Energy Policy Act of 2005 (42  
12 U.S.C. 16272) is amended—

13           (1) by striking subsection (c); and

14           (2) by redesignating subsections (d) and (e) as  
15           subsections (c) and (d), respectively.

16 **SEC. 3304. ADVANCED FUEL CYCLE INITIATIVE.**

17           Section 953(a) of the Energy Policy Act of 2005 (42  
18 U.S.C. 16273(a)) is amended by striking “, acting through  
19 the Director of the Office of Nuclear Energy, Science and  
20 Technology,”.

21 **SEC. 3305. UNIVERSITY NUCLEAR SCIENCE AND ENGINEER-**  
22 **ING SUPPORT.**

23           Section 954(d)(4) of the Energy Policy Act of 2005 (42  
24 U.S.C. 16274(d)(4)) is amended by striking “as part of a

1 *taking into consideration effort that emphasizes” and in-*  
2 *serting “that emphasize”.*

3 **SEC. 3306. DEPARTMENT OF ENERGY CIVILIAN NUCLEAR IN-**  
4 **FRASTRUCTURE AND FACILITIES.**

5 *Section 955 of the Energy Policy Act of 2005 (42*  
6 *U.S.C. 16275) is amended—*

7 *(1) by striking subsections (c) and (d); and*

8 *(2) by adding at the end the following:*

9 *“(c) VERSATILE NEUTRON SOURCE.—*

10 *“(1) MISSION NEED.—Not later than December*  
11 *31, 2016, the Secretary shall determine the mission*  
12 *need for a versatile reactor-based fast neutron source,*  
13 *which shall operate as a national user facility. Dur-*  
14 *ing this process, the Secretary shall consult with the*  
15 *private sector, universities, National Laboratories,*  
16 *and relevant Federal agencies to ensure that this user*  
17 *facility will meet the research needs of the largest pos-*  
18 *sible majority of prospective users.*

19 *“(2) ESTABLISHMENT.—Upon the determination*  
20 *of mission need made under paragraph (1), the Sec-*  
21 *retary shall, as expeditiously as possible, provide to*  
22 *the Committee on Science, Space, and Technology of*  
23 *the House of Representatives and the Committee on*  
24 *Energy and Natural Resources of the Senate a de-*  
25 *tailed plan for the establishment of the user facility.*

1           “(3) *FACILITY REQUIREMENTS.*—

2                   “(A) *CAPABILITIES.*—*The Secretary shall*  
3                   *ensure that this user facility will provide, at a*  
4                   *minimum, the following capabilities:*

5                           “(i) *Fast neutron spectrum irradiation*  
6                           *capability.*

7                           “(ii) *Capacity for upgrades to accom-*  
8                           *modate new or expanded research needs.*

9                   “(B) *CONSIDERATIONS.*—*In carrying out*  
10                   *the plan provided under paragraph (2), the Sec-*  
11                   *retary shall consider the following:*

12                           “(i) *Capabilities that support experi-*  
13                           *mental high-temperature testing.*

14                           “(ii) *Providing a source of fast neu-*  
15                           *trons at a neutron flux, higher than that at*  
16                           *which current research facilities operate,*  
17                           *sufficient to enable research for an optimal*  
18                           *base of prospective users.*

19                           “(iii) *Maximizing irradiation flexi-*  
20                           *bility and irradiation volume to accommo-*  
21                           *date as many concurrent users as possible.*

22                           “(iv) *Capabilities for irradiation with*  
23                           *neutrons of a lower energy spectrum.*

24                           “(v) *Multiple loops for fuels and mate-*  
25                           *rials testing in different coolants.*

1                   “(vi) *Additional pre-irradiation and*  
2                   *post-irradiation examination capabilities.*

3                   “(vii) *Lifetime operating costs and*  
4                   *lifecycle costs.*

5                   “(4) *REPORTING PROGRESS.—The Department*  
6                   *shall, in its annual budget requests, provide an expla-*  
7                   *nation for any delay in its progress and otherwise*  
8                   *make every effort to complete construction and ap-*  
9                   *prove the start of operations for this facility by De-*  
10                   *cember 31, 2025.*

11                   “(5) *COORDINATION.—The Secretary shall lever-*  
12                   *age the best practices for management, construction,*  
13                   *and operation of national user facilities from the Of-*  
14                   *fice of Science.”.*

15 **SEC. 3307. SECURITY OF NUCLEAR FACILITIES.**

16                   *Section 956 of the Energy Policy Act of 2005 (42*  
17                   *U.S.C. 16276) is amended by striking “, acting through the*  
18                   *Director of the Office of Nuclear Energy, Science and Tech-*  
19                   *nology,”.*

20 **SEC. 3308. HIGH-PERFORMANCE COMPUTATION AND SUP-**  
21                   **PORTIVE RESEARCH.**

22                   *Section 957 of the Energy Policy Act of 2005 (42*  
23                   *U.S.C. 16277) is amended to read as follows:*

1 **“SEC. 957. HIGH-PERFORMANCE COMPUTATION AND SUP-**  
2 **PORTIVE RESEARCH.**

3       “(a) *MODELING AND SIMULATION.*—*The Secretary*  
4 *shall carry out a program to enhance the Nation’s capabili-*  
5 *ties to develop new reactor technologies through high-per-*  
6 *formance computation modeling and simulation techniques.*  
7 *This program shall coordinate with relevant Federal agen-*  
8 *cies through the National Strategic Computing Initiative*  
9 *created under Executive Order No. 13702 (July 29, 2015)*  
10 *while taking into account the following objectives:*

11               “(1) *Utilizing expertise from the private sector,*  
12 *universities, and National Laboratories to develop*  
13 *computational software and capabilities that prospec-*  
14 *tive users may access to accelerate research and devel-*  
15 *opment of advanced nuclear reactor systems and reac-*  
16 *tor systems for space exploration.*

17               “(2) *Developing computational tools to simulate*  
18 *and predict nuclear phenomena that may be vali-*  
19 *dated through physical experimentation.*

20               “(3) *Increasing the utility of the Department’s*  
21 *research infrastructure by coordinating with the Ad-*  
22 *vanced Scientific Computing Research program with-*  
23 *in the Office of Science.*

24               “(4) *Leveraging experience from the Energy In-*  
25 *novation Hub for Modeling and Simulation.*

1           “(5) *Ensuring that new experimental and com-*  
2           *putational tools are accessible to relevant research*  
3           *communities.*

4           “(b) *SUPPORTIVE RESEARCH ACTIVITIES.—The Sec-*  
5           *retary shall consider support for additional research activi-*  
6           *ties to maximize the utility of its research facilities, includ-*  
7           *ing physical processes to simulate degradation of materials*  
8           *and behavior of fuel forms and for validation of computa-*  
9           *tional tools.”.*

10 **SEC. 3309. ENABLING NUCLEAR ENERGY INNOVATION.**

11           *Subtitle E of title IX of the Energy Policy Act of 2005*  
12           *(42 U.S.C. 16271 et seq.) is amended by adding at the end*  
13           *the following:*

14 **“SEC. 958. ENABLING NUCLEAR ENERGY INNOVATION.**

15           “(a) *NATIONAL REACTOR INNOVATION CENTER.—The*  
16           *Secretary shall carry out a program to enable the testing*  
17           *and demonstration of reactor concepts to be proposed and*  
18           *funded by the private sector. The Secretary shall leverage*  
19           *the technical expertise of relevant Federal agencies and Na-*  
20           *tional Laboratories in order to minimize the time required*  
21           *to enable construction and operation of privately funded ex-*  
22           *perimental reactors at National Laboratories or other De-*  
23           *partment-owned sites. Such reactors shall operate to meet*  
24           *the following objectives:*

1           “(1) *Enabling physical validation of novel reactor concepts.*

2  
3           “(2) *Resolving technical uncertainty and increasing practical knowledge relevant to safety, resilience, security, and functionality of first-of-a-kind reactor concepts.*

4  
5  
6           “(3) *General research and development to improve nascent technologies.*

7  
8           “(b) *REPORTING REQUIREMENT.—Not later than 180*  
9  
10 *days after the date of enactment of the Nuclear Energy In-*  
11 *novation Capabilities Act, the Secretary, in consultation*  
12 *with the National Laboratories, relevant Federal agencies,*  
13 *and other stakeholders, shall transmit to the Committee on*  
14 *Science, Space, and Technology of the House of Representa-*  
15 *tives and the Committee on Energy and Natural Resources*  
16 *of the Senate a report assessing the Department’s capabili-*  
17 *ties to authorize, host, and oversee privately funded experi-*  
18 *mental advanced nuclear reactors as described under sub-*  
19 *section (a). The report shall address the following:*

20           “(1) *The Department’s oversight capabilities, including options to leverage expertise from the Nuclear Regulatory Commission and National Laboratories.*

21  
22  
23           “(2) *Potential sites capable of hosting activities*  
24 *described under subsection (a).*

1           “(3) *The efficacy of the Department’s available*  
2           *contractual mechanisms to partner with the private*  
3           *sector and Federal agencies, including cooperative re-*  
4           *search and development agreements, strategic partner-*  
5           *ship projects, and agreements for commercializing*  
6           *technology.*

7           “(4) *Potential cost structures related to long-*  
8           *term projects, including physical security, distribu-*  
9           *tion of liability, and other related costs.*

10           “(5) *Other challenges or considerations identified*  
11           *by the Secretary.*”

12   **SEC. 3310. BUDGET PLAN.**

13           (a) *IN GENERAL.*—*Subtitle E of title IX of the Energy*  
14           *Policy Act of 2005 (42 U.S.C. 16271 et seq.) is further*  
15           *amended by adding at the end the following:*

16   **“SEC. 959. BUDGET PLAN.**

17           *“Not later than 12 months after the date of enactment*  
18           *of the Nuclear Energy Innovation Capabilities Act, the De-*  
19           *partment shall transmit to the Committee on Science,*  
20           *Space, and Technology of the House of Representatives and*  
21           *the Committee on Energy and Natural Resources of the Sen-*  
22           *ate 2 alternative 10-year budget plans for civilian nuclear*  
23           *energy research and development by the Department. The*  
24           *first shall assume constant annual funding for 10 years at*  
25           *the appropriated level for the Department’s civilian nuclear*



1 *energy research and development for fiscal year 2016. The*  
2 *second shall be an unconstrained budget. The two plans*  
3 *shall include—*

4           “(1) *a prioritized list of the Department’s pro-*  
5 *grams, projects, and activities to best support the de-*  
6 *velopment of advanced nuclear reactor technologies;*

7           “(2) *realistic budget requirements for the De-*  
8 *partment to implement sections 955(c), 957, and 958*  
9 *of this Act; and*

10           “(3) *the Department’s justification for con-*  
11 *tinuing or terminating existing civilian nuclear en-*  
12 *ergy research and development programs.”.*

13       **(b) REPORT ON FUSION INNOVATION.**—*Not later than*  
14 *6 months after the date of enactment of this title, the Sec-*  
15 *retary of the Department of Energy shall transmit to the*  
16 *Committee on Science, Space, and Technology of the House*  
17 *of Representatives and the Committee on Energy and Nat-*  
18 *ural Resources of the Senate a report that will identify en-*  
19 *gineering designs for innovative fusion energy systems that*  
20 *have the potential to demonstrate net energy production not*  
21 *later than 15 years after the start of construction. In this*  
22 *report, the Secretary will identify budgetary requirements*  
23 *that would be necessary for the Department to carry out*  
24 *a fusion innovation initiative to accelerate research and de-*  
25 *velopment of these designs.*

1 **SEC. 3311. CONFORMING AMENDMENTS.**

2 *The table of contents for the Energy Policy Act of 2005*  
 3 *is amended by striking the item relating to section 957 and*  
 4 *inserting the following:*

*“957. High-performance computation and supportive research.*

*“958. Enabling nuclear energy innovation.*

*“959. Budget plan.”.*

5 **TITLE XXXIV—NAVAL**  
 6 **PETROLEUM RESERVES**

7 **SEC. 3401. AUTHORIZATION OF APPROPRIATIONS.**

8 *(a) AMOUNT.—There are hereby authorized to be ap-*  
 9 *propriated to the Secretary of Energy \$14,950,000 for fiscal*  
 10 *year 2017 for the purpose of carrying out activities under*  
 11 *chapter 641 of title 10, United States Code, relating to the*  
 12 *naval petroleum reserves.*

13 *(b) PERIOD OF AVAILABILITY.—Funds appropriated*  
 14 *pursuant to the authorization of appropriations in sub-*  
 15 *section (a) shall remain available until expended.*

16 **TITLE XXXV—MARITIME**  
 17 **ADMINISTRATION**

18 **SEC. 3501. AUTHORIZATION OF THE MARITIME ADMINIS-**  
 19 **TRATION.**

20 *Funds are hereby authorized to be appropriated for fis-*  
 21 *cal year 2017, to be available without fiscal year limitation*  
 22 *if so provided in appropriations Acts, for the use of the De-*  
 23 *partment of Transportation for Maritime Administration*

1 *programs associated with maintaining the United States*  
2 *merchant marine, as follows:*

3           (1) *For expenses necessary for operations of the*  
4 *United States Merchant Marine Academy,*  
5 *\$99,902,000.*

6           (2) *For expenses necessary to support the State*  
7 *maritime academies, \$29,550,000.*

8           (3) *For expenses necessary to support Maritime*  
9 *Administration operations and programs,*  
10 *\$58,694,000.*

11           (4) *For expenses necessary to dispose of vessels in*  
12 *the National Defense Reserve Fleet, \$20,000,000, to*  
13 *remain available until expended.*

14           (5) *For expenses to maintain and preserve a*  
15 *United States-flag merchant marine to serve the na-*  
16 *tional security needs of the United States under chap-*  
17 *ter 531 of title 46, United States Code, \$299,997,000.*

18 **SEC. 3502. AUTHORITY TO MAKE PRO RATA ANNUAL PAY-**  
19 **MENTS UNDER OPERATING AGREEMENTS**  
20 **FOR VESSELS PARTICIPATING IN MARITIME**  
21 **SECURITY FLEET.**

22 *Section 53106(d) of title 46, United States Code, is*  
23 *amended—*

24           (1) *by striking “and” at the end of paragraph*

25           (2);

1           (2) *by striking the period at the end of para-*  
2 *graph (3) and inserting “; and”; and*

3           (3) *by adding at the end following:*

4           “(4) *may make a pro rata reduction in payment*  
5 *if sufficient funds have not been appropriated to pay*  
6 *the full annual payment authorized in subsection*  
7 *(a).”.*

8 **SEC. 3503. AUTHORITY TO EXTEND CERTAIN AGE RESTRIC-**  
9 **TIONS RELATING TO VESSELS IN THE MARI-**  
10 **TIME SECURITY FLEET.**

11       (a) *AUTHORITY.—*

12           (1) *IN GENERAL.—Section 53102 of title 46,*  
13 *United States Code, is amended by adding at the end*  
14 *the following:*

15       “(g) *AUTHORITY TO EXTEND MAXIMUM SERVICE AGE*  
16 *FOR VESSEL.—The Secretary of Defense, in conjunction*  
17 *with the Secretary of Transportation, may, for a particular*  
18 *participating fleet vessel, extend the maximum age restric-*  
19 *tions under section 53101(5)(A)(ii) and section 53106(c)(3)*  
20 *for a period of up to 5 years if the Secretaries jointly deter-*  
21 *mine that it is in the national interest to do so.”.*

22           (2) *CONFORMING AMENDMENT.—The heading of*  
23 *subsection (f) of such section is amended to read as*  
24 *follows: “AUTHORITY TO WAIVE AGE RESTRICTION*

1        *FOR ELIGIBILITY OF A VESSEL TO BE INCLUDED IN*  
2        *FLEET.—”.*

3        *(b) REPEAL OF REDUNDANT AGE LIMITATION.—Sec-*  
4        *tion 53106(c)(3) of such title is amended—*

5                *(1) in subparagraph (A), by striking “or (C);”*  
6                *and inserting “; or”;*

7                *(2) in subparagraph (B), by striking “; or” and*  
8                *inserting a period; and*

9                *(3) by striking subparagraph (C).*

10        **SEC. 3504. CORRECTIONS TO PROVISIONS ENACTED BY**  
11                                **COAST GUARD AUTHORIZATION ACTS.**

12        *(a) SHORT TITLE CORRECTION.—The Coast Guard*  
13        *Authorization Act of 2015 (Public Law 114–120) is amend-*  
14        *ed by striking “Coast Guard Authorization Act of 2015”*  
15        *each place it appears (including in quoted material) and*  
16        *inserting “Coast Guard Authorization Act of 2016”.*

17        *(b) TITLE 46, U.S.C.—*

18                *(1) Section 7510 of title 46, United States Code,*  
19                *is amended—*

20                        *(A) in subsection (c)(1)(D), by striking “en-*  
21                        *gine” and inserting “engineer”; and*

22                        *(B) in subsection (c)(9), by inserting a pe-*  
23                        *riod after “App”;*

1           (2) *Section 4503(f)(2) of title 46, United States*  
2 *Code, is amended by striking “, that” and inserting*  
3 *“, then”.*

4           (c) *PROVISIONS RELATING TO THE PRIBILOF IS-*  
5 *LANDS.—*

6           (1) *SHORT TITLE CORRECTION.—Section 521 of*  
7 *the Coast Guard Authorization Act of 2016 (Public*  
8 *Law 114–120), as amended by subsection (a), is fur-*  
9 *ther amended by striking “2015” and inserting*  
10 *“2016”.*

11           (2) *CONFORMING AMENDMENT.—Section*  
12 *105(e)(1) of the Pribilof Islands Transition Act (16*  
13 *U.S.C. 1161 note; Public Law 106–562) is amended*  
14 *by striking “2015” and inserting “2016”.*

15           (3) *TECHNICAL CORRECTION.—Section 522(b)(2)*  
16 *of the Coast Guard Authorization Act of 2016 (Public*  
17 *Law 114–120), as amended by subsection (a), is fur-*  
18 *ther amended by striking “subsection (a)” and insert-*  
19 *ing “paragraph (1)”.*

20           (d) *TITLE 14, UNITED STATES CODE.—*

21           (1) *REDISTRIBUTION OF AUTHORIZATIONS OF*  
22 *APPROPRIATIONS.—Section 2702 of title 14, United*  
23 *States Code, is amended—*

1 (A) in paragraph (1)(B), by striking  
 2 “\$6,981,036,000” and inserting  
 3 “\$6,986,815,000”; and

4 (B) in paragraph (3)(B), by striking  
 5 “\$140,016,000” and inserting “\$134,237,000”.

6 (2) *CLERICAL AMENDMENT.*—The analysis at the  
 7 beginning of part III of title 14, United States Code,  
 8 is amended by striking the period at the end of the  
 9 item relating to chapter 29.

10 (e) *EFFECTIVE DATE.*—The amendments made by this  
 11 section shall take effect as if included in the enactment of  
 12 Public Law 114–120.

13 **SEC. 3505. STATUS OF NATIONAL DEFENSE RESERVE FLEET**  
 14 **VESSELS.**

15 Section 11 of the Merchant Ship Sales Act of 1946 (50  
 16 U.S.C. 4405) is amended—

17 (1) in subsection (a), by adding at the end the  
 18 following: “Vessels in the National Defense Reserve  
 19 Fleet, including vessels loaned to State Maritime  
 20 Academies, shall be considered public vessels of the  
 21 United States.”; and

22 (2) by adding at the end the following:

23 “(g) *VESSEL STATUS.*—A vessel in the National De-  
 24 fense Reserve Fleet determined by the Maritime Adminis-  
 25 tration to be of insufficient value to remain in the National

1 *Defense Reserve Fleet shall remain a vessel within the*  
 2 *meaning of that term in section 3 of title 1 and subject*  
 3 *to the rights and responsibilities of a vessel under admiralty*  
 4 *law at least until such time as the vessel is delivered to*  
 5 *a dismantling facility or is disposed of otherwise from the*  
 6 *National Defense Reserve Fleet.”.*

7 **SEC. 3506. NDRF NATIONAL SECURITY MULTI-MISSION VES-**  
 8 **SEL.**

9 (a) *IN GENERAL.*—*Subject to the availability of appro-*  
 10 *priations for fiscal year 2017 and each fiscal year there-*  
 11 *after, the Maritime Administrator shall seek to contract for*  
 12 *construction of a national security multi-mission vessel for*  
 13 *the National Defense Reserve Fleet for—*

14 (1) *use as a training vessel that can be provided*  
 15 *to State maritime academies, under section 51504(b)*  
 16 *of title 46, United States Code; and*

17 (2) *humanitarian assistance, disaster response,*  
 18 *domestic and foreign emergency contingency oper-*  
 19 *ations, and other authorized uses of vessels of the Na-*  
 20 *tional Defense Reserve Fleet.*

21 (b) *CONSTRUCTION AND DOCUMENTATION REQUIRE-*  
 22 *MENTS.*—*A vessel constructed under this section shall—*

23 (1) *be constructed in a private United States*  
 24 *shipyard;*



1           (2) *be constructed in accordance with designs ap-*  
2           *proved by the Maritime Administrator; and*

3           (3) *meet—*

4                 (A) *the safety requirements of the Coast*  
5                 *Guard as a documented vessel; and*

6                 (B) *the content standards of the Coast*  
7                 *Guard to qualify the vessel for a coastwise en-*  
8                 *dorsement as if such vessel were a privately*  
9                 *owned and operated commercial vessel; and*

10           (4) *be documented under section 12103 of title*  
11           *46, United States Code.*

12           (c) *DESIGN STANDARDS AND CONSTRUCTION PRAC-*  
13           *TICES.—Subject to subsection (b), construction of a vessel*  
14           *under this section shall use commercial design standards*  
15           *and commercial construction practices that are consistent*  
16           *with the best interests of the Federal Government.*

17           (d) *GENERAL AGENT REQUIREMENT.—The Maritime*  
18           *Administrator shall enter into a contract or other agree-*  
19           *ment with the Secretary of the Navy under which the Navy*  
20           *shall act as general agent for the Maritime Administration*  
21           *for purposes of construction of a vessel under this section.*

22           (e) *CONTRACTS WITH OTHER FEDERAL ENTITIES.—*  
23           *The Maritime Administrator may contract on a reimburs-*  
24           *able basis with other Federal entities for goods and services*

1 *in connection with this section and other associated future*  
2 *activities.*

3       (f) *CONTRACTORS.*—*Any contractor selected by the*  
4 *Maritime Administration through its general agent to con-*  
5 *struct the vessel under (a) shall be an entity established*  
6 *under the laws of the United States or of a State, common-*  
7 *wealth, or territory of the United States, that during the*  
8 *five-year period preceding the date of the enactment of this*  
9 *Act, either directly or through a subsidiary, completed the*  
10 *construction of a vessel in excess of 10,000 gross tons and*  
11 *documented under section 12103 of title 46, United States*  
12 *Code.*

13       (g) *REPEAL OF PLAN APPROVAL REQUIREMENT.*—*Sec-*  
14 *tion 109(j)(3) of title 49, United States Code, is repealed.*

15 **SEC. 3507. UNITED STATES MERCHANT MARINE ACADEMY.**

16       (a) *IN GENERAL.*—*Section 51301 of title 46, United*  
17 *States Code, is amended by adding at the end the following:*

18       “(c) *SUPERINTENDENT.*—*The immediate command of*  
19 *the United States Merchant Marine Academy shall be in*  
20 *the Superintendent of the Academy, subject to the direction*  
21 *of the Maritime Administrator under the general super-*  
22 *vision of the Secretary of Transportation. The Secretary of*  
23 *Transportation shall appoint the Superintendent from the*  
24 *senior ranks of the United States merchant marine, mari-*  
25 *time industry, or from the retired list of flag-rank Navy*

1 *or Coast Guard officers who have significant afloat com-*  
2 *mand experience. Due to the unique mission of the Acad-*  
3 *emy, it is highly desirable that the Superintendent be a*  
4 *graduate of the Academy and have attained an unlimited*  
5 *merchant mariner officer's license.*

6       “(d) *COMMANDANT OF MIDSHIPMEN.—Subject to the*  
7 *direction of the Superintendent, the Commandant is the im-*  
8 *mediate commander of the Regiment of Midshipmen and*  
9 *is responsible for the instruction of all midshipmen in mar-*  
10 *itime professionalism, ethics, leadership, and military bear-*  
11 *ing necessary for future service as a licensed officer in the*  
12 *merchant marine and a commissioned officer in the uni-*  
13 *formed services. The Commandant shall be appointed from*  
14 *the senior ranks of the United States merchant marine,*  
15 *maritime industry, or from the retired list of flag-rank*  
16 *Navy or Coast Guard officers who possess significant mer-*  
17 *chant marine experience. It is highly desirable that the*  
18 *Commandant have attained an unlimited merchant mar-*  
19 *iner officer's license and is a graduate of United States Mer-*  
20 *chant Marine Academy.”.*

21       “(b) *LIMITATION ON APPLICATION.—The amendment*  
22 *made by subsection (a) shall not apply with respect to the*  
23 *individual serving on the date of the enactment of this Act*  
24 *as the Superintendent of the United States Merchant Ma-*  
25 *rine Academy.*

1 **SEC. 3508. USE OF NATIONAL DEFENSE RESERVE FLEET**  
2 **SCRAPPING PROCEEDS.**

3 *Section 308704(a)(1)(C) of title 54, United States*  
4 *Code, is amended to read as follows:*

5 *“(C) The remainder shall be available to the*  
6 *Secretary to carry out the Program, as provided*  
7 *in subsection (b).”.*

8 **SEC. 3509. FLOATING DRY DOCKS.**

9 *Section 55122 of title 46, United States Code, is*  
10 *amended—*

11 *(1) by redesignating subsection (b) as subsection*  
12 *(c); and*

13 *(2) by inserting after subsection (a) the fol-*  
14 *lowing:*

15 *“(b) DRYDOCKS FOR CONSTRUCTION OF CERTAIN*  
16 *NAVAL VESSELS.—*

17 *“(1) IN GENERAL.—In the application of sub-*  
18 *section (a)(1)(C) to a floating drydock used for the*  
19 *construction of naval vessels in a United States ship-*  
20 *yard, ‘December 19, 2017’ shall be substituted for the*  
21 *date referred to in that subsection if the Secretary of*  
22 *the Navy determines that—*

23 *“(A) such a drydock is necessary for the*  
24 *timely completion of such construction; and*

25 *“(B)(i) such drydock is owned and operated*  
26 *by—*

1           “(I) a shipyard located in the United  
2 States that is an eligible owner specified  
3 under section 12103(b); or

4           “(II) an affiliate of such a shipyard;  
5 or

6           “(i) such drydock is—

7           “(I) notwithstanding subsection  
8 (a)(1)(B), owned by the State in which the  
9 shipyard is located or a political subdivi-  
10 sion of that State; and

11           “(II) operated by a shipyard located in  
12 the United States that is an eligible owner  
13 specified under section 12103(b).

14           “(2) NOTICE TO CONGRESS.—No later than 30  
15 days after making a determination under paragraph  
16 (1), the Secretary of the Navy shall notify the Com-  
17 mittee on Armed Services and the Committee on  
18 Transportation and Infrastructure of House of Rep-  
19 resentatives and the Committee on Armed Services  
20 and the Committee on Commerce, Science, and Trans-  
21 portation of the Senate of such a determinations.”.

1 **SEC. 3510. EXPEDITED PROCESSING OF APPLICATIONS FOR**  
2 **TRANSPORTATION SECURITY CARDS FOR**  
3 **SEPARATING MEMBERS OF THE ARMED**  
4 **FORCES AND VETERANS.**

5 (a) *IN GENERAL.*—Section 70105 of title 46, United  
6 States Code, is amended by adding at the end the following:

7 “(r) *EXPEDITED ISSUANCE FOR SEPARATING SERVICE*  
8 *MEMBERS.*—The Secretary shall, using authority available  
9 under other provisions of law—

10 “(1) *seek to expedite processing of applications*  
11 *for transportation security cards under this section*  
12 *for members of the Armed Forces who are separating*  
13 *from active duty service with a discharge other than*  
14 *a dishonorable discharge;*

15 “(2) *in consultation with the Secretary of De-*  
16 *fense—*

17 “(A) *enhance efforts of the Department of*  
18 *Homeland Security in assisting members of the*  
19 *Armed Forces who are separating from active*  
20 *duty service with receiving a transportation se-*  
21 *curity card, including by—*

22 “(i) *including under the Transition*  
23 *Assistance Program under section 1144 of*  
24 *title 10—*

25 “(I) *applications for such cards;*  
26 *and*

1           “(II) a form by which such a  
2           member may grant the member’s per-  
3           mission for government agencies to dis-  
4           close to the Department of Homeland  
5           Security findings of background inves-  
6           tigations of such member, for consider-  
7           ation by the Department in processing  
8           the member’s application for a trans-  
9           portation security card;

10           “(ii) providing opportunities for local  
11           officials of the department in which the  
12           Coast Guard is operating to partner with  
13           military installations for that purpose; and

14           “(iii) ensuring that such members of  
15           the Armed Forces are aware of opportuni-  
16           ties to apply for such cards;

17           “(B) seek to educate members of the Armed  
18           Forces with competencies that are transferable to  
19           maritime industries regarding—

20           “(i) opportunities for employment in  
21           such industries; and

22           “(ii) the requirements and qualifica-  
23           tions for, and duties associated with, trans-  
24           portation security cards; and

1           “(C) cooperate with other Federal agencies  
2           to expedite the transfer to the Secretary the find-  
3           ings of relevant background investigations and  
4           security clearances; and

5           “(3) issue or deny a transportation security card  
6           under this section for a veteran by not later than 13  
7           days after the date of the submission of the applica-  
8           tion for the card, unless there is a substantial problem  
9           with the application that prevents compliance with  
10          this paragraph.”.

11          (b) *REPORTS*.—Not later than 6 months after the date  
12          of the enactment of this Act, and annually thereafter for  
13          each of the subsequent 2 years, the Secretary of the depart-  
14          ment in which the Coast Guard is operating, in consulta-  
15          tion with the Secretary of Defense, shall submit a report  
16          to the Committee on Homeland Security of the House of  
17          Representatives and the Committee on Homeland Security  
18          and Governmental Affairs of the Senate describing and as-  
19          sessing the efforts of such department to implement the  
20          amendment made by this section.



1 **SEC. 3511. TRAINING UNDER TRANSITION ASSISTANCE PRO-**  
2 **GRAM ON EMPLOYMENT OPPORTUNITIES AS-**  
3 **SOCIATED WITH TRANSPORTATION SECURITY**  
4 **CARDS.**

5 (a) *IN GENERAL.*—Section 1144(b) of title 10, United  
6 States Code, is amended by adding at the end the following  
7 new paragraph:

8 “(10) Acting through the Secretary of the depart-  
9 ment in which the Coast Guard is operating, provide  
10 information on career opportunities for employment  
11 available to members with transportation security  
12 cards issued under section 70105 of title 46.”.

13 (b) *DEADLINE FOR IMPLEMENTATION.*—The program  
14 carried out under section 1144 of title 10, United States  
15 Code, shall comply with the requirements of subsection  
16 (b)(10) of such section, as added by subsection (a), by not  
17 later than 180 days after the date of the enactment of this  
18 Act.

19 **SEC. 3512. APPLICATION OF LAW.**

20 Section 4301 of title 46, United States Code, is amend-  
21 ed by adding at the end the following:

22 “(d) For purposes of any Federal law except the Fed-  
23 eral Water Pollution Control Act (33 U.S.C. 1251 et seq.),  
24 any vessel, including a foreign vessel, being repaired or dis-  
25 mantled is deemed to be a recreational vessel, as defined

1 *under section 2101(25), during such repair or dismantling,*  
 2 *if that vessel—*

3           “(1) *shares elements of design and construction*  
 4 *of traditional recreational vessels (as so defined); and*

5           “(2) *when operating is not normally engaged in*  
 6 *a military, commercial, or traditionally commercial*  
 7 *undertaking.”.*

## 8 **TITLE XXXVI—BALLAST WATER**

### 9 **SEC. 3601. SHORT TITLE.**

10       *This title may be cited as the “Vessel Incidental Dis-*  
 11 *charge Act”.*

### 12 **SEC. 3602. DEFINITIONS.**

13       *In this title:*

14           (1) *ADMINISTRATOR.—The term “Adminis-*  
 15 *trator” means the Administrator of the Environ-*  
 16 *mental Protection Agency.*

17           (2) *AQUATIC NUISANCE SPECIES.—The term*  
 18 *“aquatic nuisance species” means a nonindigenous*  
 19 *species (including a pathogen) that threatens the di-*  
 20 *versity or abundance of native species or the ecologi-*  
 21 *cal stability of navigable waters or commercial, agri-*  
 22 *cultural, aquacultural, or recreational activities de-*  
 23 *pendent on such waters.*

24           (3) *BALLAST WATER.—*

1           (A) *IN GENERAL.*—The term “ballast  
2           water” means any water, including any sedi-  
3           ment suspended in such water, taken aboard a  
4           vessel—

5                   (i) to control trim, list, draught, sta-  
6                   bility, or stresses of the vessel; or

7                   (ii) during the cleaning, maintenance,  
8                   or other operation of a ballast water treat-  
9                   ment technology of the vessel.

10           (B) *EXCLUSIONS.*—The term “ballast  
11           water” does not include any pollutant that is  
12           added to water described in subparagraph (A)  
13           that is not directly related to the operation of a  
14           properly functioning ballast water treatment  
15           technology under this title.

16           (4) *BALLAST WATER PERFORMANCE STAND-*  
17           *ARD.*—The term “ballast water performance stand-  
18           ard” means the numerical ballast water discharge  
19           standard set forth in section 151.2030 of title 33,  
20           Code of Federal Regulations, or section 151.1511 of  
21           title 33, Code of Federal Regulations, as applicable,  
22           or a revised numerical ballast water performance  
23           standard established under subsection (a)(1)(B), (b),  
24           or (c) of section 3604 of this title.

1           (5) *BALLAST WATER TREATMENT TECHNOLOGY*  
2           OR *TREATMENT TECHNOLOGY*.—The term “ballast  
3           water treatment technology” or “treatment tech-  
4           nology” means any mechanical, physical, chemical, or  
5           biological process used, alone or in combination, to  
6           remove, render harmless, or avoid the uptake or dis-  
7           charge of, aquatic nuisance species within ballast  
8           water.

9           (6) *BIOCIDE*.—The term “biocide” means a sub-  
10          stance or organism, including a virus or fungus, that  
11          is introduced into or produced by a ballast water  
12          treatment technology to reduce or eliminate aquatic  
13          nuisance species as part of the process used to comply  
14          with a ballast water performance standard under this  
15          title.

16          (7) *DISCHARGE INCIDENTAL TO THE NORMAL*  
17          *OPERATION OF A VESSEL*.—

18                 (A) *IN GENERAL*.—The term “discharge in-  
19                 cidental to the normal operation of a vessel”  
20                 means—

21                         (i) a discharge into navigable waters  
22                         from a vessel of—

23                                 (I)(aa) ballast water, graywater,  
24                                 bilge water, cooling water, oil water  
25                                 separator effluent, anti-fouling hull

1            *coating leachate, boiler or economizer*  
2            *blowdown, byproducts from cathodic*  
3            *protection, controllable pitch propeller*  
4            *and thruster hydraulic fluid, distilla-*  
5            *tion and reverse osmosis brine, elevator*  
6            *pit effluent, firemain system effluent,*  
7            *freshwater layup effluent, gas turbine*  
8            *wash water, motor gasoline and com-*  
9            *pensating effluent, refrigeration and*  
10           *air condensate effluent, seawater*  
11           *pumping biofouling prevention sub-*  
12           *stances, boat engine wet exhaust, sonar*  
13           *dome effluent, exhaust gas scrubber*  
14           *washwater, or stern tube packing gland*  
15           *effluent; or*

16                    *(bb) any other pollutant associ-*  
17                    *ated with the operation of a marine*  
18                    *propulsion system, shipboard maneu-*  
19                    *vering system, habitability system, or*  
20                    *installed major equipment, or from a*  
21                    *protective, preservative, or absorptive*  
22                    *application to the hull of a vessel;*

23                    *(II) weather deck runoff, deck*  
24                    *wash, aqueous film forming foam efflu-*  
25                    *ent, chain locker effluent, non-oily ma-*

1                    *chinery wastewater, underwater ship*  
2                    *husbandry effluent, welldeck effluent, or*  
3                    *fish hold and fish hold cleaning efflu-*  
4                    *ent; or*

5                    *(III) any effluent from a properly*  
6                    *functioning marine engine; or*

7                    *(ii) a discharge of a pollutant into*  
8                    *navigable waters in connection with the*  
9                    *testing, maintenance, or repair of a system,*  
10                   *equipment, or engine described in subclause*  
11                   *(I)(bb) or (III) of clause (i) whenever the*  
12                   *vessel is waterborne.*

13                   *(B) EXCLUSIONS.—The term “discharge in-*  
14                   *cidental to the normal operation of a vessel” does*  
15                   *not include—*

16                   *(i) a discharge into navigable waters*  
17                   *from a vessel of—*

18                   *(I) rubbish, trash, garbage, incin-*  
19                   *erator ash, or other such material dis-*  
20                   *charged overboard;*

21                   *(II) oil or a hazardous substance,*  
22                   *as those terms are defined in section*  
23                   *311 of the Federal Water Pollution*  
24                   *Control Act (33 U.S.C. 1321);*

1                   (III) sewage, as defined in section  
2                   312(a)(6) of the Federal Water Pollu-  
3                   tion Control Act (33 U.S.C.  
4                   1322(a)(6)); or

5                   (IV) graywater referred to in sec-  
6                   tion 312(a)(6) of the Federal Water  
7                   Pollution Control Act (33 U.S.C.  
8                   1322(a)(6));

9                   (ii) an emission of an air pollutant re-  
10                  sulting from the operation onboard a vessel  
11                  of a vessel propulsion system, motor driven  
12                  equipment, or incinerator; or

13                  (iii) a discharge into navigable waters  
14                  from a vessel when the vessel is operating in  
15                  a capacity other than as a means of trans-  
16                  portation on water.

17                  (8) GEOGRAPHICALLY LIMITED AREA.—The term  
18                  “geographically limited area” means an area—

19                         (A) with a physical limitation, including  
20                         limitation by physical size and limitation by  
21                         authorized route, that prevents a vessel from op-  
22                         erating outside the area, as determined by the  
23                         Secretary; or

24                         (B) that is ecologically homogeneous, as de-  
25                         termined by the Secretary, in consultation with

1           *the heads of other Federal departments or agen-*  
2           *cies as the Secretary considers appropriate.*

3           (9) *MANUFACTURER.*—*The term “manufacturer”*  
4           *means a person engaged in the manufacture, assem-*  
5           *blage, or importation of ballast water treatment tech-*  
6           *nology.*

7           (10) *SECRETARY.*—*The term “Secretary” means*  
8           *the Secretary of the department in which the Coast*  
9           *Guard is operating.*

10          (11) *VESSEL.*—*The term “vessel” means every*  
11          *description of watercraft or other artificial contriv-*  
12          *ance used, or practically or otherwise capable of being*  
13          *used, as a means of transportation on water.*

14 **SEC. 3603. REGULATION AND ENFORCEMENT.**

15          (a) *IN GENERAL.*—*The Secretary, in consultation with*  
16          *the Administrator, shall establish and implement enforce-*  
17          *able uniform national standards and requirements for the*  
18          *regulation of discharges incidental to the normal operation*  
19          *of a vessel. The standards and requirements shall—*

20                 (1) *be based upon the best available technology*  
21                 *economically achievable; and*

22                 (2) *supersede any permitting requirement or*  
23                 *prohibition on discharges incidental to the normal op-*  
24                 *eration of a vessel under any other provision of law.*



1           (b) *ADMINISTRATION AND ENFORCEMENT.*—The Sec-  
 2   retary shall administer and enforce the uniform national  
 3   standards and requirements under this title. Each State  
 4   may enforce the uniform national standards and require-  
 5   ments under this title.

6   **SEC. 3604. UNIFORM NATIONAL STANDARDS AND REQUIRE-**  
 7                           **MENTS FOR THE REGULATION OF DIS-**  
 8                           **CHARGES INCIDENTAL TO THE NORMAL OP-**  
 9                           **ERATION OF A VESSEL.**

10           (a) *REQUIREMENTS.*—

11                   (1) *BALLAST WATER MANAGEMENT REQUIRE-*  
 12                   *MENTS.*—

13                           (A) *IN GENERAL.*—Notwithstanding any  
 14                   other provision of law, the requirements set forth  
 15                   in the final rule, *Standards for Living Orga-*  
 16                   *nisms in Ships' Ballast Water Discharged in*  
 17                   *U.S. Waters (77 Fed. Reg. 17254 (March 23,*  
 18                   *2012), as corrected at 77 Fed. Reg. 33969 (June*  
 19                   *8, 2012)), shall be the management requirements*  
 20                   *for a ballast water discharge incidental to the*  
 21                   *normal operation of a vessel until the Secretary*  
 22                   *revises the ballast water performance standard*  
 23                   *under subsection (b) or adopts a more stringent*  
 24                   *State standard under subparagraph (B) of this*  
 25                   *paragraph.*

1           (B) *ADOPTION OF MORE STRINGENT STATE*  
2           *STANDARD.—If the Secretary makes a deter-*  
3           *mination in favor of a State petition under sec-*  
4           *tion 3609, the Secretary shall adopt the more*  
5           *stringent ballast water performance standard*  
6           *specified in the statute or regulation that is the*  
7           *subject of that State petition in lieu of the bal-*  
8           *last water performance standard in the final rule*  
9           *described under subparagraph (A).*

10          (2) *INITIAL MANAGEMENT REQUIREMENTS FOR*  
11          *DISCHARGES OTHER THAN BALLAST WATER.—Not*  
12          *later than 2 years after the date of enactment of this*  
13          *Act, the Secretary, in consultation with the Adminis-*  
14          *trator, shall issue a final rule establishing best man-*  
15          *agement practices for discharges incidental to the nor-*  
16          *mal operation of a vessel other than ballast water.*

17          (b) *REVISED BALLAST WATER PERFORMANCE STAND-*  
18          *ARD; 7-YEAR REVIEW.—*

19               (1) *IN GENERAL.—Subject to the feasibility re-*  
20               *view under paragraph (2), not later than January 1,*  
21               *2022, the Secretary, in consultation with the Admin-*  
22               *istrator, shall issue a final rule revising the ballast*  
23               *water performance standard under subsection (a)(1)*  
24               *so that a ballast water discharge incidental to the*  
25               *normal operation of a vessel will contain—*

1           (A) *less than 1 living organism per 10 cubic*  
2 *meters that is 50 or more micrometers in min-*  
3 *imum dimension;*

4           (B) *less than 1 living organism per 10 mil-*  
5 *liliters that is less than 50 micrometers in min-*  
6 *imum dimension and more than 10 micrometers*  
7 *in minimum dimension;*

8           (C) *concentrations of indicator microbes*  
9 *that are less than—*

10           (i) *1 colony-forming unit of toxicogenic*  
11 *Vibrio cholera (serotypes O1 and O139) per*  
12 *100 milliliters or less than 1 colony-forming*  
13 *unit of that microbe per gram of wet weight*  
14 *of zoological samples;*

15           (ii) *126 colony-forming units of esch-*  
16 *erichia coli per 100 milliliters; and*

17           (iii) *33 colony-forming units of intes-*  
18 *tinal enterococci per 100 milliliters; and*

19           (D) *concentrations of such additional indi-*  
20 *cator microbes and of viruses as may be specified*  
21 *in regulations issued by the Secretary, in con-*  
22 *sultation with the Administrator and such other*  
23 *Federal agencies as the Secretary and the Ad-*  
24 *ministrator consider appropriate.*

25           (2) *FEASIBILITY REVIEW.—*

1           (A) *IN GENERAL.*—Not later than January  
2           1, 2020, the Secretary, in consultation with the  
3           Administrator, shall complete a review to deter-  
4           mine the feasibility of achieving the revised bal-  
5           last water performance standard under para-  
6           graph (1).

7           (B) *CRITERIA FOR REVIEW OF BALLAST*  
8           *WATER PERFORMANCE STANDARD.*—In con-  
9           ducting a review under subparagraph (A), the  
10          Secretary shall consider whether revising the bal-  
11          last water performance standard will result in a  
12          scientifically demonstrable and substantial re-  
13          duction in the risk of introduction or establish-  
14          ment of aquatic nuisance species, taking into ac-  
15          count—

16               (i) *improvements in the scientific un-*  
17               *derstanding of biological and ecological*  
18               *processes that lead to the introduction or es-*  
19               *tablishment of aquatic nuisance species;*

20               (ii) *improvements in ballast water*  
21               *treatment technology, including—*

22                       (I) *the capability of such treat-*  
23                       *ment technology to achieve a revised*  
24                       *ballast water performance standard;*

- 1           (II) *the effectiveness and reli-*  
2           *ability of such treatment technology in*  
3           *the shipboard environment;*
- 4           (III) *the compatibility of such*  
5           *treatment technology with the design*  
6           *and operation of a vessel by class, type,*  
7           *and size;*
- 8           (IV) *the commercial availability*  
9           *of such treatment technology; and*
- 10          (V) *the safety of such treatment*  
11          *technology;*
- 12          (iii) *improvements in the capabilities*  
13          *to detect, quantify, and assess the viability*  
14          *of aquatic nuisance species at the concentra-*  
15          *tions under consideration;*
- 16          (iv) *the impact of ballast water treat-*  
17          *ment technology on water quality; and*
- 18          (v) *the costs, cost-effectiveness, and im-*  
19          *pacts of—*
- 20                (I) *a revised ballast water per-*  
21                *formance standard, including the po-*  
22                *tential impacts on shipping, trade, and*  
23                *other uses of the aquatic environment;*  
24                *and*

1                   (ii) maintaining the existing bal-  
2                   last water performance standard, in-  
3                   cluding the potential impacts on  
4                   water-related infrastructure, recre-  
5                   ation, propagation of native fish, shell-  
6                   fish, and wildlife, and other uses of  
7                   navigable waters.

8                   (C) LOWER REVISED PERFORMANCE STAND-  
9                   ARD.—

10                   (i) IN GENERAL.—If the Secretary, in  
11                   consultation with the Administrator, deter-  
12                   mines, on the basis of the feasibility review  
13                   and after an opportunity for a public hear-  
14                   ing, that no ballast water treatment tech-  
15                   nology can be certified under section 3605  
16                   to comply with the revised ballast water  
17                   performance standard under paragraph (1),  
18                   the Secretary shall require the use of the  
19                   treatment technology that achieves the per-  
20                   formance levels of the best treatment tech-  
21                   nology available.

22                   (ii) IMPLEMENTATION DEADLINE.—If  
23                   the Secretary, in consultation with the Ad-  
24                   ministrator, determines that the treatment  
25                   technology under clause (i) cannot be imple-

1            *mented before the implementation deadline*  
 2            *under paragraph (3) with respect to a class*  
 3            *of vessels, the Secretary shall extend the im-*  
 4            *plementation deadline for that class of ves-*  
 5            *sels for not more than 36 months.*

6            *(iii) COMPLIANCE.—If the implementa-*  
 7            *tion deadline under paragraph (3) is ex-*  
 8            *tended, the Secretary shall recommend ac-*  
 9            *tion to ensure compliance with the extended*  
 10           *implementation deadline under clause (ii).*

11           *(D) HIGHER REVISED PERFORMANCE*  
 12           *STANDARD.—*

13           *(i) IN GENERAL.—If the Secretary, in*  
 14           *consultation with the Administrator, deter-*  
 15           *mines that ballast water treatment tech-*  
 16           *nology exists that exceeds the revised ballast*  
 17           *water performance standard under para-*  
 18           *graph (1) with respect to a class of vessels,*  
 19           *the Secretary shall revise the ballast water*  
 20           *performance standard for that class of ves-*  
 21           *sels to incorporate the higher performance*  
 22           *standard.*

23           *(ii) IMPLEMENTATION DEADLINE.—If*  
 24           *the Secretary, in consultation with the Ad-*  
 25           *ministrator, determines that the treatment*

1            *technology under clause (i) can be imple-*  
2            *mented before the implementation deadline*  
3            *under paragraph (3) with respect to a class*  
4            *of vessels, the Secretary shall accelerate the*  
5            *implementation deadline for that class of*  
6            *vessels. If the implementation deadline*  
7            *under paragraph (3) is accelerated, the Sec-*  
8            *retary shall provide not less than 24 months*  
9            *notice before the accelerated deadline takes*  
10           *effect.*

11            (3) *IMPLEMENTATION DEADLINE.—The revised*  
12            *ballast water performance standard under paragraph*  
13            *(1) shall apply to a vessel beginning on the date of*  
14            *the first drydocking of the vessel on or after January*  
15            *1, 2022, but not later than December 31, 2024.*

16            (4) *REVISED PERFORMANCE STANDARD COMPLI-*  
17            *ANCE DEADLINES.—*

18            (A) *IN GENERAL.—The Secretary may es-*  
19            *tablish a compliance deadline for compliance by*  
20            *a vessel (or a class, type, or size of vessel) with*  
21            *a revised ballast water performance standard*  
22            *under this subsection.*

23            (B) *PROCESS FOR GRANTING EXTEN-*  
24            *SIONS.—In issuing regulations under this sub-*  
25            *section, the Secretary shall establish a process for*



1            *an owner or operator to submit a petition to the*  
2            *Secretary for an extension of a compliance dead-*  
3            *line with respect to the vessel of the owner or op-*  
4            *erator.*

5            *(C) PERIOD OF EXTENSIONS.—An extension*  
6            *issued under subparagraph (B) may—*

7                    *(i) apply for a period of not to exceed*  
8                    *18 months from the date of the applicable*  
9                    *deadline under subparagraph (A); and*

10                   *(ii) be renewable for an additional pe-*  
11                   *riod of not to exceed 18 months.*

12            *(D) FACTORS.—In issuing a compliance*  
13            *deadline or reviewing a petition under this*  
14            *paragraph, the Secretary shall consider, with re-*  
15            *spect to the ability of an owner or operator to*  
16            *meet a compliance deadline, the following fac-*  
17            *tors:*

18                   *(i) Whether the treatment technology to*  
19                   *be installed is available in sufficient quan-*  
20                   *tities to meet the compliance deadline.*

21                   *(ii) Whether there is sufficient ship-*  
22                   *yard or other installation facility capacity.*

23                   *(iii) Whether there is sufficient avail-*  
24                   *ability of engineering and design resources.*

1                   (iv) *Vessel characteristics, such as en-*  
2                   *gine room size, layout, or a lack of installed*  
3                   *pipng.*

4                   (v) *Electric power generating capacity*  
5                   *aboard the vessel.*

6                   (vi) *Safety of the vessel and crew.*

7                   (E) *CONSIDERATION OF PETITIONS.—*

8                   (i) *DETERMINATIONS.—The Secretary*  
9                   *shall approve or deny a petition for an ex-*  
10                   *ension of a compliance deadline submitted*  
11                   *by an owner or operator under this para-*  
12                   *graph.*

13                   (ii) *DEADLINE.—If the Secretary does*  
14                   *not approve or deny a petition referred to*  
15                   *in clause (i) on or before the last day of the*  
16                   *90-day period beginning on the date of sub-*  
17                   *mission of the petition, the petition shall be*  
18                   *deemed approved.*

19                   (c) *FUTURE REVISIONS OF VESSEL INCIDENTAL DIS-*  
20                   *CHARGE STANDARDS; DECENNIAL REVIEWS.—*

21                   (1) *REVISED BALLAST WATER PERFORMANCE*  
22                   *STANDARDS.—The Secretary, in consultation with the*  
23                   *Administrator, shall complete a review, 10 years after*  
24                   *the issuance of a final rule under subsection (b) and*  
25                   *every 10 years thereafter, to determine whether fur-*

1 *ther revision of the ballast water performance stand-*  
2 *ard would result in a scientifically demonstrable and*  
3 *substantial reduction in the risk of the introduction*  
4 *or establishment of aquatic nuisance species.*

5 (2) *REVISED STANDARDS FOR DISCHARGES*  
6 *OTHER THAN BALLAST WATER.—The Secretary, in*  
7 *consultation with the Administrator, may include in*  
8 *a decennial review under this subsection best manage-*  
9 *ment practices for discharges covered by subsection*  
10 *(a)(2). The Secretary shall initiate a rulemaking to*  
11 *revise 1 or more best management practices for such*  
12 *discharges after a decennial review if the Secretary,*  
13 *in consultation with the Administrator, determines*  
14 *that revising 1 or more of such practices would sub-*  
15 *stantially reduce the impacts on navigable waters of*  
16 *discharges incidental to the normal operation of a*  
17 *vessel other than ballast water.*

18 (3) *CONSIDERATIONS.—In conducting a review*  
19 *under paragraph (1), the Secretary, the Adminis-*  
20 *trator, and the heads of other appropriate Federal*  
21 *agencies as determined by the Secretary, shall con-*  
22 *sider the criteria under subsection (b)(2)(B).*

23 (4) *REVISION AFTER DECENNIAL REVIEW.—The*  
24 *Secretary shall initiate a rulemaking to revise the*  
25 *current ballast water performance standard after a*

1       *decennial review if the Secretary, in consultation*  
2       *with the Administrator, determines that revising the*  
3       *current ballast water performance standard would re-*  
4       *sult in a scientifically demonstrable and substantial*  
5       *reduction in the risk of the introduction or establish-*  
6       *ment of aquatic nuisance species.*

7       **SEC. 3605. TREATMENT TECHNOLOGY CERTIFICATION.**

8       *(a) CERTIFICATION REQUIRED.—Beginning 60 days*  
9       *after the date that the requirements for testing protocols are*  
10       *issued under subsection (i), no manufacturer of a ballast*  
11       *water treatment technology shall sell, offer for sale, or intro-*  
12       *duce or deliver for introduction into interstate commerce,*  
13       *or import into the United States for sale or resale, a ballast*  
14       *water treatment technology for a vessel unless the treatment*  
15       *technology has been certified under this section.*

16       *(b) CERTIFICATION PROCESS.—*

17               *(1) EVALUATION.—Upon application of a manu-*  
18       *facturer, the Secretary shall evaluate a ballast water*  
19       *treatment technology with respect to—*

20                       *(A) the effectiveness of the treatment tech-*  
21       *nology in achieving the current ballast water*  
22       *performance standard when installed on a vessel*  
23       *(or a class, type, or size of vessel);*

24                       *(B) the compatibility with vessel design and*  
25       *operations;*

1           (C) the effect of the treatment technology on  
2 vessel safety;  
3           (D) the impact on the environment;  
4           (E) the cost effectiveness; and  
5           (F) any other criteria the Secretary con-  
6 siderers appropriate.

7           (2) APPROVAL.—If after an evaluation under  
8 paragraph (1) the Secretary determines that the treat-  
9 ment technology meets the criteria, the Secretary may  
10 certify the treatment technology for use on a vessel (or  
11 a class, type, or size of vessel).

12           (3) SUSPENSION AND REVOCATION.—The Sec-  
13 retary shall establish, by regulation, a process to sus-  
14 pend or revoke a certification issued under this sec-  
15 tion.

16           (c) CERTIFICATION CONDITIONS.—

17           (1) IMPOSITION OF CONDITIONS.—In certifying a  
18 ballast water treatment technology under this section,  
19 the Secretary, in consultation with the Administrator,  
20 may impose any condition on the subsequent installa-  
21 tion, use, or maintenance of the treatment technology  
22 onboard a vessel as is necessary for—

23           (A) the safety of the vessel, the crew of the  
24 vessel, and any passengers aboard the vessel;

25           (B) the protection of the environment; or

1                   (C) *the effective operation of the treatment*  
2                   *technology.*

3                   (2) *FAILURE TO COMPLY.*—*The failure of an*  
4                   *owner or operator to comply with a condition im-*  
5                   *posed under paragraph (1) shall be considered a vio-*  
6                   *lation of this section.*

7                   (d) *PERIOD FOR USE OF INSTALLED TREATMENT*  
8                   *EQUIPMENT.*—*Notwithstanding anything to the contrary in*  
9                   *this title or any other provision of law, the Secretary shall*  
10                  *allow a vessel on which a system is installed and operated*  
11                  *to meet a ballast water performance standard under this*  
12                  *title to continue to use that system, notwithstanding any*  
13                  *revision of a ballast water performance standard occurring*  
14                  *after the system is ordered or installed until the expiration*  
15                  *of the service life of the system, as determined by the Sec-*  
16                  *retary, so long as the system—*

17                  (1) *is maintained in proper working condition;*  
18                  *and*

19                  (2) *is maintained and used in accordance with*  
20                  *the manufacturer's specifications and any treatment*  
21                  *technology certification conditions imposed by the*  
22                  *Secretary under this section.*

23                  (e) *CERTIFICATES OF TYPE APPROVAL FOR THE*  
24                  *TREATMENT TECHNOLOGY.*—

1           (1) *ISSUANCE.*—If the Secretary approves a bal-  
2           last water treatment technology for certification under  
3           subsection (b), the Secretary shall issue a certificate  
4           of type approval for the treatment technology to the  
5           manufacturer in such form and manner as the Sec-  
6           retary determines appropriate.

7           (2) *CERTIFICATION CONDITIONS.*—A certificate  
8           of type approval issued under paragraph (1) shall  
9           specify each condition imposed by the Secretary  
10          under subsection (c).

11          (3) *OWNERS AND OPERATORS.*—A manufacturer  
12          that receives a certificate of type approval for the  
13          treatment technology under this subsection shall pro-  
14          vide a copy of the certificate to each owner and oper-  
15          ator of a vessel on which the treatment technology is  
16          installed.

17          (f) *INSPECTIONS.*—An owner or operator who receives  
18          a copy of a certificate under subsection (e)(3) shall retain  
19          a copy of the certificate onboard the vessel and make the  
20          copy of the certificate available for inspection at all times  
21          while the owner or operator is utilizing the treatment tech-  
22          nology.

23          (g) *BIOCIDES.*—The Secretary may not approve a bal-  
24          last water treatment technology under subsection (b) if—

1           (1) *it uses a biocide or generates a biocide that*  
2 *is a pesticide, as defined in section 2 of the Federal*  
3 *Insecticide, Fungicide, and Rodenticide Act (7 U.S.C.*  
4 *136), unless the biocide is registered under that Act*  
5 *or the Secretary, in consultation with Administrator,*  
6 *has approved the use of the biocide in such treatment*  
7 *technology; or*

8           (2) *it uses or generates a biocide the discharge of*  
9 *which causes or contributes to a violation of a water*  
10 *quality standard under section 303 of the Federal*  
11 *Water Pollution Control Act (33 U.S.C. 1313).*

12 *(h) PROHIBITION.—*

13           (1) *IN GENERAL.—Except as provided in para-*  
14 *graph (2), the use of a ballast water treatment tech-*  
15 *nology by an owner or operator of a vessel shall not*  
16 *satisfy the requirements of this title unless it has been*  
17 *approved by the Secretary under subsection (b).*

18           (2) *EXCEPTIONS.—*

19           (A) *COAST GUARD SHIPBOARD TECHNOLOGY*  
20 *EVALUATION PROGRAM.—An owner or operator*  
21 *may use a ballast water treatment technology*  
22 *that has not been certified by the Secretary to*  
23 *comply with the requirements of this section if*  
24 *the technology is being evaluated under the Coast*



1           *Guard Shipboard Technology Evaluation Pro-*  
2           *gram.*

3                   (B) *BALLAST WATER TREATMENT TECH-*  
4                   *NOLOGIES CERTIFIED BY FOREIGN ENTITIES.—*

5           *An owner or operator may use a ballast water*  
6           *treatment technology that has not been certified*  
7           *by the Secretary to comply with the requirements*  
8           *of this section if the technology has been certified*  
9           *by a foreign entity and the certification dem-*  
10           *onstrates performance and safety of the treat-*  
11           *ment technology equivalent to the requirements of*  
12           *this section, as determined by the Secretary.*

13           (i) *TESTING PROTOCOLS.—Not later than 180 days*  
14           *after the date of enactment of this Act, the Administrator,*  
15           *in consultation with the Secretary, shall issue requirements*  
16           *for land-based and shipboard testing protocols or criteria*  
17           *for—*

18                   (1) *certifying the performance of each ballast*  
19                   *water treatment technology under this section; and*

20                   (2) *certifying laboratories to evaluate such treat-*  
21                   *ment technologies.*

22   **SEC. 3606. EXEMPTIONS.**

23           (a) *IN GENERAL.—No permit shall be required or pro-*  
24           *hibition enforced under any other provision of law for, nor*

1 *shall any standards regarding a discharge incidental to the*  
2 *normal operation of a vessel under this title apply to—*

3           (1) *a discharge incidental to the normal oper-*  
4 *ation of a vessel if the vessel is less than 79 feet in*  
5 *length and engaged in commercial service (as defined*  
6 *in section 2101(5) of title 46, United States Code);*

7           (2) *a discharge incidental to the normal oper-*  
8 *ation of a vessel if the vessel is a fishing vessel, in-*  
9 *cluding a fish processing vessel and a fish tender ves-*  
10 *sel (as defined in section 2101 of title 46, United*  
11 *States Code);*

12           (3) *a discharge incidental to the normal oper-*  
13 *ation of a vessel if the vessel is a recreational vessel*  
14 *(as defined in section 2101(25) of title 46, United*  
15 *States Code);*

16           (4) *the placement, release, or discharge of equip-*  
17 *ment, devices, or other material from a vessel for the*  
18 *sole purpose of conducting research on the aquatic en-*  
19 *vironment or its natural resources in accordance with*  
20 *generally recognized scientific methods, principles, or*  
21 *techniques;*

22           (5) *any discharge into navigable waters from a*  
23 *vessel authorized by an on-scene coordinator in ac-*  
24 *cordance with part 300 of title 40, Code of Federal*

1 *Regulations, or part 153 of title 33, Code of Federal*  
2 *Regulations;*

3 (6) *any discharge into navigable waters from a*  
4 *vessel that is necessary to secure the safety of the ves-*  
5 *sel or human life, or to suppress a fire onboard the*  
6 *vessel or at a shoreside facility; or*

7 (7) *a vessel of the armed forces of a foreign na-*  
8 *tion when engaged in noncommercial service.*

9 (b) *BALLAST WATER DISCHARGES.*—*No permit shall*  
10 *be required or prohibition enforced under any other provi-*  
11 *sion of law for, nor shall any ballast water performance*  
12 *standards under this title apply to—*

13 (1) *a ballast water discharge incidental to the*  
14 *normal operation of a vessel determined by the Sec-*  
15 *retary to—*

16 (A) *operate exclusively within a geographi-*  
17 *cally limited area;*

18 (B) *take up and discharge ballast water ex-*  
19 *clusively within 1 Captain of the Port Zone es-*  
20 *tablished by the Coast Guard, unless the Sec-*  
21 *retary determines such discharge poses a sub-*  
22 *stantial risk of introduction or establishment of*  
23 *an aquatic nuisance species;*

24 (C) *operate pursuant to a geographic re-*  
25 *striction issued as a condition under section*

1           3309 of title 46, United States Code, or an  
2           equivalent restriction issued by the country of  
3           registration of the vessel; or

4           (D) continuously take on and discharge bal-  
5           last water in a flow-through system that does not  
6           introduce aquatic nuisance species into navi-  
7           gable waters;

8           (2) a ballast water discharge incidental to the  
9           normal operation of a vessel consisting entirely of  
10          water suitable for human consumption; or

11          (3) a ballast water discharge incidental to the  
12          normal operation of a vessel in an alternative compli-  
13          ance program established pursuant to section 3607.

14          (c) *VESSELS WITH PERMANENT BALLAST WATER.*—  
15          No permit shall be required or prohibition enforced under  
16          any other provision of law for, nor shall any ballast water  
17          performance standard under this title apply to, a vessel that  
18          carries all of its permanent ballast water in sealed tanks  
19          that are not subject to discharge.

20          (d) *VESSELS OF THE ARMED FORCES.*—Nothing in  
21          this title shall be construed to apply to the following vessels:

22                  (1) A vessel owned or operated by the Depart-  
23                  ment of Defense (other than a time-chartered or voy-  
24                  age-chartered vessel).

1           (2) *A vessel of the Coast Guard, as designated by*  
2           *the Secretary of the department in which the Coast*  
3           *Guard is operating.*

4 **SEC. 3607. ALTERNATIVE COMPLIANCE PROGRAM.**

5           (a) *IN GENERAL.*—*The Secretary, in consultation with*  
6           *the Administrator, may promulgate regulations estab-*  
7           *lishing 1 or more compliance programs as an alternative*  
8           *to ballast water management regulations issued under sec-*  
9           *tion 3604 for a vessel that—*

10           (1) *has a maximum ballast water capacity of*  
11           *less than 8 cubic meters;*

12           (2) *is less than 3 years from the end of the useful*  
13           *life of the vessel, as determined by the Secretary; or*

14           (3) *discharges ballast water into a facility for*  
15           *the reception of ballast water that meets standards*  
16           *promulgated by the Administrator, in consultation*  
17           *with the Secretary.*

18           (b) *PROMULGATION OF FACILITY STANDARDS.*—*Not*  
19           *later than 1 year after the date of enactment of this Act,*  
20           *the Administrator, in consultation with the Secretary, shall*  
21           *promulgate standards for—*

22           (1) *the reception of ballast water from a vessel*  
23           *into a reception facility; and*

24           (2) *the disposal or treatment of the ballast water*  
25           *under paragraph (1).*

1 **SEC. 3608. JUDICIAL REVIEW.**

2 (a) *IN GENERAL.*—An interested person may file a pe-  
3 tition for review of a final regulation promulgated under  
4 this title in the United States Court of Appeals for the Dis-  
5 trict of Columbia Circuit.

6 (b) *DEADLINE.*—A petition shall be filed not later than  
7 120 days after the date that notice of the promulgation ap-  
8 pears in the Federal Register.

9 (c) *EXCEPTION.*—Notwithstanding subsection (b), a  
10 petition that is based solely on grounds that arise after the  
11 deadline to file a petition under subsection (b) has passed  
12 may be filed not later than 120 days after the date that  
13 the grounds first arise.

14 **SEC. 3609. EFFECT ON STATE AUTHORITY.**

15 (a) *IN GENERAL.*—No State or political subdivision  
16 thereof may adopt or enforce any statute or regulation of  
17 the State or political subdivision with respect to a discharge  
18 incidental to the normal operation of a vessel after the date  
19 of enactment of this Act.

20 (b) *SAVINGS CLAUSE.*—Notwithstanding subsection  
21 (a), a State or political subdivision thereof may enforce a  
22 statute or regulation of the State or political subdivision  
23 with respect to ballast water discharges incidental to the  
24 normal operation of a vessel that specifies a ballast water  
25 performance standard that is more stringent than the bal-  
26 last water performance standard under section

1 3604(a)(1)(A) and is in effect on the date of enactment of  
2 this Act if the Secretary, after consultation with the Admin-  
3 istrator and any other Federal department or agency the  
4 Secretary considers appropriate, makes a determination  
5 that—

6 (1) compliance with any performance standard  
7 specified in the statute or regulation can in fact be  
8 achieved and detected;

9 (2) the technology and systems necessary to com-  
10 ply with the statute or regulation are commercially  
11 available; and

12 (3) the statute or regulation is consistent with  
13 obligations under relevant international treaties or  
14 agreements to which the United States is a party.

15 (c) *PETITION PROCESS.*—

16 (1) *SUBMISSION.*—The Governor of a State seek-  
17 ing to enforce a statute or regulation under subsection  
18 (b) shall submit a petition requesting the Secretary to  
19 review the statute or regulation.

20 (2) *CONTENTS; DEADLINE.*—A petition shall—

21 (A) be accompanied by the scientific and  
22 technical information on which the petition is  
23 based; and

1                   (B) be submitted to the Secretary not later  
2                   than 90 days after the date of enactment of this  
3                   Act.

4                   (3) *DETERMINATIONS.*—The Secretary shall  
5                   make a determination on a petition under this sub-  
6                   section not later than 90 days after the date that the  
7                   petition is received.

8 **SEC. 3610. APPLICATION WITH OTHER STATUTES.**

9                   Notwithstanding any other provision of law, this title  
10 shall be the exclusive statutory authority for regulation by  
11 the Federal Government of discharges incidental to the nor-  
12 mal operation of a vessel to which this title applies. Except  
13 as provided under section 3604(a)(1)(A), any regulation in  
14 effect on the date immediately preceding the effective date  
15 of this Act relating to any permitting requirement for or  
16 prohibition on discharges incidental to the normal oper-  
17 ation of a vessel to which this title applies shall be deemed  
18 to be a regulation issued pursuant to the authority of this  
19 title and shall remain in full force and effect unless or until  
20 superseded by new regulations issued hereunder.

21 ***DIVISION D—FUNDING TABLES***

22 **SEC. 4001. AUTHORIZATION OF AMOUNTS IN FUNDING TA-**  
23 ***BLES.***

24                   (a) *IN GENERAL.*—Whenever a funding table in this  
25 division specifies a dollar amount authorized for a project,



1 *program, or activity, the obligation and expenditure of the*  
2 *specified dollar amount for the project, program, or activity*  
3 *is hereby authorized, subject to the availability of appro-*  
4 *priations.*

5 *(b) MERIT-BASED DECISIONS.—A decision to commit,*  
6 *obligate, or expend funds with or to a specific entity on*  
7 *the basis of a dollar amount authorized pursuant to sub-*  
8 *section (a) shall—*

9 *(1) be based on merit-based selection procedures*  
10 *in accordance with the requirements of sections*  
11 *2304(k) and 2374 of title 10, United States Code, or*  
12 *on competitive procedures; and*

13 *(2) comply with other applicable provisions of*  
14 *law.*

15 *(c) RELATIONSHIP TO TRANSFER AND PROGRAMMING*  
16 *AUTHORITY.—An amount specified in the funding tables in*  
17 *this division may be transferred or reprogrammed under*  
18 *a transfer or reprogramming authority provided by another*  
19 *provision of this Act or by other law. The transfer or re-*  
20 *programming of an amount specified in such funding tables*  
21 *shall not count against a ceiling on such transfers or*  
22 *reprogrammings under section 1001 or section 1522 of this*  
23 *Act or any other provision of law, unless such transfer or*  
24 *reprogramming would move funds between appropriation*  
25 *accounts.*

1 (d) *APPLICABILITY TO CLASSIFIED ANNEX.*—This sec-  
 2 tion applies to any classified annex that accompanies this  
 3 Act.

4 (e) *ORAL AND WRITTEN COMMUNICATIONS.*—No oral  
 5 or written communication concerning any amount specified  
 6 in the funding tables in this division shall supersede the  
 7 requirements of this section.

## 8 **TITLE XLI—PROCUREMENT**

### 9 **SEC. 4101. PROCUREMENT.**

<b>SEC. 4101. PROCUREMENT</b>			
<b>(In Thousands of Dollars)</b>			
<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>AIRCRAFT PROCUREMENT, ARMY</b>			
<b>FIXED WING</b>			
001	UTILITY F/W AIRCRAFT .....	57,529	57,529
003	MQ-1 UAV .....	55,388	84,988
	Ground Mounted Airspace Deconfliction Radar .....		[29,600]
<b>ROTARY</b>			
006	AH-64 APACHE BLOCK IIIA REMAN .....	803,084	803,084
007	ADVANCE PROCUREMENT (CY) .....	185,160	185,160
008	UH-60 BLACKHAWK M MODEL (MYP) .....	755,146	755,146
009	ADVANCE PROCUREMENT (CY) .....	174,107	174,107
010	UH-60 BLACK HAWK A AND L MODELS .....	46,173	46,173
011	CH-47 HELICOPTER .....	556,257	556,257
012	ADVANCE PROCUREMENT (CY) .....	8,707	8,707
<b>MODIFICATION OF AIRCRAFT</b>			
013	MQ-1 PAYLOAD (MIP) .....	43,735	43,735
015	MULTI SENSOR ABN RECON (MIP) .....	94,527	94,527
016	AH-64 MODS .....	137,883	137,883
017	CH-47 CARGO HELICOPTER MODS (MYP) .....	102,943	102,943
018	GRCS SEMA MODS (MIP) .....	4,055	4,055
019	ARL SEMA MODS (MIP) .....	6,793	6,793
020	EMARSS SEMA MODS (MIP) .....	13,197	13,197
021	UTILITY/CARGO AIRPLANE MODS .....	17,526	17,526
022	UTILITY HELICOPTER MODS .....	10,807	10,807
023	NETWORK AND MISSION PLAN .....	74,752	74,752
024	COMMS, NAV SURVEILLANCE .....	69,960	69,960
025	GATM ROLLUP .....	45,302	45,302
026	RQ-7 UAV MODS .....	71,169	71,169
027	UAS MODS .....	21,804	26,224
	Redign APS Unit Set Requirements from OCO .....		[4,420]
<b>GROUND SUPPORT AVIONICS</b>			
028	AIRCRAFT SURVIVABILITY EQUIPMENT .....	67,377	67,377
029	SURVIVABILITY CM .....	9,565	9,565
030	CMWS .....	41,626	41,626
<b>OTHER SUPPORT</b>			
032	AVIONICS SUPPORT EQUIPMENT .....	7,007	7,007
033	COMMON GROUND EQUIPMENT .....	48,234	48,234
034	AIRCREW INTEGRATED SYSTEMS .....	30,297	30,297
035	AIR TRAFFIC CONTROL .....	50,405	50,405
036	INDUSTRIAL FACILITIES .....	1,217	1,217
037	LAUNCHER, 2.75 ROCKET .....	3,055	3,055
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY .....</b>	<b>3,614,787</b>	<b>3,648,807</b>
<b>MISSILE PROCUREMENT, ARMY</b>			
<b>SURFACE-TO-AIR MISSILE SYSTEM</b>			
001	LOWER TIER AIR AND MISSILE DEFENSE (AMD) .....	126,470	126,470
002	MSE MISSILE .....	423,201	423,201
003	ADVANCE PROCUREMENT (CY) .....	19,319	19,319
<b>AIR-TO-SURFACE MISSILE SYSTEM</b>			
004	HELLFIRE SYS SUMMARY .....	42,013	42,013
005	JOINT AIR-TO-GROUND MSLs (JAGM) .....	64,751	64,751

**SEC. 4101. PROCUREMENT**  
**(In Thousands of Dollars)**

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
006	ADVANCE PROCUREMENT (CY) .....	37,100	37,100
	<b>ANTI-TANK/ASSAULT MISSILE SYS</b>		
007	JAVELIN (AAWS-M) SYSTEM SUMMARY .....	73,508	89,075
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[15,567]
008	TOW 2 SYSTEM SUMMARY .....	64,922	145,574
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[80,652]
009	ADVANCE PROCUREMENT (CY) .....	19,949	19,949
010	GUIDED MLRS ROCKET (GMLRS) .....	172,088	248,079
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[75,991]
011	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR) .....	18,004	18,004
	<b>MODIFICATIONS</b>		
013	PATRIOT MODS .....	197,107	197,107
014	ATACMS MODS .....	150,043	150,043
015	GMLRS MOD .....	395	395
017	AVENGER MODS .....	33,606	33,606
018	ITAS/TOW MODS .....	383	383
019	MLRS MODS .....	34,704	34,704
020	HIMARS MODIFICATIONS .....	1,847	1,847
	<b>SPARES AND REPAIR PARTS</b>		
021	SPARES AND REPAIR PARTS .....	34,487	34,487
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
022	AIR DEFENSE TARGETS .....	4,915	4,915
024	PRODUCTION BASE SUPPORT .....	1,154	1,154
	<b>TOTAL MISSILE PROCUREMENT, ARMY</b> .....	<b>1,519,966</b>	<b>1,692,176</b>
	<b>PROCUREMENT OF W&amp;TCV, ARMY</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
001	STRYKER VEHICLE .....	71,680	71,680
	<b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>		
002	STRYKER (MOD) .....	74,348	74,348
003	STRYKER UPGRADE .....	444,561	444,561
005	BRADLEY PROGRAM (MOD) .....	276,433	276,433
006	HOWITZER, MED SP FT 155MM M109A6 (MOD) .....	63,138	63,138
007	PALADIN INTEGRATED MANAGEMENT (PIM) .....	469,305	594,489
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[125,184]
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) .....	91,963	91,963
009	ASSAULT BRIDGE (MOD) .....	3,465	9,415
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[5,950]
010	ASSAULT BREACHER VEHICLE .....	2,928	2,928
011	M88 FOV MODS .....	8,685	8,685
012	JOINT ASSAULT BRIDGE .....	64,752	64,752
013	M1 ABRAMS TANK (MOD) .....	480,166	480,166
014	ABRAMS UPGRADE PROGRAM .....		172,200
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[172,200]
	<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>		
016	INTEGRATED AIR BURST WEAPON SYSTEM FAMILY .....	9,764	9,764
017	MORTAR SYSTEMS .....	8,332	8,332
018	XM320 GRENADE LAUNCHER MODULE (GLM) .....	3,062	3,062
019	COMPACT SEMI-AUTOMATIC SNIPER SYSTEM .....	992	992
020	CARBINE .....	40,493	40,493
021	COMMON REMOTELY OPERATED WEAPONS STATION .....	25,164	25,164
	<b>MOD OF WEAPONS AND OTHER COMBAT VEH</b>		
022	MK-19 GRENADE MACHINE GUN MODS .....	4,959	4,959
023	M777 MODS .....	11,913	11,913
024	M4 CARBINE MODS .....	29,752	29,752
025	M2 50 CAL MACHINE GUN MODS .....	48,582	48,582
026	M249 SAW MACHINE GUN MODS .....	1,179	1,179
027	M240 MEDIUM MACHINE GUN MODS .....	1,784	1,784
028	SNIPER RIFLES MODIFICATIONS .....	971	971
029	M119 MODIFICATIONS .....	6,045	6,045
030	MORTAR MODIFICATION .....	12,118	12,118
031	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV) .....	3,157	3,157
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
032	ITEMS LESS THAN \$5.0M (WOCV-WTCV) .....	2,331	2,331
035	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG) .....	3,155	3,155
036	BRADLEY PROGRAM .....		72,800
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[72,800]
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY</b> .....	<b>2,265,177</b>	<b>2,641,311</b>
	<b>PROCUREMENT OF AMMUNITION, ARMY</b>		
	<b>SMALL/MEDIUM CAL AMMUNITION</b>		
001	CTG, 5.56MM, ALL TYPES .....	40,296	40,296
002	CTG, 7.62MM, ALL TYPES .....	39,237	48,879
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[9,642]
003	CTG, HANDGUN, ALL TYPES .....	5,193	5,193
004	CTG, .50 CAL, ALL TYPES .....	46,693	52,691
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[5,998]
005	CTG, 20MM, ALL TYPES .....	7,000	8,077

**SEC. 4101. PROCUREMENT**  
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	Realign APS Unit Set Requirements from OCO .....		[1,077]
006	CTG, 25MM, ALL TYPES .....	7,753	34,987
	Program reduction .....		[-1,300]
	Realign APS Unit Set Requirements from OCO .....		[28,534]
007	CTG, 30MM, ALL TYPES .....	47,000	47,000
008	CTG, 40MM, ALL TYPES .....	118,178	115,501
	Realign APS Unit Set Requirements from OCO .....		[7,423]
	Unobligated balances .....		[-10,100]
	<b>MORTAR AMMUNITION</b>		
009	60MM MORTAR, ALL TYPES .....	69,784	69,784
010	81MM MORTAR, ALL TYPES .....	36,125	38,802
	Realign APS Unit Set Requirements from OCO .....		[2,677]
011	120MM MORTAR, ALL TYPES .....	69,133	69,133
	<b>TANK AMMUNITION</b>		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES .....	120,668	129,667
	Realign APS Unit Set Requirements from OCO .....		[8,999]
	<b>ARTILLERY AMMUNITION</b>		
013	ARTILLERY CARTRIDGES, 75MM & 105MM, ALL TYPES .....	64,800	64,800
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES .....	109,515	129,863
	Realign APS Unit Set Requirements from OCO .....		[20,348]
015	PROJ 155MM EXTENDED RANGE M982 .....	39,200	39,340
	Realign APS Unit Set Requirements from OCO .....		[140]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....	70,881	95,536
	Realign APS Unit Set Requirements from OCO .....		[24,655]
	<b>MINES</b>		
017	MINES & CLEARING CHARGES, ALL TYPES .....		16,866
	Realign APS Unit Set Requirements from OCO .....		[16,866]
	<b>NETWORKED MUNITIONS</b>		
018	SPIDER NETWORK MUNITIONS, ALL TYPES .....		10,353
	Realign APS Unit Set Requirements from OCO .....		[10,353]
	<b>ROCKETS</b>		
019	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....	38,000	101,210
	Realign APS Unit Set Requirements from OCO .....		[63,210]
020	ROCKET, HYDRA 70, ALL TYPES .....	87,213	87,213
	<b>OTHER AMMUNITION</b>		
021	CAD/PAD, ALL TYPES .....	4,914	4,914
022	DEMOLITION MUNITIONS, ALL TYPES .....	6,380	12,753
	Realign APS Unit Set Requirements from OCO .....		[6,373]
023	GRENADES, ALL TYPES .....	22,760	26,903
	Realign APS Unit Set Requirements from OCO .....		[4,143]
024	SIGNALS, ALL TYPES .....	10,666	12,518
	Realign APS Unit Set Requirements from OCO .....		[1,852]
025	SIMULATORS, ALL TYPES .....	7,412	7,412
	<b>MISCELLANEOUS</b>		
026	AMMO COMPONENTS, ALL TYPES .....	12,726	12,726
027	NON-LETHAL AMMUNITION, ALL TYPES .....	6,100	6,873
	Realign APS Unit Set Requirements from OCO .....		[773]
028	ITEMS LESS THAN \$5 MILLION (AMMO) .....	10,006	10,006
029	AMMUNITION PECULIAR EQUIPMENT .....	17,275	13,575
	Program reduction- excess carryover .....		[-3,700]
030	FIRST DESTINATION TRANSPORTATION (AMMO) .....	14,951	14,951
	<b>PRODUCTION BASE SUPPORT</b>		
032	INDUSTRIAL FACILITIES .....	222,269	242,269
	Program increase .....		[20,000]
033	CONVENTIONAL MUNITIONS DEMILITARIZATION .....	157,383	157,383
034	ARMS INITIATIVE .....	3,646	3,646
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY</b> .....	<b>1,513,157</b>	<b>1,731,120</b>
	<b>OTHER PROCUREMENT, ARMY</b>		
	<b>TACTICAL VEHICLES</b>		
001	TACTICAL TRAILERS/DOLLY SETS .....	3,733	3,733
002	SEMITRAILERS, FLATBED: .....	3,716	7,896
	Realign APS Unit Set Requirements from OCO .....		[4,180]
003	HI MOB MULTI-PURP WHLD VEH (HMMWV) .....		50,000
	HMMWV M997A3 ambulance recapitalization for Active Component .....		[50,000]
004	GROUND MOBILITY VEHICLES (GMV) .....	4,907	4,907
006	JOINT LIGHT TACTICAL VEHICLE .....	587,514	587,514
007	TRUCK, DUMP, 20T (CCE) .....	3,927	3,927
008	FAMILY OF MEDIUM TACTICAL VEH (FMTV) .....	53,293	200,769
	Realign APS Unit Set Requirements from OCO .....		[147,476]
009	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIP .....	7,460	7,460
010	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....	39,564	45,686
	Realign APS Unit Set Requirements from OCO .....		[6,122]
011	PLS ESP .....	11,856	118,214
	Realign APS Unit Set Requirements from OCO .....		[106,358]
012	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV .....		76,561
	Realign APS Unit Set Requirements from OCO .....		[76,561]
013	TACTICAL WHEELED VEHICLE PROTECTION KITS .....	49,751	76,870

**SEC. 4101. PROCUREMENT**  
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	Realign APS Unit Set Requirements from OCO .....		[27,119]
014	MODIFICATION OF IN SVC EQUIP .....	64,000	57,456
	Program reduction .....		[-10,000]
	Realign APS Unit Set Requirements from OCO .....		[3,456]
015	MINE-RESISTANT AMBUSH-PROTECTED (MRAP) MODS .....	10,611	10,611
	<b>NON-TACTICAL VEHICLES</b>		
016	HEAVY ARMORED SEDAN .....	394	394
018	NONTACTICAL VEHICLES, OTHER .....	1,755	1,755
	<b>COMM—JOINT COMMUNICATIONS</b>		
019	WIN-T—GROUND FORCES TACTICAL NETWORK .....	427,598	434,170
	Realign APS Unit Set Requirements from OCO .....		[6,572]
020	SIGNAL MODERNIZATION PROGRAM .....	58,250	58,250
021	JOINT INCIDENT SITE COMMUNICATIONS CAPABILITY .....	5,749	5,749
022	JCSE EQUIPMENT (USREDCOM) .....	5,068	5,068
	<b>COMM—SATELLITE COMMUNICATIONS</b>		
023	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS .....	143,805	143,805
024	TRANSPORTABLE TACTICAL COMMAND COMMUNICATIONS .....	36,580	36,580
025	SHF TERM .....	1,985	25,985
	Realign APS Unit Set Requirements from OCO .....		[24,000]
027	SMART-T (SPACE) .....	9,165	9,165
	<b>COMM—C3 SYSTEM</b>		
031	ARMY GLOBAL CMD & CONTROL SYS (AGCCS) .....	2,530	2,530
	<b>COMM—COMBAT COMMUNICATIONS</b>		
033	HANDHELD MANPACK SMALL FORM FIT (HMS) .....	273,645	273,645
034	MID-TIER NETWORKING VEHICULAR RADIO (MNVR) .....	25,017	25,017
035	RADIO TERMINAL SET, MIDS LVT(2) .....	12,326	12,326
037	TRACTOR DESK .....	2,034	2,034
038	TRACTOR RIDE .....	2,334	2,334
039	SPIDER APLA REMOTE CONTROL UNIT .....	1,985	1,985
040	SPIDER FAMILY OF NETWORKED MUNITIONS INCR .....	10,796	10,796
042	TACTICAL COMMUNICATIONS AND PROTECTIVE SYSTEM .....	3,607	3,607
043	UNIFIED COMMAND SUITE .....	14,295	14,295
045	FAMILY OF MED COMM FOR COMBAT CASUALTY CARE .....	19,893	19,893
	<b>COMM—INTELLIGENCE COMM</b>		
047	CI AUTOMATION ARCHITECTURE .....	1,388	1,388
048	ARMY CAMISO GPF EQUIPMENT .....	5,494	5,494
	<b>INFORMATION SECURITY</b>		
049	FAMILY OF BIOMETRICS .....	2,978	2,978
051	COMMUNICATIONS SECURITY (COMSEC) .....	131,356	133,284
	Realign APS Unit Set Requirements from OCO .....		[1,928]
052	DEFENSIVE CYBER OPERATIONS .....	15,132	15,132
	<b>COMM—LONG HAUL COMMUNICATIONS</b>		
053	BASE SUPPORT COMMUNICATIONS .....	27,452	27,452
	<b>COMM—BASE COMMUNICATIONS</b>		
054	INFORMATION SYSTEMS .....	122,055	122,055
055	EMERGENCY MANAGEMENT MODERNIZATION PROGRAM .....	4,286	4,286
056	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....	131,794	131,794
	<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>		
059	JTT/CIBS-M .....	5,337	5,337
062	DCGS-A (MIP) .....	242,514	242,514
063	JOINT TACTICAL GROUND STATION (JTAGS) .....	4,417	4,417
064	TROJAN (MIP) .....	17,455	17,615
	Realign APS Unit Set Requirements from OCO .....		[160]
065	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP) .....	44,965	44,965
066	CI HUMINT AUTO REPRTING AND COLL(CHARCS) .....	7,658	7,658
067	CLOSE ACCESS TARGET RECONNAISSANCE (CATR) .....	7,970	7,970
068	MACHINE FOREIGN LANGUAGE TRANSLATION SYSTEM-M .....	545	545
	<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>		
070	LIGHTWEIGHT COUNTER MORTAR RADAR .....	74,038	99,930
	Realign APS Unit Set Requirements from OCO .....		[25,892]
071	EW PLANNING & MANAGEMENT TOOLS (EWPMT) .....	3,235	3,235
072	AIR VIGILANCE (AV) .....	733	733
074	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITIE .....	1,740	1,740
075	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES .....	455	455
076	CI MODERNIZATION .....	176	176
	<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>		
077	SENTINEL MODS .....	40,171	40,171
078	NIGHT VISION DEVICES .....	163,029	163,029
079	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF .....	15,885	15,885
080	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS .....	48,427	52,697
	Realign APS Unit Set Requirements from OCO .....		[4,270]
081	FAMILY OF WEAPON SIGHTS (FWS) .....	55,536	55,536
082	ARTILLERY ACCURACY EQUIP .....	4,187	4,187
085	JOINT BATTLE COMMAND—PLATFORM (JBC-P) .....	137,501	137,501
086	JOINT EFFECTS TARGETING SYSTEM (JETS) .....	50,726	50,726
087	MOD OF IN-SVC EQUIP (LLDR) .....	28,058	28,058
088	COMPUTER BALLISTICS: LHMCB XM32 .....	5,924	5,924
089	MORTAR FIRE CONTROL SYSTEM .....	22,331	22,621

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	<i>Realign APS Unit Set Requirements from OCO</i> .....		[290]
090	COUNTERFIRE RADARS .....	314,509	281,509
	<i>Unit cost savings</i> .....		[-33,000]
	<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>		
091	FIRE SUPPORT C2 FAMILY .....	8,660	8,660
092	AIR & MSL DEFENSE PLANNING & CONTROL SYS .....	54,376	124,334
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[69,958]
093	LAMD BATTLE COMMAND SYSTEM .....	204,969	204,969
094	LIFE CYCLE SOFTWARE SUPPORT (LCSS) .....	4,718	4,718
095	NETWORK MANAGEMENT INITIALIZATION AND SERVICE .....	11,063	11,063
096	MANEUVER CONTROL SYSTEM (MCS) .....	151,318	151,318
097	GLOBAL COMBAT SUPPORT SYSTEM-ARMY (GCSS-A) .....	155,660	155,660
098	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPP) .....	4,214	4,214
099	RECONNAISSANCE AND SURVEYING INSTRUMENT SET .....	16,185	16,185
100	MOD OF IN-SVC EQUIPMENT (ENFIRE) .....	1,565	1,565
	<b>ELECT EQUIP—AUTOMATION</b>		
101	ARMY TRAINING MODERNIZATION .....	17,693	17,693
102	AUTOMATED DATA PROCESSING EQUIP .....	107,960	107,960
103	GENERAL FUND ENTERPRISE BUSINESS SYSTEMS FAM .....	6,416	6,416
104	HIGH PERF COMPUTING MOD PGM (HPCMP) .....	58,614	58,614
105	CONTRACT WRITING SYSTEM .....	986	986
106	RESERVE COMPONENT AUTOMATION SYS (RCAS) .....	23,828	23,828
	<b>ELECT EQUIP—AUDIO VISUAL SYS (AV)</b>		
107	TACTICAL DIGITAL MEDIA .....	1,191	1,191
108	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT) .....	1,995	2,091
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[96]
	<b>ELECT EQUIP—SUPPORT</b>		
109	PRODUCTION BASE SUPPORT (C-E) .....	403	403
	<b>CLASSIFIED PROGRAMS</b>		
110A	CLASSIFIED PROGRAMS .....	4,436	4,436
	<b>CHEMICAL DEFENSIVE EQUIPMENT</b>		
111	PROTECTIVE SYSTEMS .....	2,966	2,966
112	FAMILY OF NON-LETHAL EQUIPMENT (FNLE) .....	9,795	9,795
114	CBRN DEFENSE .....	17,922	19,763
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[1,841]
	<b>BRIDGING EQUIPMENT</b>		
115	TACTICAL BRIDGING .....	13,553	39,553
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[26,000]
116	TACTICAL BRIDGE, FLOAT-RIBBON .....	25,244	25,244
117	BRIDGE SUPPLEMENTAL SET .....	983	983
118	COMMON BRIDGE TRANSPORTER (CBT) RECAP .....	25,176	25,176
	<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>		
119	GRND STANDOFF MINE DETECTN SYSM (GSTAMIDS) .....	39,350	39,350
120	AREA MINE DETECTION SYSTEM (AMDS) .....	10,500	10,500
121	HUSKY MOUNTED DETECTION SYSTEM (HMDS) .....	274	274
122	ROBOTIC COMBAT SUPPORT SYSTEM (RCSS) .....	2,951	2,951
123	EOD ROBOTICS SYSTEMS RECAPITALIZATION .....	1,949	1,949
124	ROBOTICS AND APPLIQUE SYSTEMS .....	5,203	5,471
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[268]
125	EXPLOSIVE ORDNANCE DISPOSAL EQPMT (EOD EQPMT) .....	5,570	5,570
126	REMOTE DEMOLITION SYSTEMS .....	6,238	6,238
127	< \$5M, COUNTERMINE EQUIPMENT .....	836	836
128	FAMILY OF BOATS AND MOTORS .....	3,171	3,451
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[280]
	<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>		
129	HEATERS AND ECUS .....	18,707	19,601
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[894]
130	SOLDIER ENHANCEMENT .....	2,112	2,112
131	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS) .....	10,856	10,856
132	GROUND SOLDIER SYSTEM .....	32,419	32,419
133	MOBILE SOLDIER POWER .....	30,014	30,014
135	FIELD FEEDING EQUIPMENT .....	12,544	15,209
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[2,665]
136	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM .....	18,509	18,509
137	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS .....	29,384	39,173
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[9,789]
138	ITEMS LESS THAN \$5M (ENG SPT) .....		300
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[300]
	<b>PETROLEUM EQUIPMENT</b>		
139	QUALITY SURVEILLANCE EQUIPMENT .....	4,487	9,287
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[4,800]
140	DISTRIBUTION SYSTEMS, PETROLEUM & WATER .....	42,656	63,476
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[20,820]
	<b>MEDICAL EQUIPMENT</b>		
141	COMBAT SUPPORT MEDICAL .....	59,761	65,524
	<i>Realign APS Unit Set Requirements from OCO</i> .....		[5,763]
	<b>MAINTENANCE EQUIPMENT</b>		
142	MOBILE MAINTENANCE EQUIPMENT SYSTEMS .....	35,694	33,803

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
	Program reduction .....		[-3,500]
	Realign APS Unit Set Requirements from OCO .....		[1,609]
143	ITEMS LESS THAN \$5.0M (MAINT EQ) .....	2,716	2,861
	Realign APS Unit Set Requirements from OCO .....		[145]
	<b>CONSTRUCTION EQUIPMENT</b>		
144	GRADER, ROAD MTZD, HVY, 6X4 (CCE) .....	1,742	4,789
	Realign APS Unit Set Requirements from OCO .....		[3,047]
145	SCRAPERS, EARTHMOVING .....	26,233	26,233
147	HYDRAULIC EXCAVATOR .....	1,123	1,123
148	TRACTOR, FULL TRACKED .....		4,426
	Realign APS Unit Set Requirements from OCO .....		[4,426]
149	ALL TERRAIN CRANES .....	65,285	65,285
151	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) .....	1,743	4,643
	Realign APS Unit Set Requirements from OCO .....		[2,900]
152	ENHANCED RAPID AIRFIELD CONSTRUCTION CAPAP .....	2,779	2,779
154	CONST EQUIP ESP .....	26,712	23,212
	Program reduction .....		[-3,500]
155	ITEMS LESS THAN \$5.0M (CONST EQUIP) .....	6,649	6,745
	Realign APS Unit Set Requirements from OCO .....		[96]
	<b>RAIL FLOAT CONTAINERIZATION EQUIPMENT</b>		
156	ARMY WATERCRAFT ESP .....	21,860	16,860
	Program reduction .....		[-5,000]
157	ITEMS LESS THAN \$5.0M (FLOAT/RAIL) .....	1,967	1,967
	<b>GENERATORS</b>		
158	GENERATORS AND ASSOCIATED EQUIP .....	113,266	125,727
	Program decrease .....		[-7,500]
	Realign APS Unit Set Requirements from OCO .....		[19,961]
159	TACTICAL ELECTRIC POWER RECAPITALIZATION .....	7,867	7,867
	<b>MATERIAL HANDLING EQUIPMENT</b>		
160	FAMILY OF FORKLIFTS .....	2,307	3,153
	Realign APS Unit Set Requirements from OCO .....		[846]
	<b>TRAINING EQUIPMENT</b>		
161	COMBAT TRAINING CENTERS SUPPORT .....	75,359	75,359
162	TRAINING DEVICES, NONSYSTEM .....	253,050	253,050
163	CLOSE COMBAT TACTICAL TRAINER .....	48,271	48,271
164	AVIATION COMBINED ARMS TACTICAL TRAINER .....	40,000	40,000
165	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING .....	11,543	11,543
	<b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>		
166	CALIBRATION SETS EQUIPMENT .....	4,963	4,963
167	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE) .....	29,781	29,781
168	TEST EQUIPMENT MODERNIZATION (TEMOD) .....	6,342	7,482
	Realign APS Unit Set Requirements from OCO .....		[1,140]
	<b>OTHER SUPPORT EQUIPMENT</b>		
169	M25 STABILIZED BINOCULAR .....	3,149	3,149
170	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT .....	18,003	18,003
171	PHYSICAL SECURITY SYSTEMS (OPA3) .....	44,082	44,082
172	BASE LEVEL COMMON EQUIPMENT .....	2,168	2,168
173	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3) .....	67,367	67,367
174	PRODUCTION BASE SUPPORT (OTH) .....	1,528	1,528
175	SPECIAL EQUIPMENT FOR USER TESTING .....	8,289	8,289
177	TRACTOR YARD .....	6,888	6,888
	<b>OPA2</b>		
179	INITIAL SPARES—C&E .....	27,243	27,243
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>5,873,949</b>	<b>6,473,477</b>
	<b>AIRCRAFT PROCUREMENT, NAVY</b>		
	<b>COMBAT AIRCRAFT</b>		
003	JOINT STRIKE FIGHTER CV .....	890,650	890,650
004	ADVANCE PROCUREMENT (CY) .....	80,908	80,908
005	JSF STOVL .....	2,037,768	2,037,768
006	ADVANCE PROCUREMENT (CY) .....	233,648	233,648
007	CH-53K (HEAVY LIFT) .....	348,615	348,615
008	ADVANCE PROCUREMENT (CY) .....	88,365	88,365
009	V-22 (MEDIUM LIFT) .....	1,264,134	1,264,134
010	ADVANCE PROCUREMENT (CY) .....	19,674	19,674
011	H-1 UPGRADES (UH-1Y/AH-1Z) .....	759,778	759,778
012	ADVANCE PROCUREMENT (CY) .....	57,232	57,232
014	MH-60R (MYP) .....	61,177	26,177
	Line shutdown costs—early to need .....		[-35,000]
016	P-8A POSEIDON .....	1,940,238	1,940,238
017	ADVANCE PROCUREMENT (CY) .....	123,140	123,140
018	E-2D ADV HAWKEYE .....	916,483	916,483
019	ADVANCE PROCUREMENT (CY) .....	125,042	125,042
	<b>TRAINER AIRCRAFT</b>		
020	JPATS .....	5,849	5,849
	<b>OTHER AIRCRAFT</b>		
021	KC-130J .....	128,870	128,870
022	ADVANCE PROCUREMENT (CY) .....	24,848	24,848

**SEC. 4101. PROCUREMENT**  
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023	MQ-4 TRITON .....	409,005	409,005
024	ADVANCE PROCUREMENT (CY) .....	55,652	55,652
025	MQ-8 UAV .....	72,435	72,435
	<b>MODIFICATION OF AIRCRAFT</b>		
029	AEA SYSTEMS .....	51,900	51,900
030	AV-8 SERIES .....	60,818	60,818
031	ADVERSARY .....	5,191	5,191
032	F-18 SERIES .....	1,023,492	986,192
	Unobligated balances .....		[-37,300]
034	H-53 SERIES .....	46,095	46,095
035	SH-60 SERIES .....	108,328	108,328
036	H-1 SERIES .....	46,333	46,333
037	EP-3 SERIES .....	14,681	14,681
038	P-3 SERIES .....	2,781	2,781
039	E-3 SERIES .....	32,949	32,949
040	TRAINER A/C SERIES .....	13,199	13,199
041	C-2A .....	19,066	19,066
042	C-130 SERIES .....	61,788	61,788
043	FEWSG .....	618	618
044	CARGO/TRANSPORT A/C SERIES .....	9,822	9,822
045	E-6 SERIES .....	222,077	222,077
046	EXECUTIVE HELICOPTERS SERIES .....	66,835	66,835
047	SPECIAL PROJECT AIRCRAFT .....	16,497	16,497
048	T-45 SERIES .....	114,887	114,887
049	POWER PLANT CHANGES .....	16,893	16,893
050	JPATS SERIES .....	17,401	17,401
051	COMMON ECM EQUIPMENT .....	143,773	143,773
052	COMMON AVIONICS CHANGES .....	164,839	164,839
053	COMMON DEFENSIVE WEAPON SYSTEM .....	4,403	4,403
054	ID SYSTEMS .....	45,768	45,768
055	P-8 SERIES .....	18,836	18,836
056	MAGTF EW FOR AVIATION .....	5,676	5,676
057	MQ-8 SERIES .....	19,003	19,003
058	RQ-7 SERIES .....	3,534	3,534
059	V-22 (TILT/ROTOR ACFT) OSPREY .....	141,545	141,545
060	F-35 STOVL SERIES .....	34,928	34,928
061	F-35 CV SERIES .....	26,004	26,004
062	QRC .....	5,476	5,476
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
063	SPARES AND REPAIR PARTS .....	1,407,626	1,407,626
	<b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>		
064	COMMON GROUND EQUIPMENT .....	390,103	390,103
065	AIRCRAFT INDUSTRIAL FACILITIES .....	23,194	23,194
066	WAR CONSUMABLES .....	40,613	40,613
067	OTHER PRODUCTION CHARGES .....	860	860
068	SPECIAL SUPPORT EQUIPMENT .....	36,282	36,282
069	FIRST DESTINATION TRANSPORTATION .....	1,523	1,523
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY</b> .....	<b>14,109,148</b>	<b>14,036,848</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>MODIFICATION OF MISSILES</b>		
001	TRIDENT II MODS .....	1,103,086	1,103,086
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
002	MISSILE INDUSTRIAL FACILITIES .....	6,776	6,776
	<b>STRATEGIC MISSILES</b>		
003	TOMAHAWK .....	186,905	186,905
	<b>TACTICAL MISSILES</b>		
004	AMRAAM .....	204,697	204,697
005	SIDEWINDER .....	70,912	70,912
006	JSOW .....	2,232	2,232
007	STANDARD MISSILE .....	501,212	501,212
008	RAM .....	71,557	71,557
009	JOINT AIR GROUND MISSILE (JAGM) .....	26,200	26,200
012	STAND OFF PRECISION GUIDED MUNITIONS (SOPGM) .....	3,316	3,316
013	AERIAL TARGETS .....	137,484	137,484
014	OTHER MISSILE SUPPORT .....	3,248	3,248
015	LRASM .....	29,643	29,643
	<b>MODIFICATION OF MISSILES</b>		
016	ESSM .....	52,935	52,935
018	HARM MODS .....	178,213	178,213
019	STANDARD MISSILES MODS .....	8,164	8,164
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
020	WEAPONS INDUSTRIAL FACILITIES .....	1,964	1,964
021	FLEET SATELLITE COMM FOLLOW-ON .....	36,723	36,723
	<b>ORDNANCE SUPPORT EQUIPMENT</b>		
022	ORDNANCE SUPPORT EQUIPMENT .....	59,096	59,096
	<b>TORPEDOES AND RELATED EQUIP</b>		
023	SSTD .....	5,910	5,910



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024	MK-48 TORPEDO .....	44,537	44,537
025	ASW TARGETS .....	9,302	9,302
	<b>MOD OF TORPEDOES AND RELATED EQUIP</b>		
026	MK-54 TORPEDO MODS .....	98,092	98,092
027	MK-48 TORPEDO ADCAP MODS .....	46,139	46,139
028	QUICKSTRIKE MINE .....	1,236	1,236
	<b>SUPPORT EQUIPMENT</b>		
029	TORPEDO SUPPORT EQUIPMENT .....	60,061	60,061
030	ASW RANGE SUPPORT .....	3,706	3,706
	<b>DESTINATION TRANSPORTATION</b>		
031	FIRST DESTINATION TRANSPORTATION .....	3,804	3,804
	<b>GUNS AND GUN MOUNTS</b>		
032	SMALL ARMS AND WEAPONS .....	18,002	18,002
	<b>MODIFICATION OF GUNS AND GUN MOUNTS</b>		
033	CJWS MODS .....	50,900	50,900
034	COAST GUARD WEAPONS .....	25,295	25,295
035	GUN MOUNT MODS .....	77,003	77,003
036	LCS MODULE WEAPONS .....	2,776	2,776
038	AIRBORNE MINE NEUTRALIZATION SYSTEMS .....	15,753	15,753
	<b>SPARES AND REPAIR PARTS</b>		
040	SPARES AND REPAIR PARTS .....	62,383	62,383
	<b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....	<b>3,209,262</b>	<b>3,209,262</b>
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>		
	<b>NAVY AMMUNITION</b>		
001	GENERAL PURPOSE BOMBS .....	91,659	91,659
002	AIRBORNE ROCKETS, ALL TYPES .....	65,759	65,759
003	MACHINE GUN AMMUNITION .....	8,152	8,152
004	PRACTICE BOMBS .....	41,873	41,873
005	CARTRIDGES & CART ACTUATED DEVICES .....	54,002	54,002
006	AIR EXPENDABLE COUNTERMEASURES .....	57,034	57,034
007	JATOS .....	2,735	2,735
009	5 INCH/54 GUN AMMUNITION .....	19,220	19,220
010	INTERMEDIATE CALIBER GUN AMMUNITION .....	30,196	30,196
011	OTHER SHIP GUN AMMUNITION .....	39,009	39,009
012	SMALL ARMS & LANDING PARTY AMMO .....	46,727	46,727
013	PYROTECHNIC AND DEMOLITION .....	9,806	9,806
014	AMMUNITION LESS THAN \$5 MILLION .....	2,900	2,900
	<b>MARINE CORPS AMMUNITION</b>		
015	SMALL ARMS AMMUNITION .....	27,958	27,958
017	40 MM, ALL TYPES .....	14,758	14,758
018	60MM, ALL TYPES .....	992	992
020	120MM, ALL TYPES .....	16,757	16,757
021	GRENADES, ALL TYPES .....	972	972
022	ROCKETS, ALL TYPES .....	14,186	14,186
023	ARTILLERY, ALL TYPES .....	68,656	68,656
024	DEMOLITION MUNITIONS, ALL TYPES .....	1,700	1,700
025	FUZE, ALL TYPES .....	26,088	26,088
027	AMMO MODERNIZATION .....	14,660	14,660
028	ITEMS LESS THAN \$5 MILLION .....	8,569	8,569
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....	<b>664,368</b>	<b>664,368</b>
	<b>SHIPBUILDING AND CONVERSION, NAVY</b>		
	<b>FLEET BALLISTIC MISSILE SHIPS</b>		
001	OHIO REPLACEMENT SUBMARINE ADVANCE PROCUREMENT .....	773,138	0
	Transfer to Title XIV National Sea-Based Deterrence Fund .....		[-773,138]
	<b>OTHER WARSHIPS</b>		
002	CARRIER REPLACEMENT PROGRAM .....	1,291,783	1,291,783
003	ADVANCE PROCUREMENT (CY) .....	1,370,784	1,370,784
004	VIRGINIA CLASS SUBMARINE .....	3,187,985	3,187,985
005	ADVANCE PROCUREMENT (CY) .....	1,767,234	1,767,234
006	CVN REFUELING OVERHAULS .....	1,743,220	1,743,220
007	ADVANCE PROCUREMENT (CY) .....	248,599	248,599
008	DDG 1000 .....	271,756	271,756
009	DDG-51 .....	3,211,292	3,211,292
011	LITTORAL COMBAT SHIP .....	1,125,625	1,125,625
	<b>AMPHIBIOUS SHIPS</b>		
016	LHA REPLACEMENT .....	1,623,024	1,623,024
	<b>AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST</b>		
020	ADVANCE PROCUREMENT (CY) .....	73,079	73,079
022	MOORED TRAINING SHIP .....	624,527	624,527
025	OUTFITTING .....	666,158	666,158
026	SHIP TO SHORE CONNECTOR .....	128,067	128,067
027	SERVICE CRAFT .....	65,192	65,192
028	LCAC SLEP .....	1,774	1,774
029	YP CRAFT MAINTENANCE/ROH/SLEP .....	21,363	21,363
030	COMPLETION OF PY SHIPBUILDING PROGRAMS .....	160,274	160,274
	<b>TOTAL SHIPBUILDING AND CONVERSION, NAVY</b> .....	<b>18,354,874</b>	<b>17,581,736</b>

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	<b>OTHER PROCUREMENT, NAVY</b>		
	<b>SHIP PROPULSION EQUIPMENT</b>		
003	SURFACE POWER EQUIPMENT .....	15,514	15,514
004	HYBRID ELECTRIC DRIVE (HED) .....	40,132	40,132
	<b>GENERATORS</b>		
005	SURFACE COMBATANT HM&E .....	29,974	29,974
	<b>NAVIGATION EQUIPMENT</b>		
006	OTHER NAVIGATION EQUIPMENT .....	63,942	63,942
	<b>OTHER SHIPBOARD EQUIPMENT</b>		
008	SUB PERISCOPE, IMAGING AND SUPT EQUIP PROG .....	136,421	136,421
009	DDG MOD .....	367,766	367,766
010	FIREFIGHTING EQUIPMENT .....	14,743	14,743
011	COMMAND AND CONTROL SWITCHBOARD .....	2,140	2,140
012	LHA/LHD MIDLIFE .....	24,939	24,939
014	POLLUTION CONTROL EQUIPMENT .....	20,191	20,191
015	SUBMARINE SUPPORT EQUIPMENT .....	8,995	8,995
016	VIRGINIA CLASS SUPPORT EQUIPMENT .....	66,838	66,838
017	LCS CLASS SUPPORT EQUIPMENT .....	54,823	54,823
018	SUBMARINE BATTERIES .....	23,359	23,359
019	LPD CLASS SUPPORT EQUIPMENT .....	40,321	40,321
020	DDG 1000 CLASS SUPPORT EQUIPMENT .....	33,404	33,404
021	STRATEGIC PLATFORM SUPPORT EQUIP .....	15,836	15,836
022	DSSP EQUIPMENT .....	806	806
024	LCAC .....	3,090	3,090
025	UNDERWATER EOD PROGRAMS .....	24,350	24,350
026	ITEMS LESS THAN \$5 MILLION .....	88,719	88,719
027	CHEMICAL WARFARE DETECTORS .....	2,873	2,873
028	SUBMARINE LIFE SUPPORT SYSTEM .....	6,043	6,043
	<b>REACTOR PLANT EQUIPMENT</b>		
030	REACTOR COMPONENTS .....	342,158	342,158
	<b>OCEAN ENGINEERING</b>		
031	DIVING AND SALVAGE EQUIPMENT .....	8,973	8,973
	<b>SMALL BOATS</b>		
032	STANDARD BOATS .....	43,684	43,684
	<b>PRODUCTION FACILITIES EQUIPMENT</b>		
034	OPERATING FORCES IPE .....	75,421	75,421
	<b>OTHER SHIP SUPPORT</b>		
035	NUCLEAR ALTERATIONS .....	172,718	172,718
036	LCS COMMON MISSION MODULES EQUIPMENT .....	27,840	17,840
	RMMV program restructure .....		[-10,000]
037	LCS MCM MISSION MODULES .....	57,146	20,746
	RMMV program restructure .....		[-36,400]
038	LCS ASW MISSION MODULES .....	31,952	21,952
	Early to need .....		[-10,000]
039	LCS SUW MISSION MODULES .....	22,466	22,466
	<b>LOGISTIC SUPPORT</b>		
041	LSD MIDLIFE .....	10,813	10,813
	<b>SHIP SONARS</b>		
042	SPQ-9B RADAR .....	14,363	14,363
043	AN/SQQ-89 SURF ASW COMBAT SYSTEM .....	90,029	90,029
045	SSN ACOUSTIC EQUIPMENT .....	248,765	248,765
046	UNDERSEA WARFARE SUPPORT EQUIPMENT .....	7,163	7,163
	<b>ASW ELECTRONIC EQUIPMENT</b>		
048	SUBMARINE ACOUSTIC WARFARE SYSTEM .....	21,291	21,291
049	SSTD .....	6,893	6,893
050	FIXED SURVEILLANCE SYSTEM .....	145,701	145,701
051	SURTASS .....	36,136	36,136
	<b>ELECTRONIC WARFARE EQUIPMENT</b>		
053	AN/SLQ-32 .....	274,892	274,892
	<b>RECONNAISSANCE EQUIPMENT</b>		
054	SHIPBOARD IW EXPLOIT .....	170,733	170,733
055	AUTOMATED IDENTIFICATION SYSTEM (AIS) .....	958	958
	<b>OTHER SHIP ELECTRONIC EQUIPMENT</b>		
057	COOPERATIVE ENGAGEMENT CAPABILITY .....	22,034	22,034
059	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS) .....	12,336	12,336
060	ATDLS .....	30,105	30,105
061	NAVY COMMAND AND CONTROL SYSTEM (NCCS) .....	4,556	4,556
062	MINESWEEPING SYSTEM REPLACEMENT .....	56,675	56,675
063	SHALLOW WATER MCM .....	8,875	8,875
064	NAVSTAR GPS RECEIVERS (SPACE) .....	12,752	12,752
065	AMERICAN FORCES RADIO AND TV SERVICE .....	4,577	4,577
066	STRATEGIC PLATFORM SUPPORT EQUIP .....	8,972	8,972
	<b>AVIATION ELECTRONIC EQUIPMENT</b>		
069	ASHORE ATC EQUIPMENT .....	75,068	75,068
070	AFLOAT ATC EQUIPMENT .....	33,484	33,484
076	ID SYSTEMS .....	22,177	22,177
077	NAVAL MISSION PLANNING SYSTEMS .....	14,273	14,273

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>OTHER SHORE ELECTRONIC EQUIPMENT</b>			
080	TACTICAL/MOBILE C4I SYSTEMS .....	27,927	27,927
081	DCGS-N .....	12,676	12,676
082	CANES .....	212,030	212,030
083	RADLAC .....	8,092	8,092
084	CANES-INTELL .....	36,013	36,013
085	GPETE .....	6,428	6,428
087	INTEG COMBAT SYSTEM TEST FACILITY .....	8,376	8,376
088	EMI CONTROL INSTRUMENTATION .....	3,971	3,971
089	ITEMS LESS THAN \$5 MILLION .....	58,721	58,721
<b>SHIPBOARD COMMUNICATIONS</b>			
090	SHIPBOARD TACTICAL COMMUNICATIONS .....	17,366	17,366
091	SHIP COMMUNICATIONS AUTOMATION .....	102,479	102,479
092	COMMUNICATIONS ITEMS UNDER \$5M .....	10,403	10,403
<b>SUBMARINE COMMUNICATIONS</b>			
093	SUBMARINE BROADCAST SUPPORT .....	34,151	34,151
094	SUBMARINE COMMUNICATION EQUIPMENT .....	64,529	64,529
<b>SATELLITE COMMUNICATIONS</b>			
095	SATELLITE COMMUNICATIONS SYSTEMS .....	14,414	14,414
096	NAVY MULTIBAND TERMINAL (NMT) .....	38,365	38,365
<b>SHORE COMMUNICATIONS</b>			
097	JCS COMMUNICATIONS EQUIPMENT .....	4,156	4,156
<b>CRYPTOGRAPHIC EQUIPMENT</b>			
099	INFO SYSTEMS SECURITY PROGRAM (ISSP) .....	85,694	85,694
100	MIO INTEL EXPLOITATION TEAM .....	920	920
<b>CRYPTOLOGIC EQUIPMENT</b>			
101	CRYPTOLOGIC COMMUNICATIONS EQUIP .....	21,098	21,098
<b>OTHER ELECTRONIC SUPPORT</b>			
102	COAST GUARD EQUIPMENT .....	32,291	32,291
<b>SONOBUOYS</b>			
103	SONOBUOYS—ALL TYPES .....	162,588	162,588
<b>AIRCRAFT SUPPORT EQUIPMENT</b>			
104	WEAPONS RANGE SUPPORT EQUIPMENT .....	58,116	58,116
105	AIRCRAFT SUPPORT EQUIPMENT .....	120,324	120,324
106	METEOROLOGICAL EQUIPMENT .....	29,253	29,253
107	DCRS/DPL .....	632	632
108	AIRBORNE MINE COUNTERMEASURES .....	29,097	29,097
109	AVIATION SUPPORT EQUIPMENT .....	39,099	39,099
<b>SHIP GUN SYSTEM EQUIPMENT</b>			
110	SHIP GUN SYSTEMS EQUIPMENT .....	6,191	6,191
<b>SHIP MISSILE SYSTEMS EQUIPMENT</b>			
111	SHIP MISSILE SUPPORT EQUIPMENT .....	320,446	310,946
	Program execution .....		[-9,500]
112	TOMAHAWK SUPPORT EQUIPMENT .....	71,046	71,046
<b>FBM SUPPORT EQUIPMENT</b>			
113	STRATEGIC MISSILE SYSTEMS EQUIP .....	215,138	215,138
<b>ASW SUPPORT EQUIPMENT</b>			
114	SSN COMBAT CONTROL SYSTEMS .....	130,715	130,715
115	ASW SUPPORT EQUIPMENT .....	26,431	26,431
<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>			
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	11,821	11,821
117	ITEMS LESS THAN \$5 MILLION .....	6,243	6,243
<b>OTHER EXPENDABLE ORDNANCE</b>			
118	SUBMARINE TRAINING DEVICE MODS .....	48,020	48,020
120	SURFACE TRAINING EQUIPMENT .....	97,514	97,514
<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>			
121	PASSENGER CARRYING VEHICLES .....	8,853	8,853
122	GENERAL PURPOSE TRUCKS .....	4,928	4,928
123	CONSTRUCTION & MAINTENANCE EQUIP .....	18,527	18,527
124	FIRE FIGHTING EQUIPMENT .....	13,569	13,569
125	TACTICAL VEHICLES .....	14,917	14,917
126	AMPHIBIOUS EQUIPMENT .....	7,676	7,676
127	POLLUTION CONTROL EQUIPMENT .....	2,321	2,321
128	ITEMS UNDER \$5 MILLION .....	12,459	12,459
129	PHYSICAL SECURITY VEHICLES .....	1,095	1,095
<b>SUPPLY SUPPORT EQUIPMENT</b>			
131	SUPPLY EQUIPMENT .....	16,023	16,023
133	FIRST DESTINATION TRANSPORTATION .....	5,115	5,115
134	SPECIAL PURPOSE SUPPLY SYSTEMS .....	295,471	295,471
<b>TRAINING DEVICES</b>			
136	TRAINING AND EDUCATION EQUIPMENT .....	9,504	9,504
<b>COMMAND SUPPORT EQUIPMENT</b>			
137	COMMAND SUPPORT EQUIPMENT .....	37,180	37,180
139	MEDICAL SUPPORT EQUIPMENT .....	4,128	4,128
141	NAVAL MIP SUPPORT EQUIPMENT .....	1,925	1,925
142	OPERATING FORCES SUPPORT EQUIPMENT .....	4,777	4,777
143	C4ISR EQUIPMENT .....	9,073	9,073
144	ENVIRONMENTAL SUPPORT EQUIPMENT .....	21,107	21,107

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
145	PHYSICAL SECURITY EQUIPMENT .....	100,906	100,906
146	ENTERPRISE INFORMATION TECHNOLOGY .....	67,544	67,544
	<b>OTHER</b>		
150	NEXT GENERATION ENTERPRISE SERVICE .....	98,216	98,216
	<b>CLASSIFIED PROGRAMS</b>		
150A	CLASSIFIED PROGRAMS .....	9,915	9,915
	<b>SPARES AND REPAIR PARTS</b>		
151	SPARES AND REPAIR PARTS .....	199,660	199,660
	<b>TOTAL OTHER PROCUREMENT, NAVY .....</b>	<b>6,338,861</b>	<b>6,272,961</b>
	<b>PROCUREMENT, MARINE CORPS</b>		
	<b>TRACKED COMBAT VEHICLES</b>		
001	AAV7A1 PIP .....	73,785	73,785
002	LAV PIP .....	53,423	53,423
	<b>ARTILLERY AND OTHER WEAPONS</b>		
003	EXPEDITIONARY FIRE SUPPORT SYSTEM .....	3,360	3,360
004	155MM LIGHTWEIGHT TOWED HOWITZER .....	3,318	3,318
005	HIGH MOBILITY ARTILLERY ROCKET SYSTEM .....	33,725	33,725
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION .....	8,181	8,181
	<b>OTHER SUPPORT</b>		
007	MODIFICATION KITS .....	15,250	15,250
	<b>GUIDED MISSILES</b>		
009	GROUND BASED AIR DEFENSE .....	9,170	9,170
010	JAVELIN .....	1,009	1,009
011	FOLLOW ON TO SMAW .....	24,666	24,666
012	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H) .....	17,080	17,080
	<b>COMMAND AND CONTROL SYSTEMS</b>		
015	COMMON AVIATION COMMAND AND CONTROL SYSTEM (C .....	47,312	47,312
	<b>REPAIR AND TEST EQUIPMENT</b>		
016	REPAIR AND TEST EQUIPMENT .....	16,469	16,469
	<b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>		
019	ITEMS UNDER \$5 MILLION (COMM & ELEC) .....	7,433	7,433
020	AIR OPERATIONS C2 SYSTEMS .....	15,917	15,917
	<b>RADAR + EQUIPMENT (NON-TEL)</b>		
021	RADAR SYSTEMS .....	17,772	17,772
022	GROUND/AIR TASK ORIENTED RADAR (G/ATOR) .....	123,758	123,758
023	RQ-21 UAS .....	80,217	80,217
	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>		
024	GCSS-MC .....	1,089	1,089
025	FIRE SUPPORT SYSTEM .....	13,258	13,258
026	INTELLIGENCE SUPPORT EQUIPMENT .....	56,379	56,379
029	RQ-11 UAV .....	1,976	1,976
031	DCGS-MC .....	1,149	1,149
032	UAS PAYLOADS .....	2,971	2,971
	<b>OTHER SUPPORT (NON-TEL)</b>		
034	NEXT GENERATION ENTERPRISE NETWORK (NGEN) .....	76,302	76,302
035	COMMON COMPUTER RESOURCES .....	41,802	41,802
036	COMMAND POST SYSTEMS .....	90,924	90,924
037	RADIO SYSTEMS .....	43,714	43,714
038	COMM SWITCHING & CONTROL SYSTEMS .....	66,383	66,383
039	COMM & ELEC INFRASTRUCTURE SUPPORT .....	30,229	30,229
	<b>CLASSIFIED PROGRAMS</b>		
039A	CLASSIFIED PROGRAMS .....	2,738	2,738
	<b>ADMINISTRATIVE VEHICLES</b>		
041	COMMERCIAL CARGO VEHICLES .....	88,312	88,312
	<b>TACTICAL VEHICLES</b>		
043	MOTOR TRANSPORT MODIFICATIONS .....	13,292	13,292
045	JOINT LIGHT TACTICAL VEHICLE .....	113,230	113,230
046	FAMILY OF TACTICAL TRAILERS .....	2,691	2,691
	<b>ENGINEER AND OTHER EQUIPMENT</b>		
048	ENVIRONMENTAL CONTROL EQUIP ASSORT .....	18	18
050	TACTICAL FUEL SYSTEMS .....	78	78
051	POWER EQUIPMENT ASSORTED .....	17,973	17,973
052	AMPHIBIOUS SUPPORT EQUIPMENT .....	7,371	7,371
053	EOD SYSTEMS .....	14,021	14,021
	<b>MATERIALS HANDLING EQUIPMENT</b>		
054	PHYSICAL SECURITY EQUIPMENT .....	31,523	31,523
	<b>GENERAL PROPERTY</b>		
058	TRAINING DEVICES .....	33,658	33,658
060	FAMILY OF CONSTRUCTION EQUIPMENT .....	21,315	21,315
061	FAMILY OF INTERNALLY TRANSPORTABLE VEH (ITV) .....	9,654	9,654
	<b>OTHER SUPPORT</b>		
062	ITEMS LESS THAN \$5 MILLION .....	6,026	6,026
	<b>SPARES AND REPAIR PARTS</b>		
064	SPARES AND REPAIR PARTS .....	22,848	22,848
	<b>TOTAL PROCUREMENT, MARINE CORPS .....</b>	<b>1,362,769</b>	<b>1,362,769</b>

**AIRCRAFT PROCUREMENT, AIR FORCE**

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>TACTICAL FORCES</b>			
001	F-35 .....	4,401,894	4,401,894
002	ADVANCE PROCUREMENT (CY) .....	404,500	404,500
<b>TACTICAL AIRLIFT</b>			
003	KC-46A TANKER .....	2,884,591	2,884,591
<b>OTHER AIRLIFT</b>			
004	C-130J .....	145,655	145,655
006	HC-130J .....	317,576	317,576
007	ADVANCE PROCUREMENT (CY) .....	20,000	20,000
008	MC-130J .....	548,358	548,358
009	ADVANCE PROCUREMENT (CY) .....	50,000	50,000
<b>HELICOPTERS</b>			
010	UH-1N REPLACEMENT .....	18,337	18,337
<b>MISSION SUPPORT AIRCRAFT</b>			
012	CIVIL AIR PATROL A/C .....	2,637	2,637
<b>OTHER AIRCRAFT</b>			
013	TARGET DRONES .....	114,656	114,656
014	RQ-4 .....	12,966	12,966
015	MQ-9 .....	122,522	122,522
<b>STRATEGIC AIRCRAFT</b>			
016	B-2A .....	46,729	46,729
017	B-1B .....	116,319	116,319
018	B-52 .....	109,020	109,020
<b>TACTICAL AIRCRAFT</b>			
020	A-10 .....	1,289	1,289
021	F-15 .....	105,685	105,685
022	F-16 .....	97,331	97,331
023	F-22A .....	163,008	163,008
024	F-35 MODIFICATIONS .....	175,811	175,811
025	INCREMENT 3.2B .....	76,410	76,410
026	ADVANCE PROCUREMENT (CY) .....	2,000	2,000
<b>AIRLIFT AIRCRAFT</b>			
027	C-5 .....	24,192	24,192
029	C-17A .....	21,555	21,555
030	C-21 .....	5,439	5,439
031	C-32A .....	35,235	35,235
032	C-37A .....	5,004	5,004
<b>TRAINER AIRCRAFT</b>			
033	GLIDER MODS .....	394	394
034	T-6 .....	12,765	12,765
035	T-1 .....	25,073	25,073
036	T-38 .....	45,090	45,090
<b>OTHER AIRCRAFT</b>			
037	U-2 MODS .....	36,074	36,074
038	KC-10A (ATCA) .....	4,570	4,570
039	C-12 .....	1,995	1,995
040	VC-25A MOD .....	102,670	102,670
041	C-40 .....	13,984	13,984
042	C-130 .....	9,168	81,668
	s-Bladed Propellers .....		[16,000]
	Electronic Propeller Control Systems .....		[13,500]
	In-flight Propeller Balancing System Certification .....		[1,500]
	T56 3.5 Engine Upgrade Kits .....		[41,500]
043	C-130J MODS .....	89,424	89,424
044	C-135 .....	64,161	64,161
045	COMPASS CALL MODS .....	130,257	59,857
	Program restructure .....		[-70,400]
046	RC-135 .....	211,438	211,438
047	E-3 .....	82,786	82,786
048	E-4 .....	53,348	53,348
049	E-8 .....	6,244	6,244
050	AIRBORNE WARNING AND CONTROL SYSTEM .....	223,427	223,427
051	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS .....	4,673	4,673
052	H-1 .....	9,007	9,007
054	H-60 .....	91,357	91,357
055	RQ-4 MODS .....	32,045	32,045
056	HC/MC-130 MODIFICATIONS .....	30,767	30,767
057	OTHER AIRCRAFT .....	33,886	33,886
059	MQ-9 MODS .....	141,929	141,929
060	CV-22 MODS .....	63,395	63,395
<b>AIRCRAFT SPARES AND REPAIR PARTS</b>			
061	INITIAL SPARES/REPAIR PARTS .....	686,491	673,291
	Compass Call program restructure .....		[-13,200]
<b>COMMON SUPPORT EQUIPMENT</b>			
062	AIRCRAFT REPLACEMENT SUPPORT EQUIP .....	121,935	121,935
<b>POST PRODUCTION SUPPORT</b>			
063	B-2A .....	154	154
064	B-2A .....	43,330	43,330

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
065	B-52 .....	28,125	28,125
066	C-17A .....	23,559	23,559
069	F-15 .....	2,980	2,980
070	F-16 .....	15,155	39,955
	Additional mission trainers .....		[24,800]
071	F-22A .....	48,505	48,505
074	RQ-4 POST PRODUCTION CHARGES .....	99	99
	<b>INDUSTRIAL PREPAREDNESS</b>		
075	INDUSTRIAL RESPONSIVENESS .....	14,126	14,126
	<b>WAR CONSUMABLES</b>		
076	WAR CONSUMABLES .....	120,036	120,036
	<b>OTHER PRODUCTION CHARGES</b>		
077	OTHER PRODUCTION CHARGES .....	1,252,824	1,252,824
	<b>CLASSIFIED PROGRAMS</b>		
077A	CLASSIFIED PROGRAMS .....	16,952	16,952
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE</b> .....	<b>13,922,917</b>	<b>13,936,617</b>
	<b>MISSILE PROCUREMENT, AIR FORCE</b>		
	<b>MISSILE REPLACEMENT EQUIPMENT—BALLISTIC</b>		
001	MISSILE REPLACEMENT EQ-BALLISTIC .....	70,247	70,247
	<b>TACTICAL</b>		
002	JOINT AIR-SURFACE STANDOFF MISSILE .....	431,645	431,645
003	LRASMO .....	59,511	59,511
004	SIDEWINDER (AIM-9X) .....	127,438	127,438
005	AMRAAM .....	350,144	350,144
006	PREDATOR HELLFIRE MISSILE .....	33,955	33,955
007	SMALL DIAMETER BOMB .....	92,361	92,361
	<b>INDUSTRIAL FACILITIES</b>		
008	INDUSTRIAL PREPAREDNESS/POL PREVENTION .....	977	977
	<b>CLASS IV</b>		
009	ICBM FUZE MOD .....	17,095	17,095
010	MM III MODIFICATIONS .....	68,692	68,692
011	AGM-65D MAVERICK .....	282	282
013	AIR LAUNCH CRUISE MISSILE (ALCM) .....	21,762	21,762
014	SMALL DIAMETER BOMB .....	15,349	15,349
	<b>MISSILE SPARES AND REPAIR PARTS</b>		
015	INITIAL SPARES/REPAIR PARTS .....	81,607	81,607
	<b>SPECIAL PROGRAMS</b>		
030	SPECIAL UPDATE PROGRAMS .....	46,125	46,125
	<b>CLASSIFIED PROGRAMS</b>		
030A	CLASSIFIED PROGRAMS .....	1,009,431	1,009,431
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE</b> .....	<b>2,426,621</b>	<b>2,426,621</b>
	<b>SPACE PROCUREMENT, AIR FORCE</b>		
	<b>SPACE PROGRAMS</b>		
001	ADVANCED EHF .....	645,569	645,569
002	AF SATELLITE COMM SYSTEM .....	42,375	42,375
003	COUNTERSPACE SYSTEMS .....	26,984	26,984
004	FAMILY OF BEYOND LINE-OF-SIGHT TERMINALS .....	88,963	88,963
005	WIDEBAND GAPFILLER SATELLITES(SPACE) .....	86,272	116,272
	Pilot Program .....		[30,000]
006	GPS III SPACE SEGMENT .....	34,059	34,059
007	GLOBAL POSITIONING (SPACE) .....	2,169	2,169
008	SPACEBORNE EQUIP (COMSEC) .....	46,708	46,708
009	GLOBAL POSITIONING (SPACE) .....	13,171	10,271
	Excess to Need .....		[-2,900]
010	MILSATCOM .....	41,799	41,799
011	EVOLVED EXPENDABLE LAUNCH CAPABILITY .....	768,586	768,586
012	EVOLVED EXPENDABLE LAUNCH VEH(SPACE) .....	737,853	737,853
013	SBIR HIGH (SPACE) .....	362,504	362,504
014	NUDET DETECTION SYSTEM .....	4,395	4,395
015	SPACE MODS .....	8,642	8,642
016	SPACELIFT RANGE SYSTEM SPACE .....	123,088	123,088
	<b>SSPARES</b>		
017	INITIAL SPARES/REPAIR PARTS .....	22,606	22,606
	<b>TOTAL SPACE PROCUREMENT, AIR FORCE</b> .....	<b>3,055,743</b>	<b>3,082,843</b>
	<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
	<b>ROCKETS</b>		
001	ROCKETS .....	18,734	18,734
	<b>CARTRIDGES</b>		
002	CARTRIDGES .....	220,237	220,237
	<b>BOMBS</b>		
003	PRACTICE BOMBS .....	97,106	97,106
004	GENERAL PURPOSE BOMBS .....	581,561	581,561
005	MASSIVE ORDNANCE PENETRATOR (MOP) .....	3,600	3,600
006	JOINT DIRECT ATTACK MUNITION .....	303,988	303,988
	<b>OTHER ITEMS</b>		

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<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
007	CAD/PAD .....	38,890	38,890
008	EXPLOSIVE ORDNANCE DISPOSAL (EOD) .....	5,714	5,714
009	SPARES AND REPAIR PARTS .....	740	740
010	MODIFICATIONS .....	573	573
011	ITEMS LESS THAN \$5 MILLION .....	5,156	5,156
	<b>FLARES</b>		
012	FLARES .....	134,709	134,709
	<b>FUZES</b>		
013	FUZES .....	229,252	229,252
	<b>SMALL ARMS</b>		
014	SMALL ARMS .....	37,459	37,459
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE</b> .....	<b>1,677,719</b>	<b>1,677,719</b>
	<b>OTHER PROCUREMENT, AIR FORCE</b>		
	<b>PASSENGER CARRYING VEHICLES</b>		
001	PASSENGER CARRYING VEHICLES .....	14,437	14,437
	<b>CARGO AND UTILITY VEHICLES</b>		
002	MEDIUM TACTICAL VEHICLE .....	24,812	24,812
003	CAP VEHICLES .....	984	984
004	ITEMS LESS THAN \$5 MILLION .....	11,191	11,191
	<b>SPECIAL PURPOSE VEHICLES</b>		
005	SECURITY AND TACTICAL VEHICLES .....	5,361	5,361
006	ITEMS LESS THAN \$5 MILLION .....	4,623	4,623
	<b>FIRE FIGHTING EQUIPMENT</b>		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES .....	12,451	7,451
	Program reduction .....		[-5,000]
	<b>MATERIALS HANDLING EQUIPMENT</b>		
008	ITEMS LESS THAN \$5 MILLION .....	18,114	18,114
	<b>BASE MAINTENANCE SUPPORT</b>		
009	RUNWAY SNOW REMOV & CLEANING EQUIP .....	2,310	2,310
010	ITEMS LESS THAN \$5 MILLION .....	46,868	46,868
	<b>COMM SECURITY EQUIPMENT(COMSEC)</b>		
012	COMSEC EQUIPMENT .....	72,359	72,359
	<b>INTELLIGENCE PROGRAMS</b>		
014	INTELLIGENCE TRAINING EQUIPMENT .....	6,982	6,982
015	INTELLIGENCE COMM EQUIPMENT .....	30,504	30,504
	<b>ELECTRONICS PROGRAMS</b>		
016	AIR TRAFFIC CONTROL & LANDING SYS .....	55,803	55,803
017	NATIONAL AIRSPACE SYSTEM .....	2,673	2,673
018	BATTLE CONTROL SYSTEM—FIXED .....	5,677	5,677
019	THEATER AIR CONTROL SYS IMPROVEMENTS .....	1,163	1,163
020	WEATHER OBSERVATION FORECAST .....	21,667	21,667
021	STRATEGIC COMMAND AND CONTROL .....	39,803	39,803
022	CHEYENNE MOUNTAIN COMPLEX .....	24,618	24,618
023	MISSION PLANNING SYSTEMS .....	15,868	15,868
025	INTEGRATED STRAT PLAN & ANALY NETWORK (ISPAN) .....	9,331	9,331
	<b>SPCL COMM-ELECTRONICS PROJECTS</b>		
026	GENERAL INFORMATION TECHNOLOGY .....	41,779	41,779
027	AF GLOBAL COMMAND & CONTROL SYS .....	15,729	15,729
028	MOBILITY COMMAND AND CONTROL .....	9,814	9,814
029	AIR FORCE PHYSICAL SECURITY SYSTEM .....	99,460	99,460
030	COMBAT TRAINING RANGES .....	34,850	34,850
031	MINIMUM ESSENTIAL EMERGENCY COMM N .....	198,925	198,925
032	WIDE AREA SURVEILLANCE (WAS) .....	6,943	6,943
033	C3 COUNTERMEASURES .....	19,580	19,580
034	GCSS-AF FOS .....	1,743	1,743
036	THEATER BATTLE MGT C2 SYSTEM .....	9,659	9,659
037	AIR & SPACE OPERATIONS CTR-WPN SYS .....	15,474	15,474
038	AIR OPERATIONS CENTER (AOC) 10.2 .....	30,623	30,623
	<b>AIR FORCE COMMUNICATIONS</b>		
039	INFORMATION TRANSPORT SYSTEMS .....	40,043	40,043
040	AFNET .....	146,897	146,897
041	JOINT COMMUNICATIONS SUPPORT ELEMENT (JCSE) .....	5,182	5,182
042	USCENTCOM .....	13,418	13,418
	<b>ORGANIZATION AND BASE</b>		
052	TACTICAL C-E EQUIPMENT .....	109,836	109,836
053	RADIO EQUIPMENT .....	16,266	16,266
054	CCTV/AUDIOVISUAL EQUIPMENT .....	7,449	7,449
055	BASE COMM INFRASTRUCTURE .....	109,215	109,215
	<b>MODIFICATIONS</b>		
056	COMM ELECT MODS .....	65,700	65,700
	<b>PERSONAL SAFETY &amp; RESCUE EQUIP</b>		
058	ITEMS LESS THAN \$5 MILLION .....	54,416	54,416
	<b>DEPOT PLANT+MTRLS HANDLING EQ</b>		
059	MECHANIZED MATERIAL HANDLING EQUIP .....	7,344	7,344
	<b>BASE SUPPORT EQUIPMENT</b>		
060	BASE PROCURED EQUIPMENT .....	6,852	11,852
	Program increase .....		[5,000]

**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
063	MOBILITY EQUIPMENT .....	8,146	8,146
064	ITEMS LESS THAN \$5 MILLION .....	28,427	28,427
	<b>SPECIAL SUPPORT PROJECTS</b>		
066	DARP RC135 .....	25,287	25,287
067	DCGS-AF .....	169,201	169,201
069	SPECIAL UPDATE PROGRAM .....	576,710	576,710
	<b>CLASSIFIED PROGRAMS</b>		
070A	CLASSIFIED PROGRAMS .....	15,119,705	15,119,705
	<b>SPARES AND REPAIR PARTS</b>		
072	SPARES AND REPAIR PARTS .....	15,784	15,784
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE</b> .....	<b>17,438,056</b>	<b>17,438,056</b>
	<b>PROCUREMENT, DEFENSE-WIDE</b>		
	<b>MAJOR EQUIPMENT, WHS</b>		
037	MAJOR EQUIPMENT, OSD .....	29,211	29,211
	<b>MAJOR EQUIPMENT, NSA</b>		
036	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP) .....	4,399	4,399
	<b>MAJOR EQUIPMENT, WHS</b>		
040	MAJOR EQUIPMENT, WHS .....	24,979	24,979
	<b>MAJOR EQUIPMENT, DISA</b>		
006	INFORMATION SYSTEMS SECURITY .....	21,347	21,347
007	TELEPORT PROGRAM .....	50,597	50,597
008	ITEMS LESS THAN \$5 MILLION .....	10,420	10,420
009	NET CENTRIC ENTERPRISE SERVICES (NCES) .....	1,634	1,634
010	DEFENSE INFORMATION SYSTEM NETWORK .....	87,235	87,235
011	CYBER SECURITY INITIATIVE .....	4,528	4,528
012	WHITE HOUSE COMMUNICATION AGENCY .....	36,846	36,846
013	SENIOR LEADERSHIP ENTERPRISE .....	599,391	599,391
015	JOINT REGIONAL SECURITY STACKS (JRSS) .....	150,221	150,221
	<b>MAJOR EQUIPMENT, DLA</b>		
017	MAJOR EQUIPMENT .....	2,055	2,055
	<b>MAJOR EQUIPMENT, DSS</b>		
020	MAJOR EQUIPMENT .....	1,057	1,057
	<b>MAJOR EQUIPMENT, DCAA</b>		
001	ITEMS LESS THAN \$5 MILLION .....	2,964	2,964
	<b>MAJOR EQUIPMENT, TJS</b>		
038	MAJOR EQUIPMENT, TJS .....	7,988	7,988
	<b>MAJOR EQUIPMENT, MISSILE DEFENSE AGENCY</b>		
023	THAAD .....	369,608	369,608
024	AEGIS BMD .....	463,801	528,801
	Increasing BMD capability for Aegis Ships .....		[65,000]
025	BMDs AN/TPY-2 RADARS .....	5,503	5,503
026	ARROW UPPER TIER .....		120,000
	Increase for Arrow 3 Coproduction subject to Title XVI .....		[120,000]
027	DAVID'S SLING .....		150,000
	Increase for DSWS Coproduction subject to Title XVI .....		[150,000]
028	AEGIS ASHORE PHASE III .....	57,493	82,493
	Classified adjustment .....		[25,000]
029	IRON DOME .....	42,000	62,000
	Increase for Coproduction of Iron Dome Tamir Interceptors subject to Title XVI ...		[20,000]
030	AEGIS BMD HARDWARE AND SOFTWARE .....	50,098	50,098
	<b>MAJOR EQUIPMENT, DHRA</b>		
003	PERSONNEL ADMINISTRATION .....	14,232	14,232
	<b>MAJOR EQUIPMENT, DEFENSE THREAT REDUCTION AGENCY</b>		
021	VEHICLES .....	200	200
022	OTHER MAJOR EQUIPMENT .....	6,437	6,437
	<b>MAJOR EQUIPMENT, DODEA</b>		
019	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS .....	288	288
	<b>MAJOR EQUIPMENT, DCMA</b>		
002	MAJOR EQUIPMENT .....	92	92
	<b>MAJOR EQUIPMENT, DMACT</b>		
018	MAJOR EQUIPMENT .....	8,060	8,060
	<b>CLASSIFIED PROGRAMS</b>		
040A	CLASSIFIED PROGRAMS .....	568,864	568,864
	<b>AVIATION PROGRAMS</b>		
042	ROTARY WING UPGRADES AND SUSTAINMENT .....	150,396	168,996
	Program increase .....		[18,600]
043	UNMANNED ISR .....	21,190	21,190
045	NON-STANDARD AVIATION .....	4,905	4,905
046	U-28 .....	3,970	3,970
047	MH-47 CHINOOK .....	25,022	25,022
049	CV-22 MODIFICATION .....	19,008	19,008
051	MQ-9 UNMANNED AERIAL VEHICLE .....	10,598	10,598
053	PRECISION STRIKE PACKAGE .....	213,122	213,122
054	AC/MC-130J .....	73,548	85,648
	A-kits for 105mm integration .....		[12,100]
055	C-130 MODIFICATIONS .....	32,970	32,970
	<b>SHIPBUILDING</b>		



**SEC. 4101. PROCUREMENT**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
056	UNDERWATER SYSTEMS .....	37,098	37,098
	<b>AMMUNITION PROGRAMS</b>		
057	ORDNANCE ITEMS <\$5M .....	105,267	105,267
	<b>OTHER PROCUREMENT PROGRAMS</b>		
058	INTELLIGENCE SYSTEMS .....	79,963	79,963
059	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	13,432	13,432
060	OTHER ITEMS <\$5M .....	66,436	66,436
061	COMBATANT CRAFT SYSTEMS .....	55,820	55,820
062	SPECIAL PROGRAMS .....	107,432	107,432
063	TACTICAL VEHICLES .....	67,849	67,849
064	WARRIOR SYSTEMS <\$5M .....	245,781	245,781
065	COMBAT MISSION REQUIREMENTS .....	19,566	19,566
066	GLOBAL VIDEO SURVEILLANCE ACTIVITIES .....	3,437	3,437
067	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	17,299	17,299
069	OPERATIONAL ENHANCEMENTS .....	219,945	219,945
	<b>CBDP</b>		
070	CHEMICAL BIOLOGICAL SITUATIONAL AWARENESS .....	148,203	148,203
071	CB PROTECTION & HAZARD MITIGATION .....	161,113	161,113
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE</b> .....	<b>4,524,918</b>	<b>4,935,618</b>
	<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>		
	<b>JOINT URGENT OPERATIONAL NEEDS FUND</b>		
001	JOINT URGENT OPERATIONAL NEEDS FUND .....	99,300	0
	Program decrease .....		[-99,300]
	<b>TOTAL JOINT URGENT OPERATIONAL NEEDS FUND</b> .....	<b>99,300</b>	<b>0</b>
	<b>NATIONAL GUARD AND RESERVE EQUIPMENT</b>		
	<b>UNDISTRIBUTED</b>		
007	MISCELLANEOUS EQUIPMENT .....		250,000
	Program increase .....		[250,000]
	<b>TOTAL NATIONAL GUARD AND RESERVE EQUIPMENT</b> .....		<b>250,000</b>
	<b>TOTAL PROCUREMENT</b> .....	<b>101,971,592</b>	<b>103,062,309</b>

1 **SEC. 4102. PROCUREMENT FOR OVERSEAS CONTINGENCY**  
2 **OPERATIONS.**

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

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
	<b>AIRCRAFT PROCUREMENT, ARMY</b>		
	<b>MODIFICATION OF AIRCRAFT</b>		
015	MULTI SENSOR ABN RECON (MIP) .....	21,400	21,400
020	EMARSS SEMA MODS (MIP) .....	42,700	42,700
026	RQ-7 UAV MODS .....	1,775	1,775
027	UAS MODS .....	4,420	0
	Realign APS Unit Set Requirements to Base .....		[-4,420]
	<b>GROUND SUPPORT AVIONICS</b>		
030	CMWS .....	56,115	56,115
031	CIRCM .....	108,721	108,721
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY</b> .....	<b>235,131</b>	<b>230,711</b>
	<b>MISSILE PROCUREMENT, ARMY</b>		
	<b>AIR-TO-SURFACE MISSILE SYSTEM</b>		
004	HELLFIRE SYS SUMMARY .....	305,830	305,830
	<b>ANTI-TANK/ASSAULT MISSILE SYS</b>		
007	JAVELIN (AAWS-M) SYSTEM SUMMARY .....	15,567	0
	Realign APS Unit Set Requirements to Base .....		[-15,567]
008	TOW 2 SYSTEM SUMMARY .....	80,652	0
	Realign APS Unit Set Requirements to Base .....		[-80,652]
010	GUIDED MLRS ROCKET (GMLRS) .....	75,991	0
	Realign APS Unit Set Requirements to Base .....		[-75,991]
012	LETHAL MINIATURE AERIAL MISSILE SYSTEM (LMAMS) .....	4,777	4,777
	<b>TOTAL MISSILE PROCUREMENT, ARMY</b> .....	<b>482,817</b>	<b>310,607</b>
	<b>PROCUREMENT OF W&amp;TCV, ARMY</b>		
	<b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>		
007	PALADIN INTEGRATED MANAGEMENT (PIM) .....	125,184	0
	Realign APS Unit Set Requirements to Base .....		[-125,184]
009	ASSAULT BRIDGE (MOD) .....	5,950	0
	Realign APS Unit Set Requirements to Base .....		[-5,950]
014	ABRAMS UPGRADE PROGRAM .....		0

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

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
	Army requested realignment (ERI) .....		[172,200]
	Realign APS Unit Set Requirements to Base .....		[-172,200]
	<b>WEAPONS &amp; OTHER COMBAT VEHICLES</b>		
017	MORTAR SYSTEMS .....	22,410	22,410
	<b>SUPPORT EQUIPMENT &amp; FACILITIES</b>		
036	BRADLEY PROGRAM .....		0
	Army requested realignment (ERI) .....		[72,800]
	Realign APS Unit Set Requirements to Base .....		[-72,800]
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY</b> .....	<b>153,544</b>	<b>22,410</b>
	<b>PROCUREMENT OF AMMUNITION, ARMY</b>		
	<b>SMALL/MEDIUM CAL AMMUNITION</b>		
002	CTG, 7.62MM, ALL TYPES .....	9,642	0
	Realign APS Unit Set Requirements to Base .....		[-9,642]
004	CTG, .50 CAL, ALL TYPES .....	6,607	609
	Realign APS Unit Set Requirements to Base .....		[-5,998]
005	CTG, 20MM, ALL TYPES .....	1,077	0
	Realign APS Unit Set Requirements to Base .....		[-1,077]
006	CTG, 25MM, ALL TYPES .....	28,534	0
	Realign APS Unit Set Requirements to Base .....		[-28,534]
007	CTG, 30MM, ALL TYPES .....	20,000	20,000
008	CTG, 40MM, ALL TYPES .....	7,423	0
	Realign APS Unit Set Requirements to Base .....		[-7,423]
	<b>MORTAR AMMUNITION</b>		
009	60MM MORTAR, ALL TYPES .....	10,000	10,000
010	81MM MORTAR, ALL TYPES .....	2,677	0
	Realign APS Unit Set Requirements to Base .....		[-2,677]
	<b>TANK AMMUNITION</b>		
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES .....	8,999	0
	Realign APS Unit Set Requirements to Base .....		[-8,999]
	<b>ARTILLERY AMMUNITION</b>		
014	ARTILLERY PROJECTILE, 155MM, ALL TYPES .....	30,348	10,000
	Realign APS Unit Set Requirements to Base .....		[-20,348]
015	PROJ 155MM EXTENDED RANGE M982 .....	140	0
	Realign APS Unit Set Requirements to Base .....		[-140]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....	29,655	5,000
	Realign APS Unit Set Requirements to Base .....		[-24,655]
	<b>MINES</b>		
017	MINES & CLEARING CHARGES, ALL TYPES .....	16,866	0
	Realign APS Unit Set Requirements to Base .....		[-16,866]
	<b>NETWORKED MUNITIONS</b>		
018	SPIDER NETWORK MUNITIONS, ALL TYPES .....	10,353	0
	Realign APS Unit Set Requirements to Base .....		[-10,353]
	<b>ROCKETS</b>		
019	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....	63,210	0
	Realign APS Unit Set Requirements to Base .....		[-63,210]
020	ROCKET, HYDRA 70, ALL TYPES .....	42,851	42,851
	<b>OTHER AMMUNITION</b>		
022	DEMOLITION MUNITIONS, ALL TYPES .....	6,373	0
	Realign APS Unit Set Requirements to Base .....		[-6,373]
023	GRENADES, ALL TYPES .....	4,143	0
	Realign APS Unit Set Requirements to Base .....		[-4,143]
024	SIGNALS, ALL TYPES .....	1,852	0
	Realign APS Unit Set Requirements to Base .....		[-1,852]
	<b>MISCELLANEOUS</b>		
027	NON-LETHAL AMMUNITION, ALL TYPES .....	773	0
	Realign APS Unit Set Requirements to Base .....		[-773]
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY</b> .....	<b>301,523</b>	<b>88,460</b>
	<b>OTHER PROCUREMENT, ARMY</b>		
	<b>TACTICAL VEHICLES</b>		
002	SEMITRAILERS, FLATBED: .....	4,180	0
	Realign APS Unit Set Requirements to Base .....		[-4,180]
008	FAMILY OF MEDIUM TACTICAL VEH (FMTV) .....	147,476	0
	Realign APS Unit Set Requirements to Base .....		[-147,476]
010	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV) .....	6,122	0
	Realign APS Unit Set Requirements to Base .....		[-6,122]
011	PLS ESP .....	106,358	0
	Realign APS Unit Set Requirements to Base .....		[-106,358]
012	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV .....	203,766	127,205
	Realign APS Unit Set Requirements to Base .....		[-76,561]
013	TACTICAL WHEELED VEHICLE PROTECTION KITS .....	101,154	74,035
	Realign APS Unit Set Requirements to Base .....		[-27,119]
014	MODIFICATION OF IN SVC EQUIP .....	155,456	152,000
	Realign APS Unit Set Requirements to Base .....		[-3,456]
	<b>COMM—JOINT COMMUNICATIONS</b>		
019	WIN-T—GROUND FORCES TACTICAL NETWORK .....	9,572	3,000
	Realign APS Unit Set Requirements to Base .....		[-6,572]

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

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>COMM—SATELLITE COMMUNICATIONS</b>			
025	SHF TERM .....	24,000	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-24,000]
<b>COMM—INTELLIGENCE COMM</b>			
047	CI AUTOMATION ARCHITECTURE .....	1,550	1,550
<b>INFORMATION SECURITY</b>			
051	COMMUNICATIONS SECURITY (COMSEC) .....	1,928	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-1,928]
<b>COMM—BASE COMMUNICATIONS</b>			
056	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM .....	20,510	20,510
<b>ELECT EQUIP—TACT INT REL ACT (TIARA)</b>			
062	DCGS-A (MIP) .....	33,032	33,032
064	TROJAN (MIP) .....	3,305	3,145
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-160]
066	CI HUMINT AUTO REPRING AND COLL(CHARGS) .....	7,233	7,233
069	BIOMETRIC TACTICAL COLLECTION DEVICES (MIP) .....	5,670	5,670
<b>ELECT EQUIP—ELECTRONIC WARFARE (EW)</b>			
070	LIGHTWEIGHT COUNTER MORTAR RADAR .....	25,892	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-25,892]
074	FAMILY OF PERSISTENT SURVEILLANCE CAPABILITE .....	11,610	11,610
075	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES .....	23,890	23,890
<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>			
080	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS .....	4,270	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-4,270]
089	MORTAR FIRE CONTROL SYSTEM .....	2,572	2,282
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-290]
<b>ELECT EQUIP—TACTICAL C2 SYSTEMS</b>			
092	AIR & MSL DEFENSE PLANNING & CONTROL SYS .....	69,958	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-69,958]
<b>ELECT EQUIP—AUTOMATION</b>			
102	AUTOMATED DATA PROCESSING EQUIP .....	9,900	9,900
<b>ELECT EQUIP—AUDIO VISUAL SYS (A/V)</b>			
108	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT) .....	96	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-96]
<b>CHEMICAL DEFENSIVE EQUIPMENT</b>			
114	CBRN DEFENSE .....	1,841	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-1,841]
<b>BRIDGING EQUIPMENT</b>			
115	TACTICAL BRIDGING .....	26,000	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-26,000]
<b>ENGINEER (NON-CONSTRUCTION) EQUIPMENT</b>			
124	ROBOTICS AND APPLIQUE SYSTEMS .....	268	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-268]
128	FAMILY OF BOATS AND MOTORS .....	280	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-280]
<b>COMBAT SERVICE SUPPORT EQUIPMENT</b>			
129	HEATERS AND ECUS .....	894	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-894]
134	FORCE PROVIDER .....	53,800	53,800
135	FIELD FEEDING EQUIPMENT .....	2,665	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-2,665]
136	CARGO AERIAL DEL & PERSONNEL PARACHUTE SYSTEM .....	2,400	2,400
137	FAMILY OF ENGR COMBAT AND CONSTRUCTION SETS .....	9,789	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-9,789]
138	ITEMS LESS THAN \$5M (ENG SPT) .....	300	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-300]
<b>PETROLEUM EQUIPMENT</b>			
139	QUALITY SURVEILLANCE EQUIPMENT .....	4,800	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-4,800]
140	DISTRIBUTION SYSTEMS, PETROLEUM & WATER .....	78,240	57,420
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-20,820]
<b>MEDICAL EQUIPMENT</b>			
141	COMBAT SUPPORT MEDICAL .....	5,763	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-5,763]
<b>MAINTENANCE EQUIPMENT</b>			
142	MOBILE MAINTENANCE EQUIPMENT SYSTEMS .....	1,609	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-1,609]
143	ITEMS LESS THAN \$5.0M (MAINT EQ) .....	145	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-145]
<b>CONSTRUCTION EQUIPMENT</b>			
144	GRADER, ROAD MTZD, HVY, 6X4 (CCE) .....	3,047	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-3,047]
148	TRACTOR, FULL TRACKED .....	4,426	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-4,426]
151	HIGH MOBILITY ENGINEER EXCAVATOR (HMEE) .....	2,900	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-2,900]
155	ITEMS LESS THAN \$5.0M (CONST EQUIP) .....	96	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-96]

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

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>GENERATORS</b>			
158	GENERATORS AND ASSOCIATED EQUIP .....	21,861	1,900
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-19,961]
<b>MATERIAL HANDLING EQUIPMENT</b>			
160	FAMILY OF FORKLIFTS .....	846	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-846]
<b>TEST MEASURE AND DIG EQUIPMENT (TMD)</b>			
168	TEST EQUIPMENT MODERNIZATION (TEMOD) .....	1,140	0
	<i>Realign APS Unit Set Requirements to Base</i> .....		[-1,140]
<b>OTHER SUPPORT EQUIPMENT</b>			
170	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT .....	8,500	8,500
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>1,211,110</b>	<b>599,082</b>
<b>JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND</b>			
<b>NETWORK ATTACK</b>			
001	RAPID ACQUISITION AND THREAT RESPONSE .....	232,200	207,200
	<i>Program decrease</i> .....		[-25,000]
<b>STAFF AND INFRASTRUCTURE</b>			
002	MISSION ENABLERS .....	62,800	62,800
	<b>TOTAL JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.</b>	<b>295,000</b>	<b>270,000</b>
<b>AIRCRAFT PROCUREMENT, NAVY</b>			
<b>COMBAT AIRCRAFT</b>			
002	F/A-18E/F (FIGHTER) HORNET .....	184,912	184,912
<b>OTHER AIRCRAFT</b>			
026	STUASLo UAV .....	70,000	70,000
<b>MODIFICATION OF AIRCRAFT</b>			
037	EP-3 SERIES .....	7,505	7,505
047	SPECIAL PROJECT AIRCRAFT .....	14,869	14,869
051	COMMON ECM EQUIPMENT .....	70,780	70,780
059	V-32 (TILT/ROTOR ACFT) OSPREY .....	8,740	8,740
<b>AIRCRAFT SPARES AND REPAIR PARTS</b>			
063	SPARES AND REPAIR PARTS .....	1,500	1,500
<b>AIRCRAFT SUPPORT EQUIP &amp; FACILITIES</b>			
065	AIRCRAFT INDUSTRIAL FACILITIES .....	524	524
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY</b> .....	<b>358,830</b>	<b>358,830</b>
<b>WEAPONS PROCUREMENT, NAVY</b>			
<b>TACTICAL MISSILES</b>			
010	HELLFIRE .....	8,600	8,600
	<b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....	<b>8,600</b>	<b>8,600</b>
<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>			
<b>NAVY AMMUNITION</b>			
001	GENERAL PURPOSE BOMBS .....	40,366	40,366
002	AIRBORNE ROCKETS, ALL TYPES .....	8,860	8,860
006	AIR EXPENDABLE COUNTERMEASURES .....	7,060	7,060
013	PYROTECHNIC AND DEMOLITION .....	1,122	1,122
014	AMMUNITION LESS THAN \$5 MILLION .....	3,495	3,495
<b>MARINE CORPS AMMUNITION</b>			
015	SMALL ARMS AMMUNITION .....	1,205	1,205
017	40 MM, ALL TYPES .....	539	539
018	60MM, ALL TYPES .....	909	909
020	120MM, ALL TYPES .....	530	530
022	ROCKETS, ALL TYPES .....	469	469
023	ARTILLERY, ALL TYPES .....	1,196	1,196
024	DEMOLITION MUNITIONS, ALL TYPES .....	261	261
025	FUZE, ALL TYPES .....	217	217
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....	<b>66,229</b>	<b>66,229</b>
<b>OTHER PROCUREMENT, NAVY</b>			
<b>OTHER SHORE ELECTRONIC EQUIPMENT</b>			
081	DCGS-N .....	12,000	12,000
<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>			
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	40,000	40,000
<b>CIVIL ENGINEERING SUPPORT EQUIPMENT</b>			
124	FIRE FIGHTING EQUIPMENT .....	630	630
<b>SUPPLY SUPPORT EQUIPMENT</b>			
133	FIRST DESTINATION TRANSPORTATION .....	25	25
<b>COMMAND SUPPORT EQUIPMENT</b>			
137	COMMAND SUPPORT EQUIPMENT .....	10,562	10,562
<b>CLASSIFIED PROGRAMS</b>			
150A	CLASSIFIED PROGRAMS .....	1,660	1,660
	<b>TOTAL OTHER PROCUREMENT, NAVY</b> .....	<b>64,877</b>	<b>64,877</b>
<b>PROCUREMENT, MARINE CORPS</b>			
<b>ARTILLERY AND OTHER WEAPONS</b>			

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

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
006	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION .....	572	572
	<b>GUIDED MISSILES</b>		
010	JAVELIN .....	1,606	1,606
	<b>OTHER SUPPORT (TEL)</b>		
018	MODIFICATION KITS .....	2,600	2,600
	<b>COMMAND AND CONTROL SYSTEM (NON-TEL)</b>		
019	ITEMS UNDER \$5 MILLION (COMM & ELEC) .....	2,200	2,200
	<b>INTELL/COMM EQUIPMENT (NON-TEL)</b>		
026	INTELLIGENCE SUPPORT EQUIPMENT .....	20,981	20,981
029	RQ-11 UAV .....	3,817	3,817
	<b>OTHER SUPPORT (NON-TEL)</b>		
035	COMMON COMPUTER RESOURCES .....	2,600	2,600
037	RADIO SYSTEMS .....	9,563	9,563
	<b>ENGINEER AND OTHER EQUIPMENT</b>		
053	EOD SYSTEMS .....	75,000	75,000
	<b>TOTAL PROCUREMENT, MARINE CORPS</b> .....	<b>118,939</b>	<b>118,939</b>
	<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>		
	<b>OTHER AIRLIFT</b>		
004	C-130J .....	73,000	73,000
	<b>OTHER AIRCRAFT</b>		
015	MQ-9 .....	273,600	273,600
	<b>STRATEGIC AIRCRAFT</b>		
019	LARGE AIRCRAFT INFRARED COUNTERMEASURES .....	135,801	135,801
	<b>TACTICAL AIRCRAFT</b>		
020	A-10 .....	23,850	23,850
	<b>OTHER AIRCRAFT</b>		
047	E-3 .....	6,600	6,600
056	HC/MC-130 MODIFICATIONS .....	13,550	13,550
057	OTHER AIRCRAFT .....	7,500	7,500
059	MQ-9 MODS .....	112,068	112,068
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
061	INITIAL SPARES/REPAIR PARTS .....	25,600	0
	Compass Call Program Restructure .....		[-25,600]
	<b>OTHER PRODUCTION CHARGES</b>		
077	OTHER PRODUCTION CHARGES .....	8,400	8,400
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE</b> .....	<b>679,969</b>	<b>654,369</b>
	<b>MISSILE PROCUREMENT, AIR FORCE</b>		
	<b>TACTICAL</b>		
006	PREDATOR HELLFIRE MISSILE .....	145,125	145,125
	<b>CLASS IV</b>		
011	AGM-65D MAVERICK .....	9,720	9,720
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE</b> .....	<b>154,845</b>	<b>154,845</b>
	<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>		
	<b>CARTRIDGES</b>		
002	CARTRIDGES .....	9,830	9,830
	<b>BOMBS</b>		
004	GENERAL PURPOSE BOMBS .....	7,921	7,921
006	JOINT DIRECT ATTACK MUNITION .....	140,126	140,126
	<b>FLARES</b>		
012	FLARES .....	6,531	6,531
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE</b> .....	<b>164,408</b>	<b>164,408</b>
	<b>OTHER PROCUREMENT, AIR FORCE</b>		
	<b>PASSENGER CARRYING VEHICLES</b>		
001	PASSENGER CARRYING VEHICLES .....	2,003	2,003
	<b>CARGO AND UTILITY VEHICLES</b>		
002	MEDIUM TACTICAL VEHICLE .....	9,066	9,066
004	ITEMS LESS THAN \$5 MILLION .....	12,264	12,264
	<b>SPECIAL PURPOSE VEHICLES</b>		
006	ITEMS LESS THAN \$5 MILLION .....	16,789	16,789
	<b>FIRE FIGHTING EQUIPMENT</b>		
007	FIRE FIGHTING/CRASH RESCUE VEHICLES .....	48,590	48,590
	<b>MATERIALS HANDLING EQUIPMENT</b>		
008	ITEMS LESS THAN \$5 MILLION .....	2,366	2,366
	<b>BASE MAINTENANCE SUPPORT</b>		
009	RUNWAY SNOW REMOV & CLEANING EQUIP .....	6,468	6,468
010	ITEMS LESS THAN \$5 MILLION .....	9,271	9,271
	<b>ELECTRONICS PROGRAMS</b>		
016	AIR TRAFFIC CONTROL & LANDING SYS .....	42,650	42,650
	<b>SPCL COMM-ELECTRONICS PROJECTS</b>		
029	AIR FORCE PHYSICAL SECURITY SYSTEM .....	7,500	7,500
033	C3 COUNTERMEASURES .....	620	620
	<b>ORGANIZATION AND BASE</b>		
052	TACTICAL C-E EQUIPMENT .....	8,100	8,100
	<b>MODIFICATIONS</b>		

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

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
056	COMM ELECT MODS .....	3,800	3,800
	<b>BASE SUPPORT EQUIPMENT</b>		
061	ENGINEERING AND EOD EQUIPMENT .....	53,900	53,900
	<b>SPECIAL SUPPORT PROJECTS</b>		
067	DCGS-AF .....	800	800
	<b>CLASSIFIED PROGRAMS</b>		
070A	CLASSIFIED PROGRAMS .....	3,472,094	3,472,094
	<b>TOTAL OTHER PROCUREMENT, AIR FORCE</b> .....	<b>3,696,281</b>	<b>3,696,281</b>
	<b>PROCUREMENT, DEFENSE-WIDE</b>		
	<b>MAJOR EQUIPMENT, DISA</b>		
007	TELEPORT PROGRAM .....	1,900	1,900
	<b>CLASSIFIED PROGRAMS</b>		
040A	CLASSIFIED PROGRAMS .....	32,482	32,482
	<b>AVIATION PROGRAMS</b>		
041	MC-12 .....	5,000	5,000
043	UNMANNED ISR .....	11,880	11,880
046	U-28 .....	38,283	38,283
	<b>AMMUNITION PROGRAMS</b>		
057	ORDNANCE ITEMS <\$5M .....	52,504	52,504
	<b>OTHER PROCUREMENT PROGRAMS</b>		
058	INTELLIGENCE SYSTEMS .....	22,000	22,000
060	OTHER ITEMS <\$5M .....	11,580	11,580
062	SPECIAL PROGRAMS .....	13,549	13,549
063	TACTICAL VEHICLES .....	3,200	3,200
069	OPERATIONAL ENHANCEMENTS .....	42,056	42,056
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE</b> .....	<b>234,434</b>	<b>234,434</b>
	<b>TOTAL PROCUREMENT</b> .....	<b>8,226,537</b>	<b>7,043,082</b>

**1 SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY**

**2 OPERATIONS FOR BASE REQUIREMENTS.**

**SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
	<b>AIRCRAFT PROCUREMENT, ARMY</b>		
	<b>FIXED WING</b>		
003	MQ-1 UAV .....		95,100
	Army unfunded requirement .....		[95,100]
	<b>ROTARY</b>		
005	HELICOPTER, LIGHT UTILITY (LUI) .....		110,000
	Army unfunded requirement (ARI) .....		[110,000]
006	AH-64 APACHE BLOCK IIIA REMAN .....	78,040	268,040
	Army unfunded requirement (ARI) .....		[190,000]
007	ADVANCE PROCUREMENT (CY) .....		72,900
	Army unfunded requirement (ARI) .....		[72,900]
008	UH-60 BLACKHAWK M MODEL (MYP) .....		440,200
	Army unfunded requirement (ARI) .....		[440,200]
	<b>MODIFICATION OF AIRCRAFT</b>		
017	CH-47 CARGO HELICOPTER MODS (MYP) .....		102,000
	Army unfunded requirement (ARI) .....		[102,000]
	<b>GROUND SUPPORT AVIONICS</b>		
028	AIRCRAFT SURVIVABILITY EQUIPMENT .....		22,000
	Army unfunded requirement-modernized warning system (ARI) .....		[22,000]
029	SURVIVABILITY CM .....		28,000
	Army unfunded requirement-assured PNT (ARI) .....		[28,000]
	<b>TOTAL AIRCRAFT PROCUREMENT, ARMY</b> .....	<b>78,040</b>	<b>1,138,240</b>
	<b>MISSILE PROCUREMENT, ARMY</b>		
	<b>AIR-TO-SURFACE MISSILE SYSTEM</b>		
004	HELLFIRE SYS SUMMARY .....	150,000	150,000
	<b>ANTI-TANK/ASSAULT MISSILE SYS</b>		
007	JAVELIN (AAWS-M) SYSTEM SUMMARY .....		104,200
	Army unfunded requirement .....		[104,200]
010	GUIDED MLRS ROCKET (GMLRS) .....		76,000
	Army unfunded requirement .....		[76,000]
	<b>MODIFICATIONS</b>		
014	ATACMS MODS .....		15,900
	Army unfunded requirement .....		[15,900]
	<b>TOTAL MISSILE PROCUREMENT, ARMY</b> .....	<b>150,000</b>	<b>346,100</b>

**SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>PROCUREMENT OF W&amp;TCV, ARMY</b>			
<b>MODIFICATION OF TRACKED COMBAT VEHICLES</b>			
008	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES) .....		72,000
	Army unfunded requirement .....		[72,000]
013	M1 ABRAMS TANK (MOD) .....		140,000
	Army unfunded requirement—Industrial base risk mitigation .....		[60,000]
	Army unfunded requirement—Vehicle APS .....		[80,000]
<b>UNDISTRIBUTED</b>			
036A	UNDISTRIBUTED .....		55,100
	Additional funding to support increase in Army end strength .....		[55,100]
	<b>TOTAL PROCUREMENT OF W&amp;TCV, ARMY</b> .....		<b>267,100</b>
<b>PROCUREMENT OF AMMUNITION, ARMY</b>			
<b>SMALL/MEDIUM CAL AMMUNITION</b>			
001	CTG, 5.56MM, ALL TYPES .....		4,000
	Army unfunded requirement .....		[4,000]
002	CTG, 7.62MM, ALL TYPES .....		14,000
	Army unfunded requirement .....		[14,000]
003	CTG, HANDGUN, ALL TYPES .....		9,000
	Army unfunded requirement .....		[9,000]
004	CTG, .50 CAL, ALL TYPES .....		21,000
	Army unfunded requirement .....		[21,000]
005	CTG, 20MM, ALL TYPES .....		14,000
	Army unfunded requirement .....		[14,000]
007	CTG, 30MM, ALL TYPES .....		8,200
	Army unfunded requirement .....		[8,200]
<b>MORTAR AMMUNITION</b>			
011	120MM MORTAR, ALL TYPES .....		30,000
	Army unfunded requirement .....		[30,000]
<b>TANK AMMUNITION</b>			
012	CARTRIDGES, TANK, 105MM AND 120MM, ALL TYPES .....		35,000
	Army unfunded requirement .....		[35,000]
<b>ARTILLERY AMMUNITION</b>			
015	PROJ 155MM EXTENDED RANGE M982 .....		23,500
	Army unfunded requirement .....		[23,500]
016	ARTILLERY PROPELLANTS, FUZES AND PRIMERS, ALL .....		10,000
	Army unfunded requirement .....		[10,000]
<b>ROCKETS</b>			
019	SHOULDER LAUNCHED MUNITIONS, ALL TYPES .....		30,000
	Army unfunded requirement .....		[30,000]
020	ROCKET, HYDRA 70, ALL TYPES .....		42,500
	Army unfunded requirement .....		[27,500]
	Army unfunded requirement- guided hydra rockets .....		[15,000]
<b>UNDISTRIBUTED</b>			
034A	UNDISTRIBUTED .....		46,500
	Additional funding to support increase in Army end strength .....		[46,500]
	<b>TOTAL PROCUREMENT OF AMMUNITION, ARMY</b> .....		<b>287,700</b>
<b>OTHER PROCUREMENT, ARMY</b>			
<b>TACTICAL VEHICLES</b>			
008	FAMILY OF MEDIUM TACTICAL VEH (FMTV) .....	152,000	152,000
<b>COMM—JOINT COMMUNICATIONS</b>			
019	WIN-T—GROUND FORCES TACTICAL NETWORK .....		80,000
	BBA Restoration—2BCTs - Increment 2 .....		[80,000]
<b>ELECT EQUIP—TACTICAL SURV. (TAC SURV)</b>			
080	INDIRECT FIRE PROTECTION FAMILY OF SYSTEMS .....		8,400
	Army unfunded requirement- CRAM Upgrades and MODS .....		[8,400]
<b>GENERATORS</b>			
158	GENERATORS AND ASSOCIATED EQUIP .....	9,900	9,900
<b>UNDISTRIBUTED</b>			
180	UNDISTRIBUTED .....		18,400
	Additional funding to support increase in Army end strength .....		[18,400]
	<b>TOTAL OTHER PROCUREMENT, ARMY</b> .....	<b>161,900</b>	<b>268,700</b>
<b>JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND</b>			
<b>NETWORK ATTACK</b>			
001	RAPID ACQUISITION AND THREAT RESPONSE .....	113,272	113,272
	<b>TOTAL JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND.</b>	<b>113,272</b>	<b>113,272</b>
<b>AIRCRAFT PROCUREMENT, NAVY</b>			
<b>COMBAT AIRCRAFT</b>			
002	F/A-18E/F (FIGHTER) HORNET .....		1,400,000
	Navy unfunded requirement .....		[1,400,000]
003	JOINT STRIKE FIGHTER CV .....		540,000
	Marine Corps unfunded requirement .....		[270,000]
	Navy unfunded requirement .....		[270,000]
005	JSP STOVL .....		254,200

**SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
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<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
	Marine Corps unfunded requirement .....		[254,200]
009	V-22 (MEDIUM LIFT) .....		150,000
	Marine Corps unfunded requirement .....		[150,000]
011	H-1 UPGRADES (UH-1Y/AH-1Z) .....		57,000
	Marine Corps unfunded requirement- AH-1Zs .....		[57,000]
	<b>AIRLIFT AIRCRAFT</b>		
019A	C-40A .....		415,000
	Marine Corps unfunded requirement .....		[207,500]
	Navy unfunded requirement .....		[207,500]
	<b>OTHER AIRCRAFT</b>		
023	MQ-4 TRITON .....		95,000
	Additional system—ISR shortfalls .....		[95,000]
025	MQ-8 UAV .....		47,500
	Scope Increase .....		[47,500]
	<b>MODIFICATION OF AIRCRAFT</b>		
034	H-53 SERIES .....		16,100
	Accelerate readiness improvement .....		[2,800]
	Marine Corps unfunded requirement- degraded visual environment .....		[13,300]
035	SH-60 SERIES .....	3,000	3,000
036	H-1 SERIES .....	3,740	27,140
	Accelerate readiness improvement .....		[23,400]
051	COMMON ECM EQUIPMENT .....	27,460	27,460
059	V-22 (TILT/ROTOR ACFT) OSPREY .....		39,300
	Marine Corps unfunded requirement- SPMAGTF- C4 UUNS .....		[39,300]
	<b>AIRCRAFT SPARES AND REPAIR PARTS</b>		
063	SPARES AND REPAIR PARTS .....		140,300
	KC-130J spares .....		[36,000]
	Marine Corps unfunded requirement- F35 B spares .....		[91,000]
	Marine Corps unfunded requirement- F35 C spares .....		[13,300]
	<b>TOTAL AIRCRAFT PROCUREMENT, NAVY</b> .....	<b>34,200</b>	<b>3,212,000</b>
	<b>WEAPONS PROCUREMENT, NAVY</b>		
	<b>STRATEGIC MISSILES</b>		
003	TOMAHAWK .....		76,000
	Scope Increase .....		[76,000]
	<b>TACTICAL MISSILES</b>		
005	SIDEWINDER .....		33,000
	Navy unfunded requirement .....		[33,000]
015A	LCS OVER-THE-HORIZON MISSILE .....		18,100
	Navy unfunded requirement .....		[18,100]
	<b>TOTAL WEAPONS PROCUREMENT, NAVY</b> .....		<b>127,100</b>
	<b>PROCUREMENT OF AMMO, NAVY &amp; MC</b>		
	<b>NAVY AMMUNITION</b>		
001	GENERAL PURPOSE BOMBS .....		58,000
	Navy unfunded requirement—JDAM components .....		[58,000]
	<b>MARINE CORPS AMMUNITION</b>		
023	ARTILLERY, ALL TYPES .....		19,200
	Marine Corps unfunded requirement- GMLRS AW munitions .....		[19,200]
	<b>TOTAL PROCUREMENT OF AMMO, NAVY &amp; MC</b> .....		<b>77,200</b>
	<b>SHIPBUILDING AND CONVERSION, NAVY</b>		
	<b>OTHER WARSHIPS</b>		
003	ADVANCE PROCUREMENT (CY) .....		263,000
	Advance Procurement for CVN-81 .....		[263,000]
005	ADVANCE PROCUREMENT (CY) .....		85,000
	Long-lead Time Materiel Orders .....		[85,000]
009	DDG-51 .....		433,000
	Scope Increase .....		[433,000]
011	LITTORAL COMBAT SHIP .....		384,700
	Scope Increase .....		[384,700]
	<b>AMPHIBIOUS SHIPS</b>		
012A	AMPHIBIOUS SHIP REPLACEMENT LX(R) .....		856,000
	Procurement of LX (R) .....		[856,000]
	<b>AUXILIARIES, CRAFT AND PRIOR YR PROGRAM COST</b>		
026	SHIP TO SHORE CONNECTOR .....		165,000
	Scope Increase .....		[165,000]
028	LCAC SLEP .....		80,300
	Scope Increase .....		[80,300]
	<b>TOTAL SHIPBUILDING AND CONVERSION, NAVY</b> .....		<b>2,267,000</b>
	<b>OTHER PROCUREMENT, NAVY</b>		
	<b>OTHER SHIPBOARD EQUIPMENT</b>		
009	DDG MOD .....		65,000
	Scope Increase .....		[65,000]
	<b>SMALL BOATS</b>		
032	STANDARD BOATS .....		20,000
	Program Acceleration .....		[20,000]



**SEC. 4103. PROCUREMENT FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>OTHER SHIP SUPPORT</b>			
039A	LCS LAUNCHER .....		24,900
	Navy unfunded requirement .....		[24,900]
<b>AIRCRAFT SUPPORT EQUIPMENT</b>			
104	WEAPONS RANGE SUPPORT EQUIPMENT .....		9,000
	Navy unfunded requirement—Barking Sands Tactical Underwater Range .....		[9,000]
<b>OTHER ORDNANCE SUPPORT EQUIPMENT</b>			
116	EXPLOSIVE ORDNANCE DISPOSAL EQUIP .....	59,329	59,329
	<b>TOTAL OTHER PROCUREMENT, NAVY</b> .....	<b>59,329</b>	<b>178,229</b>
<b>PROCUREMENT, MARINE CORPS</b>			
<b>ARTILLERY AND OTHER WEAPONS</b>			
004	155MM LIGHTWEIGHT TOWED HOWITZER .....		14,000
	Marine Corps unfunded requirement- chrome tubes .....		[14,000]
<b>OTHER SUPPORT (NON-TEL)</b>			
036	COMMAND POST SYSTEMS .....		40,800
	Marine Corps unfunded requirement- SPMAGTF—C4 UUNS .....		[40,800]
	<b>TOTAL PROCUREMENT, MARINE CORPS</b> .....		<b>54,800</b>
<b>AIRCRAFT PROCUREMENT, AIR FORCE</b>			
<b>TACTICAL FORCES</b>			
001	F-35 .....		690,500
	Air Force unfunded requirement .....		[690,500]
<b>OTHER AIRLIFT</b>			
004	C-130J .....		271,500
	Scope Increase .....		[271,500]
<b>HELICOPTERS</b>			
010	UH-1N REPLACEMENT .....		80,000
	Program increase to address urgent need .....		[80,000]
<b>OTHER AIRCRAFT</b>			
015	MQ-9 .....	179,430	179,430
015A	EC-130H .....		103,000
	Scope increase .....		[103,000]
<b>TACTICAL AIRCRAFT</b>			
020	A-10 .....		218,500
	A-10 wing upgrades .....		[120,000]
	Air Force unfunded requirement- A-10 antijam GPS .....		[10,300]
	Air Force unfunded requirement- A-10 situation awareness upgrade kits .....		[23,200]
	Air Force unfunded requirement- ASE radar warning receiver upgrades .....		[65,000]
021	F-15 .....		60,400
	Air Force unfunded requirement- ASE radar warning receiver upgrades .....		[60,400]
022	F-16 .....		187,500
	Air Force unfunded requirement- antijam GPS .....		[5,000]
	Air Force unfunded requirement- missile warning system .....		[12,000]
	Air Force unfunded requirement- radar warning receiver upgrades .....		[170,500]
<b>OTHER AIRCRAFT</b>			
049	E-8 .....		17,500
	Additional 2 PME-DMS kits .....		[17,500]
054	H-60 .....		70,700
	Air Force unfunded requirement- ASE radar warning receivers .....		[70,700]
	<b>TOTAL AIRCRAFT PROCUREMENT, AIR FORCE</b> .....	<b>179,430</b>	<b>1,879,030</b>
<b>MISSILE PROCUREMENT, AIR FORCE</b>			
<b>TACTICAL</b>			
007	SMALL DIAMETER BOMB .....	167,800	167,800
<b>CLASS IV</b>			
011	AGM-65D MAVERICK .....	16,900	16,900
	<b>TOTAL MISSILE PROCUREMENT, AIR FORCE</b> .....	<b>184,700</b>	<b>184,700</b>
<b>PROCUREMENT OF AMMUNITION, AIR FORCE</b>			
<b>ROCKETS</b>			
001	ROCKETS .....	60,000	60,000
<b>BOMBS</b>			
006	JOINT DIRECT ATTACK MUNITION .....	263,000	263,000
	<b>TOTAL PROCUREMENT OF AMMUNITION, AIR FORCE</b> .....	<b>323,000</b>	<b>323,000</b>
<b>PROCUREMENT, DEFENSE-WIDE</b>			
<b>MAJOR EQUIPMENT, DISA</b>			
007	TELEPORT PROGRAM .....	2,000	2,000
016	DEFENSE INFORMATION SYSTEMS NETWORK .....	2,000	2,000
	<b>TOTAL PROCUREMENT, DEFENSE-WIDE</b> .....	<b>4,000</b>	<b>4,000</b>
	<b>TOTAL PROCUREMENT</b> .....	<b>1,287,871</b>	<b>10,728,171</b>

1 **TITLE XLII—RESEARCH, DEVEL-**  
 2 **OPMENT, TEST, AND EVALUA-**  
 3 **TION**

4 **SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
 5 **TION.**

<b>SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION</b>				
<i>(In Thousands of Dollars)</i>				
<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY</b>				
<b>BASIC RESEARCH</b>				
001	0601101A	IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....	12,381	12,381
002	0601102A	DEFENSE RESEARCH SCIENCES .....	253,116	253,116
003	0601103A	UNIVERSITY RESEARCH INITIATIVES .....	69,166	69,166
004	0601104A	UNIVERSITY AND INDUSTRY RESEARCH CENTERS .....	94,280	94,280
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>428,943</b>	<b>428,943</b>
<b>APPLIED RESEARCH</b>				
005	0602105A	MATERIALS TECHNOLOGY .....	31,533	31,533
006	0602120A	SENSORS AND ELECTRONIC SURVIVABILITY .....	36,109	36,109
007	0602122A	TRACTOR HIP .....	6,995	6,995
008	0602211A	AVIATION TECHNOLOGY .....	65,914	65,914
009	0602270A	ELECTRONIC WARFARE TECHNOLOGY .....	25,466	25,466
010	0602303A	MISSILE TECHNOLOGY .....	44,313	44,313
011	0602307A	ADVANCED WEAPONS TECHNOLOGY .....	28,803	28,803
012	0602308A	ADVANCED CONCEPTS AND SIMULATION .....	27,688	27,688
013	0602601A	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY .....	67,959	67,959
014	0602618A	BALLISTICS TECHNOLOGY .....	85,436	85,436
015	0602622A	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY .....	3,923	3,923
016	0602623A	JOINT SERVICE SMALL ARMS PROGRAM .....	5,545	5,545
017	0602624A	WEAPONS AND MUNITIONS TECHNOLOGY .....	53,581	53,581
018	0602705A	ELECTRONICS AND ELECTRONIC DEVICES .....	56,322	56,322
019	0602709A	NIGHT VISION TECHNOLOGY .....	36,079	36,079
020	0602712A	COUNTERMINE SYSTEMS .....	26,497	26,497
021	0602716A	HUMAN FACTORS ENGINEERING TECHNOLOGY .....	23,671	23,671
022	0602720A	ENVIRONMENTAL QUALITY TECHNOLOGY .....	22,151	22,151
023	0602782A	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY .....	37,803	37,803
024	0602783A	COMPUTER AND SOFTWARE TECHNOLOGY .....	13,811	13,811
025	0602784A	MILITARY ENGINEERING TECHNOLOGY .....	67,416	67,416
026	0602785A	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY .....	26,045	26,045
027	0602786A	WARFIGHTER TECHNOLOGY .....	37,403	42,403
		<i>Program Increase .....</i>		[5,000]
028	0602787A	MEDICAL TECHNOLOGY .....	77,111	77,111
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>907,574</b>	<b>912,574</b>
<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>				
029	0603001A	WARFIGHTER ADVANCED TECHNOLOGY .....	38,831	38,831
030	0603002A	MEDICAL ADVANCED TECHNOLOGY .....	68,365	68,365
031	0603003A	AVIATION ADVANCED TECHNOLOGY .....	94,280	94,280
032	0603004A	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY .....	68,714	68,714
033	0603005A	COMBAT VEHICLE AND AUTOMOTIVE ADVANCED TECHNOLOGY .....	122,132	122,132
034	0603006A	SPACE APPLICATION ADVANCED TECHNOLOGY .....	3,904	3,904
035	0603007A	MANPOWER, PERSONNEL AND TRAINING ADVANCED TECHNOLOGY .....	14,417	14,417
037	0603009A	TRACTOR HIKE .....	8,074	21,374
		<i>See classified annex .....</i>		[13,300]
038	0603015A	NEXT GENERATION TRAINING & SIMULATION SYSTEMS .....	18,969	18,969
039	0603020A	TRACTOR ROSE .....	11,910	11,910
040	0603125A	COMBATING TERRORISM—TECHNOLOGY DEVELOPMENT .....	27,686	27,686
041	0603130A	TRACTOR NAIL .....	2,340	2,340
042	0603131A	TRACTOR EGGS .....	2,470	2,470
043	0603270A	ELECTRONIC WARFARE TECHNOLOGY .....	27,893	27,893
044	0603313A	MISSILE AND ROCKET ADVANCED TECHNOLOGY .....	52,190	52,190
045	0603322A	TRACTOR CAGE .....	11,107	11,107
046	0603461A	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM .....	177,190	179,190
		<i>Program increase .....</i>		[2,000]
047	0603606A	LANDMINE WARFARE AND BARRIER ADVANCED TECHNOLOGY ..	17,451	17,451
048	0603607A	JOINT SERVICE SMALL ARMS PROGRAM .....	5,839	5,839
049	0603710A	NIGHT VISION ADVANCED TECHNOLOGY .....	44,468	44,468
050	0603728A	ENVIRONMENTAL QUALITY TECHNOLOGY DEMONSTRATIONS .....	11,137	11,137
051	0603734A	MILITARY ENGINEERING ADVANCED TECHNOLOGY .....	20,684	20,684

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

<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
052	0603772A	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY.	44,239	44,239
053	0603794A	C3 ADVANCED TECHNOLOGY .....	35,775	35,775
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b>	<b>930,065</b>	<b>945,365</b>
<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>				
054	0603305A	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION .....	9,433	9,433
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION .....	23,056	23,056
056	0603619A	LANDMINE WARFARE AND BARRIER—ADV DEV .....	72,117	72,117
057	0603627A	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV .....	28,244	28,244
058	0603639A	TANK AND MEDIUM CALIBER AMMUNITION .....	40,096	40,096
059	0603747A	SOLDIER SUPPORT AND SURVIVABILITY .....	10,506	10,506
060	0603766A	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV .....	15,730	15,730
061	0603774A	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT .....	10,321	10,321
062	0603779A	ENVIRONMENTAL QUALITY TECHNOLOGY—DEM/VAL .....	7,785	7,785
063	0603790A	NATO RESEARCH AND DEVELOPMENT .....	2,300	2,300
064	0603801A	AVIATION—ADV DEV .....	10,014	10,014
065	0603804A	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV .....	20,834	20,834
066	0603807A	MEDICAL SYSTEMS—ADV DEV .....	33,503	41,003
		<i>Program increase</i> .....		[7,500]
067	0603827A	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT .....	31,120	31,120
068	0604100A	ANALYSIS OF ALTERNATIVES .....	6,608	6,608
069	0604114A	LOWER TIER AIR MISSILE DEFENSE (LTAMD) SENSOR .....	35,132	35,132
070	0604115A	TECHNOLOGY MATURATION INITIATIVES .....	70,047	70,047
071	0604120A	ASSURED POSITIONING, NAVIGATION AND TIMING (PNT) .....	83,279	83,279
073	0305251A	CYBERSPACE OPERATIONS FORCES AND FORCE SUPPORT .....	40,510	40,510
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>	<b>550,635</b>	<b>558,135</b>
<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>				
074	0604201A	AIRCRAFT AVIONICS .....	83,248	83,248
075	0604270A	ELECTRONIC WARFARE DEVELOPMENT .....	34,642	34,642
077	0604290A	MID-TIER NETWORKING VEHICULAR RADIO (MNVR) .....	12,172	12,172
078	0604321A	ALL SOURCE ANALYSIS SYSTEM .....	3,958	3,958
079	0604328A	TRACTOR CAGE .....	12,525	12,525
080	0604601A	INFANTRY SUPPORT WEAPONS .....	66,943	66,943
082	0604611A	JAVELIN .....	20,011	20,011
083	0604622A	FAMILY OF HEAVY TACTICAL VEHICLES .....	11,429	11,429
084	0604633A	AIR TRAFFIC CONTROL .....	3,421	3,421
085	0604641A	TACTICAL UNMANNED GROUND VEHICLE (TUGV) .....	39,282	39,282
086	0604642A	LIGHT TACTICAL WHEELED VEHICLES .....	494	494
087	0604645A	ARMORED SYSTEMS MODERNIZATION (ASM)—ENG DEV .....	9,678	9,678
088	0604770A	NIGHT VISION SYSTEMS—ENG DEV .....	84,519	84,519
089	0604713A	COMBAT FEEDING, CLOTHING, AND EQUIPMENT .....	2,054	2,054
090	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV .....	30,774	30,774
091	0604741A	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE—ENG DEV.	53,332	61,332
		<i>Program increase- all digital radar technology for CRAM</i> .....		[8,000]
092	0604742A	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT .....	17,887	17,887
093	0604746A	AUTOMATIC TEST EQUIPMENT DEVELOPMENT .....	8,813	8,813
094	0604760A	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—ENG DEV .....	10,487	10,487
095	0604780A	COMBINED ARMS TACTICAL TRAINER (CATT) CORE .....	15,068	15,068
096	0604798A	BRIGADE ANALYSIS, INTEGRATION AND EVALUATION .....	89,716	89,716
097	0604802A	WEAPONS AND MUNITIONS—ENG DEV .....	80,365	80,365
098	0604804A	LOGISTICS AND ENGINEER EQUIPMENT—ENG DEV .....	75,098	86,198
		<i>Program Increase- next generation signature management</i> .....		[11,100]
099	0604805A	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—ENG DEV ...	4,245	4,245
100	0604807A	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT—ENG DEV.	41,124	41,124
101	0604808A	LANDMINE WARFARE/BARRIER—ENG DEV .....	39,630	39,630
102	0604818A	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE.	205,590	205,590
103	0604820A	RADAR DEVELOPMENT .....	15,983	15,983
104	0604822A	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS) .....	6,805	6,805
105	0604823A	FIREFINDER .....	9,235	9,235
106	0604827A	SOLDIER SYSTEMS—WARRIOR DEM/VAL .....	12,393	12,393
107	0604854A	ARTILLERY SYSTEMS—EMD .....	1,756	1,756
108	0605013A	INFORMATION TECHNOLOGY DEVELOPMENT .....	74,236	74,236
109	0605018A	INTEGRATED PERSONNEL AND PAY SYSTEM-ARMY (IPPS-A) .....	155,584	155,584
110	0605028A	ARMORED MULTI-PURPOSE VEHICLE (AMPV) .....	184,221	184,221
111	0605029A	INTEGRATED GROUND SECURITY SURVEILLANCE RESPONSE CAPABILITY (IGSSR-C).	4,980	4,980
112	0605030A	JOINT TACTICAL NETWORK CENTER (JTNC) .....	15,041	15,041
113	0605031A	JOINT TACTICAL NETWORK (JTN) .....	16,014	16,014
114	0605032A	TRACTOR TIRE .....	27,254	27,254
115	0605033A	GROUND-BASED OPERATIONAL SURVEILLANCE SYSTEM—EX-PEDITIONARY (GBOSS-E).	5,032	5,032

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

<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
116	0605034A	TACTICAL SECURITY SYSTEM (TSS) .....	2,904	2,904
117	0605035A	COMMON INFRARED COUNTERMEASURES (CIRC) .....	96,977	96,977
118	0605036A	COMBATING WEAPONS OF MASS DESTRUCTION (CWMD) .....	2,089	2,089
119	0605041A	DEFENSIVE CYBER TOOL DEVELOPMENT .....	33,836	33,836
120	0605042A	TACTICAL NETWORK RADIO SYSTEMS (LOW-TIER) .....	18,824	18,824
121	0605047A	CONTRACT WRITING SYSTEM .....	20,663	20,663
122	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT .....	41,133	41,133
123	0605052A	INDIRECT FIRE PROTECTION CAPABILITY INC 2—BLOCK 1 .....	83,995	83,995
125	0605380A	AMF JOINT TACTICAL RADIO SYSTEM (JTRS) .....	5,028	5,028
126	0605450A	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	42,972	42,972
128	0605457A	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD) .....	252,811	252,811
131	0605766A	NATIONAL CAPABILITIES INTEGRATION (MIP) .....	4,955	4,955
132	0605812A	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH. ....	11,530	11,530
133	0605830A	AVIATION GROUND SUPPORT EQUIPMENT .....	2,142	2,142
134	0210609A	PALADIN INTEGRATED MANAGEMENT (PIM) .....	41,498	41,498
135	0303032A	TROJAN—RH12 .....	4,273	4,273
136	0304270A	ELECTRONIC WARFARE DEVELOPMENT .....	14,425	14,425
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>2,265,094</b>	<b>2,284,194</b>
		<b>RDT&amp;E MANAGEMENT SUPPORT</b>		
137	0604256A	THREAT SIMULATOR DEVELOPMENT .....	25,675	25,675
138	0604258A	TARGET SYSTEMS DEVELOPMENT .....	19,122	19,122
139	0604759A	MAJOR T&E INVESTMENT .....	84,777	84,777
140	0605103A	RAND ARROYO CENTER .....	20,658	20,658
141	0605301A	ARMY KWAJALEIN ATOLL .....	236,648	236,648
142	0605326A	CONCEPTS EXPERIMENTATION PROGRAM .....	25,596	25,596
144	0605601A	ARMY TEST RANGES AND FACILITIES .....	293,748	293,748
145	0605602A	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS .....	52,404	52,404
146	0605604A	SURVIVABILITY/LETHALITY ANALYSIS .....	38,571	38,571
147	0605606A	AIRCRAFT CERTIFICATION .....	4,665	4,665
148	0605702A	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES .....	6,925	6,925
149	0605706A	MATERIEL SYSTEMS ANALYSIS .....	21,677	21,677
150	0605709A	EXPLOITATION OF FOREIGN ITEMS .....	12,415	12,415
151	0605712A	SUPPORT OF OPERATIONAL TESTING .....	49,684	49,684
152	0605716A	ARMY EVALUATION CENTER .....	55,905	55,905
153	0605718A	ARMY MODELING & SIM X-CMD COLLABORATION & INTEG .....	7,959	7,959
154	0605801A	PROGRAMWIDE ACTIVITIES .....	51,822	51,822
155	0605803A	TECHNICAL INFORMATION ACTIVITIES .....	33,323	33,323
156	0605805A	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY .....	40,545	40,545
157	0605857A	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT .....	2,130	2,130
158	0605898A	MANAGEMENT HQ—R&D .....	49,885	49,885
159	0303260A	DEFENSE MILITARY DECEPTION INITIATIVE .....	2,000	2,000
		<b>SUBTOTAL RDT&amp;E MANAGEMENT SUPPORT</b>	<b>1,136,134</b>	<b>1,136,134</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
161	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM .....	9,663	9,663
162	0603813A	TRACTOR PULL .....	3,960	3,960
163	0605024A	ANTI-TAMPER TECHNOLOGY SUPPORT .....	3,638	3,638
164	0607131A	WEAPONS AND MUNITIONS PRODUCT IMPROVEMENT PROGRAMS. ....	14,517	14,517
165	0607133A	TRACTOR SMOKE .....	4,479	4,479
166	0607134A	LONG RANGE PRECISION FIRES (LRPF) .....	39,275	39,275
167	0607135A	APACHE PRODUCT IMPROVEMENT PROGRAM .....	66,441	66,441
168	0607136A	BLACKHAWK PRODUCT IMPROVEMENT PROGRAM .....	46,765	46,765
169	0607137A	CHINOOK PRODUCT IMPROVEMENT PROGRAM .....	91,848	91,848
170	0607138A	FIXED WING PRODUCT IMPROVEMENT PROGRAM .....	796	796
171	0607139A	IMPROVED TURBINE ENGINE PROGRAM .....	126,105	126,105
172	0607140A	EMERGING TECHNOLOGIES FROM NIE .....	2,369	2,369
173	0607141A	LOGISTICS AUTOMATION .....	4,563	4,563
174	0607665A	FAMILY OF BIOMETRICS .....	12,098	12,098
175	0607865A	PATRIOT PRODUCT IMPROVEMENT .....	49,482	49,482
176	0202429A	AEROSTAT JOINT PROJECT—COCOM EXERCISE .....	45,482	2,482
		Program reduction .....		[-43,000]
178	0203728A	JOINT AUTOMATED DEEP OPERATION COORDINATION SYSTEM (JADOC). ....	30,455	30,455
179	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS .....	316,857	316,857
180	0203740A	MANEUVER CONTROL SYSTEM .....	4,031	4,031
181	0203744A	AIRCRAFT MODIFICATIONS/PRODUCT IMPROVEMENT PROGRAMS. ....	35,793	35,793
182	0203752A	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM .....	259	259
183	0203758A	DIGITIZATION .....	6,483	6,483
184	0203801A	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM .....	5,122	5,122
185	0203802A	OTHER MISSILE PRODUCT IMPROVEMENT PROGRAMS .....	7,491	7,491
186	0203808A	TRACTOR CARD .....	20,333	20,333
188	0205410A	MATERIALS HANDLING EQUIPMENT .....	124	124
190	0205456A	LOWER TIER AIR AND MISSILE DEFENSE (AMD) SYSTEM .....	69,417	69,417

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

<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
191	0205778A	GUIDED MULTIPLE-LAUNCH ROCKET SYSTEM (GMLRS) .....	22,044	22,044
192	0208053A	JOINT TACTICAL GROUND SYSTEM .....	12,649	12,649
194	0303028A	SECURITY AND INTELLIGENCE ACTIVITIES .....	11,619	11,619
195	0303140A	INFORMATION SYSTEMS SECURITY PROGRAM .....	38,280	38,280
196	0303141A	GLOBAL COMBAT SUPPORT SYSTEM .....	27,223	27,223
197	0303142A	SATCOM GROUND ENVIRONMENT (SPACE) .....	18,815	18,815
198	0303150A	WWMCCS/GLOBAL COMMAND AND CONTROL SYSTEM .....	4,718	4,718
202	0305204A	TACTICAL UNMANNED AERIAL VEHICLES .....	8,218	8,218
203	0305206A	AIRBORNE RECONNAISSANCE SYSTEMS .....	11,799	11,799
204	0305208A	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	32,284	32,284
205	0305219A	MQ-1C GRAY EAGLE UAS .....	13,470	13,470
206	0305232A	RQ-11 UAV .....	1,613	1,613
207	0305233A	RQ-7 UAV .....	4,597	4,597
209	0310349A	WIN-T INCREMENT 2—INITIAL NETWORKING .....	4,867	4,867
210	0708045A	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES .....	62,287	62,287
210A	9999999999	CLASSIFIED PROGRAMS .....	4,625	4,625
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..</b>	<b>1,296,954</b>	<b>1,253,954</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY.</b>	<b>7,515,399</b>	<b>7,519,299</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY</b>		
		<b>BASIC RESEARCH</b>		
001	0601103N	UNIVERSITY RESEARCH INITIATIVES .....	101,714	121,714
		Program increase .....		[20,000]
002	0601152N	IN-HOUSE LABORATORY INDEPENDENT RESEARCH .....	18,508	18,508
003	0601153N	DEFENSE RESEARCH SCIENCES .....	422,748	422,748
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>542,970</b>	<b>562,970</b>
		<b>APPLIED RESEARCH</b>		
004	0602114N	POWER PROJECTION APPLIED RESEARCH .....	41,371	41,371
005	0602123N	FORCE PROTECTION APPLIED RESEARCH .....	158,745	158,745
006	0602131M	MARINE CORPS LANDING FORCE TECHNOLOGY .....	51,590	51,590
007	0602235N	COMMON PICTURE APPLIED RESEARCH .....	41,185	41,185
008	0602236N	WARFIGHTER SUSTAINMENT APPLIED RESEARCH .....	45,467	45,467
009	0602271N	ELECTROMAGNETIC SYSTEMS APPLIED RESEARCH .....	118,941	118,941
010	0602435N	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH .....	42,618	74,618
		Service Life Extension Program—AGOR .....		[32,000]
011	0602651M	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH .....	6,327	6,327
012	0602747N	UNDERSEA WARFARE APPLIED RESEARCH .....	126,313	126,313
013	0602750N	FUTURE NAVAL CAPABILITIES APPLIED RESEARCH .....	165,103	165,103
014	0602782N	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH .....	33,916	33,916
015	0602898N	SCIENCE AND TECHNOLOGY MANAGEMENT—ONR HEAD-QUARTERS.	29,575	29,575
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>861,151</b>	<b>893,151</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
016	0603114N	POWER PROJECTION ADVANCED TECHNOLOGY .....	96,406	106,406
		Program increase for common mount .....		[10,000]
017	0603123N	FORCE PROTECTION ADVANCED TECHNOLOGY .....	48,438	48,438
018	0603271N	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY .....	26,421	26,421
019	0603640M	USMC ADVANCED TECHNOLOGY DEMONSTRATION (ATD) .....	140,416	140,416
020	0603651M	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT .....	13,117	13,117
021	0603673N	FUTURE NAVAL CAPABILITIES ADVANCED TECHNOLOGY DE-VELOPMENT.	249,092	249,092
022	0603680N	MANUFACTURING TECHNOLOGY PROGRAM .....	56,712	56,712
023	0603729N	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY .....	4,789	4,789
024	0603747N	UNDERSEA WARFARE ADVANCED TECHNOLOGY .....	25,880	25,880
025	0603758N	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS .....	60,550	65,550
		Program Increase .....		[5,000]
026	0603782N	MINE AND EXPEDITIONARY WARFARE ADVANCED TECH-NOLOGY.	15,167	15,167
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b>	<b>736,988</b>	<b>751,988</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTO-TYPES</b>		
027	0603207N	AIR/OCEAN TACTICAL APPLICATIONS .....	48,536	48,536
028	0603216N	AVIATION SURVIVABILITY .....	5,239	5,239
030	0603251N	AIRCRAFT SYSTEMS .....	1,519	1,519
031	0603254N	ASW SYSTEMS DEVELOPMENT .....	7,041	7,041
032	0603261N	TACTICAL AIRBORNE RECONNAISSANCE .....	3,274	3,274
033	0603382N	ADVANCED COMBAT SYSTEMS TECHNOLOGY .....	57,034	72,034
		Program Increase .....		[15,000]
034	0603502N	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES .....	165,775	165,775
035	0603506N	SURFACE SHIP TORPEDO DEFENSE .....	87,066	87,066
036	0603512N	CARRIER SYSTEMS DEVELOPMENT .....	7,605	7,605
037	0603525N	PILOT FISH .....	132,068	132,068
038	0603527N	RETRACT LARCH .....	14,546	14,546

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

<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
039	0603536N	RETRACT JUNIPER .....	115,435	115,435
040	0603542N	RADIOLOGICAL CONTROL .....	702	702
041	0603553N	SURFACE ASW .....	1,081	1,081
042	0603561N	ADVANCED SUBMARINE SYSTEM DEVELOPMENT .....	100,565	100,565
043	0603562N	SUBMARINE TACTICAL WARFARE SYSTEMS .....	8,782	8,782
044	0603563N	SHIP CONCEPT ADVANCED DESIGN .....	14,590	14,590
045	0603564N	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES .....	15,805	15,805
046	0603570N	ADVANCED NUCLEAR POWER SYSTEMS .....	453,313	453,313
047	0603573N	ADVANCED SURFACE MACHINERY SYSTEMS .....	36,655	36,655
048	0603576N	CHALK EAGLE .....	367,016	367,016
049	0603581N	LITTORAL COMBAT SHIP (LCS) .....	51,630	51,630
050	0603582N	COMBAT SYSTEM INTEGRATION .....	23,530	23,530
051	0603595N	OHIO REPLACEMENT .....	700,811	700,811
052	0603596N	LCS MISSION MODULES .....	160,058	129,158
		Program Restructure .....		[-30,900]
053	0603597N	AUTOMATED TEST AND ANALYSIS .....		8,000
		Program increase .....		[8,000]
054	0603599N	FRIGATE DEVELOPMENT .....	84,900	84,900
055	0603609N	CONVENTIONAL MUNITIONS .....	8,342	8,342
056	0603611M	MARINE CORPS ASSAULT VEHICLES .....	158,682	158,682
057	0603635M	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM .....	1,303	1,303
058	0603654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	46,911	46,911
060	0603713N	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT .....	4,556	4,556
061	0603721N	ENVIRONMENTAL PROTECTION .....	20,343	20,343
062	0603724N	NAVY ENERGY PROGRAM .....	52,479	52,479
063	0603725N	FACILITIES IMPROVEMENT .....	5,458	5,458
064	0603734N	CHALK CORAL .....	245,860	245,860
065	0603739N	NAVY LOGISTIC PRODUCTIVITY .....	3,089	3,089
066	0603746N	RETRACT MAPLE .....	323,526	323,526
067	0603748N	LINK PLUMERIA .....	318,497	318,497
068	0603751N	RETRACT ELM .....	52,834	52,834
069	0603764N	LINK EVERGREEN .....	48,116	48,116
070	0603787N	SPECIAL PROCESSES .....	13,619	13,619
071	0603790N	NATO RESEARCH AND DEVELOPMENT .....	9,867	9,867
072	0603795N	LAND ATTACK TECHNOLOGY .....	6,015	6,015
073	0603851M	JOINT NON-LETHAL WEAPONS TESTING .....	27,904	27,904
074	0603860N	JOINT PRECISION APPROACH AND LANDING SYSTEMS—DEM/ VAL .....	104,144	104,144
075	0603925N	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS .....	32,700	32,700
076	0604112N	GERALD R. FORD CLASS NUCLEAR AIRCRAFT CARRIER (CVN 78—80) .....	70,528	70,528
077	0604122N	REMOTE MINEHUNTING SYSTEM (RMS) .....	3,001	3,001
078	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM) .....	34,920	34,920
080	0604292N	MH-XX .....	1,620	1,620
081	0604454N	LX (R) .....	6,354	6,354
082	0604536N	ADVANCED UNDERSEA PROTOTYPING .....	78,589	78,589
084	0604659N	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM .....	9,910	9,910
085	0604707N	SPACE AND ELECTRONIC WARFARE (SEW) ARCHITECTURE/EN- GINEERING SUPPORT .....	23,971	23,971
086	0604786N	OFFENSIVE ANTI-SURFACE WARFARE WEAPON DEVELOPMENT .....	252,409	252,409
087	0605812M	JOINT LIGHT TACTICAL VEHICLE (JLTV) ENGINEERING AND MANUFACTURING DEVELOPMENT PH. .....	23,197	23,197
088	0303354N	ASW SYSTEMS DEVELOPMENT—MIP .....	9,110	9,110
089	0304270N	ELECTRONIC WARFARE DEVELOPMENT—MIP .....	437	437
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES .....</b>	<b>4,662,867</b>	<b>4,654,967</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
090	0603208N	TRAINING SYSTEM AIRCRAFT .....	19,938	19,938
091	0604212N	OTHER HELO DEVELOPMENT .....	6,268	6,268
092	0604214N	AV-8B AIRCRAFT—ENG DEV .....	33,664	33,664
093	0604215N	STANDARDS DEVELOPMENT .....	1,300	1,300
094	0604216N	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT .....	5,275	5,275
095	0604218N	AIR/OCEAN EQUIPMENT ENGINEERING .....	3,875	3,875
096	0604221N	P-3 MODERNIZATION PROGRAM .....	1,909	1,909
097	0604230N	WARFARE SUPPORT SYSTEM .....	13,237	13,237
098	0604231N	TACTICAL COMMAND SYSTEM .....	36,323	36,323
099	0604234N	ADVANCED HAWKEYE .....	363,792	363,792
100	0604245N	H-1 UPGRADES .....	27,441	27,441
101	0604261N	ACOUSTIC SEARCH SENSORS .....	34,525	34,525
102	0604262N	V-22A .....	174,423	174,423
103	0604264N	AIR CREW SYSTEMS DEVELOPMENT .....	13,577	13,577
104	0604269N	EA-18 .....	116,761	116,761
105	0604270N	ELECTRONIC WARFARE DEVELOPMENT .....	48,766	48,766
106	0604273N	EXECUTIVE HELO DEVELOPMENT .....	338,357	338,357
107	0604274N	NEXT GENERATION JAMMER (NGJ) .....	577,822	577,822
108	0604280N	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY) .....	2,365	2,365

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
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<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
109	0604282N	NEXT GENERATION JAMMER (NGJ) INCREMENT II .....	52,065	52,065
110	0604307N	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING .....	282,764	282,764
111	0604311N	LPD-17 CLASS SYSTEMS INTEGRATION .....	580	580
112	0604329N	SMALL DIAMETER BOMB (SDB) .....	97,622	97,622
113	0604366N	STANDARD MISSILE IMPROVEMENTS .....	120,561	120,561
114	0604373N	AIRBORNE MCM .....	45,622	45,622
116	0604378N	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENGINEERING .....	25,750	25,750
118	0604501N	ADVANCED ABOVE WATER SENSORS .....	85,868	85,868
119	0604503N	SSN-688 AND TRIDENT MODERNIZATION .....	117,476	117,476
120	0604504N	AIR CONTROL .....	47,404	47,404
121	0604512N	SHIPBOARD AVIATION SYSTEMS .....	112,158	112,158
122	0604518N	COMBAT INFORMATION CENTER CONVERSION .....	6,283	6,283
123	0604522N	AIR AND MISSILE DEFENSE RADAR (AMDR) SYSTEM .....	144,395	144,395
124	0604558N	NEW DESIGN SSN .....	113,013	113,013
125	0604562N	SUBMARINE TACTICAL WARFARE SYSTEM .....	43,160	43,160
126	0604567N	SHIP CONTRACT DESIGN/ LIVE FIRE T&E .....	65,002	85,002
		CVN Design .....		[20,000]
127	0604574N	NAVY TACTICAL COMPUTER RESOURCES .....	3,098	3,098
128	0604580N	VIRGINIA PAYLOAD MODULE (VPM) .....	97,920	97,920
129	0604601N	MINE DEVELOPMENT .....	10,490	10,490
130	0604610N	LIGHTWEIGHT TORPEDO DEVELOPMENT .....	20,178	20,178
131	0604654N	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT .....	7,369	7,369
132	0604703N	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS .....	4,995	4,995
133	0604727N	JOINT STANDOFF WEAPON SYSTEMS .....	412	412
134	0604755N	SHIP SELF DEFENSE (DETECT & CONTROL) .....	134,619	134,619
135	0604756N	SHIP SELF DEFENSE (ENGAGE: HARD KILL) .....	114,475	105,475
		Program Execution .....		[-9,000]
136	0604757N	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW) .....	114,211	114,211
137	0604761N	INTELLIGENCE ENGINEERING .....	11,029	11,029
138	0604771N	MEDICAL DEVELOPMENT .....	9,220	9,220
139	0604777N	NAVIGATION/ID SYSTEM .....	42,723	42,723
140	0604800M	JOINT STRIKE FIGHTER (JSF)—EMD .....	531,426	531,426
141	0604800N	JOINT STRIKE FIGHTER (JSF)—EMD .....	528,716	528,716
142	0604810M	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—MARINE CORPS .....	74,227	74,227
143	0604810N	JOINT STRIKE FIGHTER FOLLOW ON DEVELOPMENT—NAVY .....	63,387	63,387
144	0605013M	INFORMATION TECHNOLOGY DEVELOPMENT .....	4,856	4,856
145	0605013N	INFORMATION TECHNOLOGY DEVELOPMENT .....	97,066	97,066
146	0605024N	ANTI-TAMPER TECHNOLOGY SUPPORT .....	2,500	2,500
147	0605212N	CH-53K RDTE .....	404,810	404,810
148	0605215N	MISSION PLANNING .....	33,570	33,570
149	0605217N	COMMON AVIONICS .....	51,599	51,599
150	0605220N	SHIP TO SHORE CONNECTOR (SSC) .....	11,088	11,088
151	0605327N	T-AO (X) .....	1,095	1,095
152	0605414N	MQ-XX .....	89,000	77,000
		Excess Obligation .....		[-12,000]
153	0605450N	JOINT AIR-TO-GROUND MISSILE (JAGM) .....	17,880	17,880
154	0605500N	MULTI-MISSION MARITIME AIRCRAFT (MMA) .....	59,126	59,126
155	0605504N	MULTI-MISSION MARITIME (MMA) INCREMENT III .....	182,220	182,220
156	0204202N	DDG-1000 .....	45,642	45,642
159	0304231N	TACTICAL COMMAND SYSTEM—MIP .....	676	676
160	0304785N	TACTICAL CRYPTOLOGIC SYSTEMS .....	36,747	36,747
161	0305124N	SPECIAL APPLICATIONS PROGRAM .....	35,002	35,002
162	0306250M	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT .....	4,942	4,942
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b> .....	<b>6,025,655</b>	<b>6,024,655</b>
		<b>MANAGEMENT SUPPORT</b>		
163	0604256N	THREAT SIMULATOR DEVELOPMENT .....	16,633	16,633
164	0604258N	TARGET SYSTEMS DEVELOPMENT .....	36,662	36,662
165	0604759N	MAJOR T&E INVESTMENT .....	42,109	42,109
166	0605126N	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION .....	2,998	2,998
167	0605152N	STUDIES AND ANALYSIS SUPPORT—NAVY .....	3,931	3,931
168	0605154N	CENTER FOR NAVAL ANALYSES .....	46,634	46,634
169	0605285N	NEXT GENERATION FIGHTER .....	1,200	1,200
171	0605804N	TECHNICAL INFORMATION SERVICES .....	903	903
172	0605853N	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT .....	87,077	87,077
173	0605856N	STRATEGIC TECHNICAL SUPPORT .....	3,597	3,597
174	0605861N	RDT&E SCIENCE AND TECHNOLOGY MANAGEMENT .....	62,811	62,811
175	0605863N	RDT&E SHIP AND AIRCRAFT SUPPORT .....	106,093	106,093
176	0605864N	TEST AND EVALUATION SUPPORT .....	349,146	349,146
177	0605865N	OPERATIONAL TEST AND EVALUATION CAPABILITY .....	18,160	18,160
178	0605866N	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT .....	9,658	9,658
179	0605867N	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT .....	6,500	6,500
180	0605873M	MARINE CORPS PROGRAM WIDE SUPPORT .....	22,247	22,247
181	0605898N	MANAGEMENT HQ—R&D .....	16,254	16,254
182	0606355N	WARFARE INNOVATION MANAGEMENT .....	21,123	21,123

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
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<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>			<b>853,736</b>	<b>853,736</b>
<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>				
188	0607658N	COOPERATIVE ENGAGEMENT CAPABILITY (CEC) .....	84,501	84,501
189	0607700N	DEPLOYABLE JOINT COMMAND AND CONTROL .....	2,970	2,970
190	0101221N	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT .....	136,556	136,556
191	0101224N	SSBN SECURITY TECHNOLOGY PROGRAM .....	33,845	33,845
192	0101226N	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT .....	9,329	9,329
193	0101402N	NAVY STRATEGIC COMMUNICATIONS .....	17,218	17,218
195	0204136N	F/A-18 SQUADRONS .....	189,125	189,125
196	0204163N	FLEET TELECOMMUNICATIONS (TACTICAL) .....	48,225	48,225
197	0204228N	SURFACE SUPPORT .....	21,156	21,156
198	0204229N	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC) .....	71,355	71,355
199	0204311N	INTEGRATED SURVEILLANCE SYSTEM .....	58,542	58,542
200	0204413N	AMPHIBIOUS TACTICAL SUPPORT UNITS (DISPLACEMENT CRAFT) .....	13,929	13,929
201	0204460M	GROUND/AIR TASK ORIENTED RADAR (GATOR) .....	83,538	83,538
202	0204571N	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT .....	38,593	38,593
203	0204574N	CRYPTOLOGIC DIRECT SUPPORT .....	1,122	1,122
204	0204575N	ELECTRONIC WARFARE (EW) READINESS SUPPORT .....	99,998	99,998
205	0205601N	HARM IMPROVEMENT .....	48,635	48,635
206	0205604N	TACTICAL DATA LINKS .....	124,785	124,785
207	0205620N	SURFACE ASW COMBAT SYSTEM INTEGRATION .....	24,583	24,583
208	0205632N	MK-48 ADCAP .....	39,134	39,134
209	0205633N	AVIATION IMPROVEMENTS .....	120,861	120,861
210	0205675N	OPERATIONAL NUCLEAR POWER SYSTEMS .....	101,786	101,786
211	0206313M	MARINE CORPS COMMUNICATIONS SYSTEMS .....	82,159	82,159
212	0206335M	COMMON AVIATION COMMAND AND CONTROL SYSTEM (CAC2S) ...	11,850	11,850
213	0206623M	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS .....	47,877	47,877
214	0206624M	MARINE CORPS COMBAT SERVICES SUPPORT .....	13,194	13,194
215	0206625M	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP) ...	17,171	17,171
216	0206629M	AMPHIBIOUS ASSAULT VEHICLE .....	38,020	38,020
217	0207161N	TACTICAL AIM MISSILES .....	56,285	56,285
218	0207163N	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) .....	40,350	40,350
219	0219902M	GLOBAL COMBAT SUPPORT SYSTEM—MARINE CORPS (GCSS-MC) .....	9,128	9,128
223	0303109N	SATELLITE COMMUNICATIONS (SPACE) .....	37,372	37,372
224	0303138N	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES (CANES) .....	23,541	23,541
225	0303140N	INFORMATION SYSTEMS SECURITY PROGRAM .....	38,510	38,510
228	0305192N	MILITARY INTELLIGENCE PROGRAM (MIP) ACTIVITIES .....	6,019	6,019
229	0305204N	TACTICAL UNMANNED AERIAL VEHICLES .....	8,436	8,436
230	0305205N	UAS INTEGRATION AND INTEROPERABILITY .....	36,509	36,509
231	0305208M	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	2,100	2,100
232	0305208N	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	44,571	44,571
233	0305220N	MQ-4C TRITON .....	111,729	111,729
234	0305231N	MQ-8 UAV .....	26,518	26,518
235	0305232M	RQ-11 UAV .....	418	418
236	0305233N	RQ-7 UAV .....	716	716
237	0305234N	SMALL (LEVEL 0) TACTICAL UAS (STUASLo) .....	5,071	5,071
238	0305239M	RQ-21A .....	9,497	9,497
239	0305241N	MULTI-INTELLIGENCE SENSOR DEVELOPMENT .....	77,965	77,965
240	0305242M	UNMANNED AERIAL SYSTEMS (UAS) PAYLOADS (MIP) .....	11,181	11,181
241	0305242N	RQ-4 MODERNIZATION .....	181,266	181,266
242	0308601N	MODELING AND SIMULATION SUPPORT .....	4,709	4,709
243	0702207N	DEPOT MAINTENANCE (NON-IF) .....	49,322	54,322
		MH-60 Fleet Mid-Life Upgrades .....		[5,000]
245	0708730N	MARITIME TECHNOLOGY (MARITECH) .....	3,204	3,204
245A	9999999999	CLASSIFIED PROGRAMS .....	1,228,460	1,228,460
<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..</b>			<b>3,592,934</b>	<b>3,597,934</b>
<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY.</b>			<b>17,276,301</b>	<b>17,339,401</b>
<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF</b>				
<b>BASIC RESEARCH</b>				
001	0601102F	DEFENSE RESEARCH SCIENCES .....	340,812	340,812
002	0601103F	UNIVERSITY RESEARCH INITIATIVES .....	145,044	145,044
003	0601108F	HIGH ENERGY LASER RESEARCH INITIATIVES .....	14,168	14,168
<b>SUBTOTAL BASIC RESEARCH .....</b>			<b>500,024</b>	<b>500,024</b>
<b>APPLIED RESEARCH</b>				
004	0602102F	MATERIALS .....	126,152	131,152
		Precision measuring tools .....		[5,000]
005	0602201F	AEROSPACE VEHICLE TECHNOLOGIES .....	122,831	127,831
		Reusable Hypersonic vehicle structures development .....		[5,000]
006	0602202F	HUMAN EFFECTIVENESS APPLIED RESEARCH .....	111,647	116,647



SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION  
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Line	Program Element	Item	FY 2017 Request	House Authorized
		<i>Human-Machine Teaming</i> .....		[5,000]
007	0602203F	AEROSPACE PROPULSION .....	185,671	185,671
008	0602204F	AEROSPACE SENSORS .....	155,174	155,174
009	0602601F	SPACE TECHNOLOGY .....	117,915	117,915
010	0602602F	CONVENTIONAL MUNITIONS .....	109,649	109,649
011	0602605F	DIRECTED ENERGY TECHNOLOGY .....	127,163	127,163
012	0602788F	DOMINANT INFORMATION SCIENCES AND METHODS .....	161,650	161,650
013	0602890F	HIGH ENERGY LASER RESEARCH .....	42,300	42,300
		<b>SUBTOTAL APPLIED RESEARCH</b> .....	<b>1,260,152</b>	<b>1,275,152</b>
<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>				
014	0603112F	ADVANCED MATERIALS FOR WEAPON SYSTEMS .....	35,137	45,137
		<i>Metals Affordability Initiative</i> .....		[10,000]
015	0603199F	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T) .....	20,636	20,636
016	0603203F	ADVANCED AEROSPACE SENSORS .....	40,945	40,945
017	0603211F	AEROSPACE TECHNOLOGY DEV/DEMO .....	130,950	130,950
018	0603216F	AEROSPACE PROPULSION AND POWER TECHNOLOGY .....	94,594	99,594
		<i>Silicon Carbide for aerospace power application</i> .....		[5,000]
019	0603270F	ELECTRONIC COMBAT TECHNOLOGY .....	58,250	58,250
020	0603401F	ADVANCED SPACECRAFT TECHNOLOGY .....	61,593	61,593
021	0603444F	MAUI SPACE SURVEILLANCE SYSTEM (MSSS) .....	11,681	11,681
022	0603456F	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT .....	26,492	26,492
023	0603601F	CONVENTIONAL WEAPONS TECHNOLOGY .....	102,009	102,009
024	0603605F	ADVANCED WEAPONS TECHNOLOGY .....	39,064	39,064
025	0603680F	MANUFACTURING TECHNOLOGY PROGRAM .....	46,344	46,344
026	0603788F	BATTLESPACE KNOWLEDGE DEVELOPMENT AND DEMONSTRATION .....	58,110	58,110
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b> .....	<b>725,805</b>	<b>740,805</b>
<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>				
027	0603260F	INTELLIGENCE ADVANCED DEVELOPMENT .....	5,598	5,598
028	0603438F	SPACE CONTROL TECHNOLOGY .....	7,534	7,534
029	0603742F	COMBAT IDENTIFICATION TECHNOLOGY .....	24,418	24,418
030	0603790F	NATO RESEARCH AND DEVELOPMENT .....	4,333	4,333
032	0603830F	SPACE SECURITY AND DEFENSE PROGRAM .....	32,399	32,399
033	0603851F	INTERCONTINENTAL BALLISTIC MISSILE—DEM/VAL .....	108,663	108,663
035	0604015F	LONG RANGE STRIKE—BOMBER .....	1,358,309	1,358,309
036	0604257F	ADVANCED TECHNOLOGY AND SENSORS .....	34,818	34,818
037	0604317F	TECHNOLOGY TRANSFER .....	3,368	3,368
038	0604327F	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM (HDBTDS) PROGRAM .....	74,308	74,308
039	0604422F	WEATHER SYSTEM FOLLOW-ON .....	118,953	113,953
		<i>Transfer Cloud Characterization and Theater Weather Imagery to NRO.</i> .....		[-5,000]
040	0604425F	SPACE SITUATION AWARENESS SYSTEMS .....	9,901	9,901
041	0604776F	DEPLOYMENT & DISTRIBUTION ENTERPRISE R&D .....	25,890	25,890
042	0604857F	OPERATIONALLY RESPONSIVE SPACE .....	7,921	27,921
		<i>Responsive Launch and Reconstitution</i> .....		[20,000]
043	0604858F	TECH TRANSITION PROGRAM .....	347,304	347,304
044	0605230F	GROUND BASED STRATEGIC DETERRENT .....	113,919	113,919
046	0207110F	NEXT GENERATION AIR DOMINANCE .....	20,595	15,595
		<i>Program reduction</i> .....		[-5,000]
047	0207455F	THREE DIMENSIONAL LONG-RANGE RADAR (3DELRR) .....	49,491	39,491
		<i>Excess funding to need</i> .....		[-10,000]
048	0305164F	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT) (SPACE) .....	278,147	278,147
049	0305236F	COMMON DATA LINK EXECUTIVE AGENT (CDL EA) .....	42,338	42,338
050	0306250F	CYBER OPERATIONS TECHNOLOGY DEVELOPMENT .....	158,002	158,002
051	0306415F	ENABLED CYBER ACTIVITIES .....	15,842	15,842
052	0901410F	CONTRACTING INFORMATION TECHNOLOGY SYSTEM .....	5,782	5,782
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b> .....	<b>2,847,833</b>	<b>2,847,833</b>
<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>				
054	0604270F	ELECTRONIC WARFARE DEVELOPMENT .....	12,476	12,476
055	0604281F	TACTICAL DATA NETWORKS ENTERPRISE .....	82,380	82,380
056	0604287F	PHYSICAL SECURITY EQUIPMENT .....	8,458	8,458
057	0604329F	SMALL DIAMETER BOMB (SDB)—EMD .....	54,838	54,838
058	0604421F	COUNTERSPACE SYSTEMS .....	34,394	34,394
059	0604425F	SPACE SITUATION AWARENESS SYSTEMS .....	23,945	23,945
060	0604426F	SPACE FENCE .....	168,364	168,364
061	0604429F	AIRBORNE ELECTRONIC ATTACK .....	9,187	9,187
062	0604441F	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD .....	181,966	181,966
063	0604602F	ARMAMENT/ORDNANCE DEVELOPMENT .....	20,312	20,312
064	0604604F	SUBMUNITIONS .....	2,503	2,503
065	0604617F	AGILE COMBAT SUPPORT .....	53,680	53,680

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

<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
066	0604618F	JOINT DIRECT ATTACK MUNITION .....	9,901	9,901
067	0604706F	LIFE SUPPORT SYSTEMS .....	7,520	7,520
068	0604735F	COMBAT TRAINING RANGES .....	77,409	77,409
069	0604800F	F-35—EMD .....	450,467	450,467
070	0604853F	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)—EMD.	296,572	100,000
		Launch System Investment (launch vehicle, upper stage, strap-on motor, or related infrastructure).		[100,000]
		Next Generation Launch System Investment .....		[-296,572]
070A	0604XXXF	ROCKET PROPULSION SYSTEM .....		220,000
		Rocket Propulsion System Replacement of RD-180 .....		[220,000]
071	0604932F	LONG RANGE STANDOFF WEAPON .....	95,604	95,604
072	0604933F	ICBM FUZE MODERNIZATION .....	189,751	189,751
073	0605030F	JOINT TACTICAL NETWORK CENTER (JTNC) .....	1,131	1,131
074	0605213F	F-32 MODERNIZATION INCREMENT 3.2B .....	70,290	70,290
075	0605214F	GROUND ATTACK WEAPONS FUZE DEVELOPMENT .....	937	937
076	0605221F	KC-46 .....	261,724	121,724
		Scope Reduction .....		[-140,000]
077	0605223F	ADVANCED PILOT TRAINING .....	12,377	12,377
078	0605229F	CSAR HH-60 RECAPITALIZATION .....	319,331	319,331
080	0605431F	ADVANCED EHF MILSATCOM (SPACE) .....	259,131	259,131
081	0605432F	POLAR MILSATCOM (SPACE) .....	50,815	50,815
082	0605433F	WIDEBAND GLOBAL SATCOM (SPACE) .....	41,632	41,632
083	0605458F	AIR & SPACE OPS CENTER 10.2 RDT&E .....	28,911	28,911
084	0605931F	B-2 DEFENSIVE MANAGEMENT SYSTEM .....	315,615	288,937
		Scope Reduction .....		[-26,638]
085	0101125F	NUCLEAR WEAPONS MODERNIZATION .....	137,909	137,909
086	0207171F	F-15 EPAWSS .....	256,669	256,669
087	0207701F	FULL COMBAT MISSION TRAINING .....	12,051	12,051
088	0305176F	COMBAT SURVIVOR EVADER LOCATOR .....	29,253	29,253
089	0307581F	JSTARS RECAP .....	128,019	128,019
090	0401319F	PRESIDENTIAL AIRCRAFT REPLACEMENT (PAR) .....	351,220	351,220
091	0701212F	AUTOMATED TEST SYSTEMS .....	19,062	19,062
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>4,075,804</b>	<b>3,932,574</b>
		<b>MANAGEMENT SUPPORT</b>		
092	0604256F	THREAT SIMULATOR DEVELOPMENT .....	21,630	21,630
093	0604759F	MAJOR T&E INVESTMENT .....	66,385	66,385
094	0605101F	RAND PROJECT AIR FORCE .....	34,641	34,641
096	0605712F	INITIAL OPERATIONAL TEST & EVALUATION .....	11,529	11,529
097	0605807F	TEST AND EVALUATION SUPPORT .....	661,417	661,417
098	0605860F	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE) .....	11,198	11,198
099	0605864F	SPACE TEST PROGRAM (STP) .....	27,070	27,070
100	0605976F	FACILITIES RESTORATION AND MODERNIZATION—TEST AND EVALUATION SUPPORT.	134,111	134,111
101	0605978F	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT .....	28,091	28,091
102	0606017F	REQUIREMENTS ANALYSIS AND MATURATION .....	29,100	29,100
103	0606116F	SPACE TEST AND TRAINING RANGE DEVELOPMENT .....	18,528	18,528
104	0606392F	SPACE AND MISSILE CENTER (SMC) CIVILIAN WORKFORCE .....	176,666	176,666
105	0308602F	ENTERPRISE INFORMATION SERVICES (EIS) .....	4,410	4,410
106	0702806F	ACQUISITION AND MANAGEMENT SUPPORT .....	14,613	14,613
107	0804731F	GENERAL SKILL TRAINING .....	1,404	1,404
109	1001004F	INTERNATIONAL ACTIVITIES .....	4,784	4,784
		<b>SUBTOTAL MANAGEMENT SUPPORT</b>	<b>1,245,577</b>	<b>1,245,577</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
110	0603423F	GLOBAL POSITIONING SYSTEM III—OPERATIONAL CONTROL SEGMENT.	393,268	393,268
111	0604233F	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING .....	15,427	15,427
112	0604445F	WIDE AREA SURVEILLANCE .....	46,695	46,695
115	0605018F	AF INTEGRATED PERSONNEL AND PAY SYSTEM (AF-IPPS) .....	10,368	10,368
116	0605024F	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY .....	31,952	31,952
117	0605117F	FOREIGN MATERIEL ACQUISITION AND EXPLOITATION .....	42,960	42,960
118	0605278F	HC/MC-130 RECAP RDT&E .....	13,987	13,987
119	0101113F	B-52 SQUADRONS .....	78,267	78,267
120	0101122F	AIR-LAUNCHED CRUISE MISSILE (ALCM) .....	453	453
121	0101126F	B-1B SQUADRONS .....	5,830	5,830
122	0101127F	B-2 SQUADRONS .....	152,458	152,458
123	0101213F	MINUTEMAN SQUADRONS .....	182,958	182,958
124	0101313F	STRAT WAR PLANNING SYSTEM—USSTRATCOM .....	39,148	39,148
126	0101316F	WORLDWIDE JOINT STRATEGIC COMMUNICATIONS .....	6,042	6,042
128	0102110F	UH-1N REPLACEMENT PROGRAM .....	14,116	14,116
129	0102326F	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZA- TION PROGRAM.	10,868	10,868
130	0105921F	SERVICE SUPPORT TO STRATCOM—SPACE ACTIVITIES .....	8,674	8,674
131	0205219F	MQ-9 UAV .....	151,373	200,373
		Auto take-off and landing capability .....		[35,000]

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
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<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
		<i>Tactical Datalink Integration</i> .....		[14,000]
133	0207131F	A-10 SQUADRONS .....	14,853	14,853
134	0207133F	F-16 SQUADRONS .....	132,795	132,795
135	0207134F	F-15E SQUADRONS .....	356,717	356,717
136	0207136F	MANNED DESTRUCTIVE SUPPRESSION .....	14,773	14,773
137	0207138F	F-22A SQUADRONS .....	387,564	387,564
138	0207142F	F-35 SQUADRONS .....	153,045	153,045
139	0207161F	TACTICAL AIM MISSILES .....	52,898	52,898
140	0207163F	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM) .....	62,470	62,470
143	0207227F	COMBAT RESCUE—PARARESCUE .....	362	362
144	0207247F	AF TENCAP .....	28,413	31,613
		<i>Restore FY16 level</i> .....		[3,200]
145	0207249F	PRECISION ATTACK SYSTEMS PROCUREMENT .....	649	649
146	0207253F	COMPASS CALL .....	13,723	50,823
		<i>Program Restructure</i> .....		[37,100]
147	0207268F	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM .....	109,859	109,859
148	0207325F	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM) .....	30,002	30,002
149	0207410F	AIR & SPACE OPERATIONS CENTER (AOC) .....	37,621	37,621
150	0207412F	CONTROL AND REPORTING CENTER (CRC) .....	13,292	13,292
151	0207417F	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS) .....	86,644	86,644
152	0207418F	TACTICAL AIRBORNE CONTROL SYSTEMS .....	2,442	2,442
154	0207431F	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES .....	10,911	15,911
		<i>Geospatial software development</i> .....		[5,000]
155	0207444F	TACTICAL AIR CONTROL PARTY-MOD .....	11,843	11,843
156	0207448F	C2ISR TACTICAL DATA LINK .....	1,515	1,515
157	0207452F	DCAPES .....	14,979	14,979
158	0207590F	SEEK EAGLE .....	25,308	25,308
159	0207601F	USAF MODELING AND SIMULATION .....	16,666	16,666
160	0207605F	WARGAMING AND SIMULATION CENTERS .....	4,245	4,245
161	0207697F	DISTRIBUTED TRAINING AND EXERCISES .....	3,886	3,886
162	0208006F	MISSION PLANNING SYSTEMS .....	71,785	71,785
164	0208087F	AF OFFENSIVE CYBERSPACE OPERATIONS .....	25,025	25,025
165	0208088F	AF DEFENSIVE CYBERSPACE OPERATIONS .....	29,439	29,439
168	0301017F	GLOBAL SENSOR INTEGRATED ON NETWORK (GSIN) .....	3,470	3,470
169	0301112F	NUCLEAR PLANNING AND EXECUTION SYSTEM (NPES) .....	4,060	4,060
175	0301400F	SPACE SUPERPRIORITY INTELLIGENCE .....	13,880	13,880
176	0302015F	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC) .....	30,948	30,948
177	0303001F	FAMILY OF ADVANCED BLOS TERMINALS (FAB-T) .....	42,378	42,378
178	0303131F	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....	47,471	47,471
179	0303140F	INFORMATION SYSTEMS SECURITY PROGRAM .....	46,388	46,388
180	0303141F	GLOBAL COMBAT SUPPORT SYSTEM .....	52	52
181	0303142F	GLOBAL FORCE MANAGEMENT—DATA INITIATIVE .....	2,099	2,099
184	0304260F	AIRBORNE SIGINT ENTERPRISE .....	90,762	90,762
187	0305099F	GLOBAL AIR TRAFFIC MANAGEMENT (GATM) .....	4,354	4,354
188	0305110F	SATELLITE CONTROL NETWORK (SPACE) .....	15,624	15,624
189	0305111F	WEATHER SERVICE .....	19,974	22,974
		<i>Commercial Weather Pilot Program</i> .....		[3,000]
190	0305114F	AIR TRAFFIC CONTROL, APPROACH, AND LANDING SYSTEM (ATCALS) .....	9,770	9,770
191	0305116F	AERIAL TARGETS .....	3,051	3,051
194	0305128F	SECURITY AND INVESTIGATIVE ACTIVITIES .....	405	405
195	0305145F	ARMS CONTROL IMPLEMENTATION .....	4,844	4,844
196	0305146F	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES .....	339	339
199	0305173F	SPACE AND MISSILE TEST AND EVALUATION CENTER .....	3,989	3,989
200	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT .....	3,070	3,070
201	0305179F	INTEGRATED BROADCAST SERVICE (IBS) .....	8,833	8,833
202	0305182F	SPACELIFT RANGE SYSTEM (SPACE) .....	11,867	11,867
203	0305202F	DRAGON U-2 .....	37,217	37,217
205	0305206F	AIRBORNE RECONNAISSANCE SYSTEMS .....	3,841	18,841
		<i>Wide area motion imagery</i> .....		[15,000]
206	0305207F	MANNED RECONNAISSANCE SYSTEMS .....	20,975	20,975
207	0305208F	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	18,902	18,902
208	0305220F	RQ-4 UAV .....	256,307	256,307
209	0305221F	NETWORK-CENTRIC COLLABORATIVE TARGETING .....	22,610	16,310
		<i>Program reduction</i> .....		[-6,300]
211	0305238F	NATO AGS .....	38,904	38,904
212	0305240F	SUPPORT TO DCGS ENTERPRISE .....	23,084	23,084
213	0305258F	ADVANCED EVALUATION PROGRAM .....	116,143	116,143
214	0305265F	GPS III SPACE SEGMENT .....	141,888	141,888
215	0305600F	INTERNATIONAL INTELLIGENCE TECHNOLOGY AND ARCHITECTURES .....	2,360	2,360
216	0305614F	JSPOC MISSION SYSTEM .....	72,889	72,889
217	0305881F	RAPID CYBER ACQUISITION .....	4,280	4,280
218	0305906F	NCMC—TW/AA SYSTEM .....	4,951	4,951
219	0305913F	NUDET DETECTION SYSTEM (SPACE) .....	21,093	21,093
220	0305940F	SPACE SITUATION AWARENESS OPERATIONS .....	35,002	35,002

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222	0308699F	SHARED EARLY WARNING (SEW) .....	6,366	6,366
223	0401115F	C-130 AIRLIFT SQUADRON .....	15,599	15,599
224	0401119F	C-5 AIRLIFT SQUADRONS (IF) .....	66,146	66,146
225	0401130F	C-17 AIRCRAFT (IF) .....	12,430	12,430
226	0401132F	C-130J PROGRAM .....	16,776	16,776
227	0401134F	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM) .....	5,166	5,166
229	0401314F	OPERATIONAL SUPPORT AIRLIFT .....	13,817	13,817
230	0401318F	CV-22 .....	16,702	16,702
231	0408011F	SPECIAL TACTICS / COMBAT CONTROL .....	7,164	7,164
232	0702207F	DEPOT MAINTENANCE (NON-IF) .....	1,518	1,518
233	0708610F	LOGISTICS INFORMATION TECHNOLOGY (LOGIT) .....	61,676	61,676
234	0708611F	SUPPORT SYSTEMS DEVELOPMENT .....	9,128	9,128
235	0804743F	OTHER FLIGHT TRAINING .....	1,653	1,653
236	0808716F	OTHER PERSONNEL ACTIVITIES .....	57	57
237	0901202F	JOINT PERSONNEL RECOVERY AGENCY .....	3,663	3,663
238	0901218F	CIVILIAN COMPENSATION PROGRAM .....	3,735	3,735
239	0901220F	PERSONNEL ADMINISTRATION .....	5,157	5,157
240	0901226F	AIR FORCE STUDIES AND ANALYSIS AGENCY .....	1,523	1,523
242	0901538F	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT .....	10,581	10,581
242A	999999999	CLASSIFIED PROGRAMS .....	13,091,557	13,091,557
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT ..</b>	<b>17,457,056</b>	<b>17,563,056</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF.</b>	<b>28,112,251</b>	<b>28,105,021</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW</b>		
		<b>BASIC RESEARCH</b>		
001	0601000BR	DTRA BASIC RESEARCH INITIATIVE .....	35,436	35,436
002	0601101E	DEFENSE RESEARCH SCIENCES .....	362,297	352,297
		Program reduction .....		[-10,000]
003	0601110D8Z	BASIC RESEARCH INITIATIVES .....	36,654	36,654
004	0601117E	BASIC OPERATIONAL MEDICAL RESEARCH SCIENCE .....	57,791	57,791
005	0601120D8Z	NATIONAL DEFENSE EDUCATION PROGRAM .....	69,345	79,345
		K-12 STEM program increase .....		[10,000]
006	0601228D8Z	HISTORICALLY BLACK COLLEGES AND UNIVERSITIES/MINORITY INSTITUTIONS .....	23,572	33,572
		Program increase .....		[10,000]
007	0601384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	44,800	44,800
		<b>SUBTOTAL BASIC RESEARCH .....</b>	<b>629,895</b>	<b>639,895</b>
		<b>APPLIED RESEARCH</b>		
008	0602000D8Z	JOINT MUNITIONS TECHNOLOGY .....	17,745	17,745
009	0602115E	BIOMEDICAL TECHNOLOGY .....	115,213	105,213
		Program reduction .....		[-10,000]
010	0602230D8Z	DEFENSE TECHNOLOGY INNOVATION .....	30,000	0
		Program decrease .....		[-30,000]
011	0602234D8Z	LINCOLN LABORATORY RESEARCH PROGRAM .....	48,269	48,269
012	0602251D8Z	APPLIED RESEARCH FOR THE ADVANCEMENT OF S&T PRIORITIES .....	42,206	42,206
013	0602303E	INFORMATION & COMMUNICATIONS TECHNOLOGY .....	353,635	348,635
		Program reduction .....		[-5,000]
014	0602383E	BIOLOGICAL WARFARE DEFENSE .....	21,250	21,250
015	0602384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	188,715	188,715
016	0602668D8Z	CYBER SECURITY RESEARCH .....	12,183	12,183
017	0602702E	TACTICAL TECHNOLOGY .....	313,843	313,843
018	0602715E	MATERIALS AND BIOLOGICAL TECHNOLOGY .....	220,456	210,456
		Program reduction .....		[-10,000]
019	0602716E	ELECTRONICS TECHNOLOGY .....	221,911	221,911
020	0602718BR	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES .....	154,857	154,857
021	0602751D8Z	SOFTWARE ENGINEERING INSTITUTE (SEI) APPLIED RESEARCH .....	8,420	8,420
022	1160401BB	SOF TECHNOLOGY DEVELOPMENT .....	37,820	37,820
		<b>SUBTOTAL APPLIED RESEARCH .....</b>	<b>1,786,523</b>	<b>1,731,523</b>
		<b>ADVANCED TECHNOLOGY DEVELOPMENT</b>		
023	0603000D8Z	JOINT MUNITIONS ADVANCED TECHNOLOGY .....	23,902	23,902
025	0603122D8Z	COMBATING TERRORISM TECHNOLOGY SUPPORT .....	73,002	100,002
		Additional EOD equipment for Conventional Units .....		[12,000]
		Program increase for DOD CT and C-UAS .....		[15,000]
026	0603133D8Z	FOREIGN COMPARATIVE TESTING .....	19,343	29,343
		Anti-tunnel defense systems .....		[10,000]
027	0603160BR	COUNTERPROLIFERATION INITIATIVES—PROLIFERATION PREVENTION AND DEFEAT .....	266,444	266,444
028	0603176C	ADVANCED CONCEPTS AND PERFORMANCE ASSESSMENT .....	17,880	17,880
030	0603178C	WEAPONS TECHNOLOGY .....	71,843	71,843
031	0603179C	ADVANCED C4ISR .....	3,626	3,626
032	0603180C	ADVANCED RESEARCH .....	23,433	23,433

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

<b>Line</b>	<b>Program Element</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
033	0603225D8Z	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT .....	17,256	17,256
035	0603274C	SPECIAL PROGRAM—MDA TECHNOLOGY .....	83,745	108,745
		Classified Annex .....		[25,000]
036	0603286E	ADVANCED AEROSPACE SYSTEMS .....	182,327	177,327
		Program reduction .....		[-5,000]
037	0603287E	SPACE PROGRAMS AND TECHNOLOGY .....	175,240	165,240
		Program reduction .....		[-10,000]
038	0603288D8Z	ANALYTIC ASSESSMENTS .....	12,048	12,048
039	0603289D8Z	ADVANCED INNOVATIVE ANALYSIS AND CONCEPTS .....	57,020	57,020
041	0603375D8Z	TECHNOLOGY INNOVATION .....	39,923	19,923
		Program decrease .....		[-20,000]
042	0603384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT.	127,941	127,941
043	0603527D8Z	RETRACT LARCH .....	181,977	181,977
044	0603618D8Z	JOINT ELECTRONIC ADVANCED TECHNOLOGY .....	22,030	22,030
045	0603648D8Z	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS .....	148,184	158,184
		Social Media Analysis Cell .....		[10,000]
046	0603662D8Z	NETWORKED COMMUNICATIONS CAPABILITIES .....	9,331	9,331
047	0603680D8Z	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROGRAM.	158,398	148,398
		Program decrease .....		[-10,000]
048	0603680S	MANUFACTURING TECHNOLOGY PROGRAM .....	31,259	31,259
049	0603699D8Z	EMERGING CAPABILITIES TECHNOLOGY DEVELOPMENT .....	49,895	49,895
050	0603712S	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS .....	11,011	11,011
052	0603716D8Z	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM .....	65,078	65,078
053	0603720S	MICROELECTRONICS TECHNOLOGY DEVELOPMENT AND SUPPORT.	97,826	97,826
054	0603727D8Z	JOINT WARFIGHTING PROGRAM .....	7,848	7,848
055	0603739E	ADVANCED ELECTRONICS TECHNOLOGIES .....	49,807	49,807
056	0603760E	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS .....	155,081	155,081
057	0603766E	NETWORK-CENTRIC WARFARE TECHNOLOGY .....	428,894	428,894
058	0603767E	SENSOR TECHNOLOGY .....	241,288	241,288
060	0603781D8Z	SOFTWARE ENGINEERING INSTITUTE .....	14,264	14,264
061	0603826D8Z	QUICK REACTION SPECIAL PROJECTS .....	74,943	72,943
		QRSP .....		[-2,000]
063	0603833D8Z	ENGINEERING SCIENCE & TECHNOLOGY .....	17,659	17,659
064	0603941D8Z	TEST & EVALUATION SCIENCE & TECHNOLOGY .....	87,135	87,135
065	0604055D8Z	OPERATIONAL ENERGY CAPABILITY IMPROVEMENT .....	37,329	37,329
066	0303310D8Z	CWMD SYSTEMS .....	44,836	21,236
		Constellation program reduction .....		[-23,600]
067	1160402BB	SOF ADVANCED TECHNOLOGY DEVELOPMENT .....	61,620	61,620
		<b>SUBTOTAL ADVANCED TECHNOLOGY DEVELOPMENT</b>	<b>3,190,666</b>	<b>3,192,066</b>
		<b>ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
		<b>ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES</b>		
068	0603161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E ADC&P.	28,498	28,498
069	0603600D8Z	WALKOFF .....	89,643	89,643
071	0603821D8Z	ACQUISITION ENTERPRISE DATA & INFORMATION SERVICES .....	2,136	2,136
072	0603851D8Z	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM.	52,491	52,491
073	0603881C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT .....	206,834	206,834
074	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT .....	862,080	862,080
075	0603884BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—DEM/VAL .....	138,187	138,187
076	0603884C	BALLISTIC MISSILE DEFENSE SENSORS .....	230,077	230,077
077	0603890C	BMD ENABLING PROGRAMS .....	401,594	401,594
078	0603891C	SPECIAL PROGRAMS—MDA .....	321,607	321,607
079	0603892C	AEGIS BMD .....	959,066	959,066
080	0603893C	SPACE TRACKING & SURVEILLANCE SYSTEM .....	32,129	32,129
081	0603895C	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS .....	20,690	20,690
082	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.	439,617	439,617
083	0603898C	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT ...	47,776	47,776
084	0603904C	MISSILE DEFENSE INTEGRATION & OPERATIONS CENTER (MDIOC).	54,750	54,750
085	0603906C	REGARDING TRENCH .....	8,785	8,785
086	0603907C	SEA BASED X-BAND RADAR (SBX) .....	68,787	68,787
087	0603913C	ISRAELI COOPERATIVE PROGRAMS .....	103,835	293,835
		Directed Energy Cooperation through MDA .....		[25,000]
		Increase for Cooperative Development Programs subject to Title XVI ...		[165,000]
088	0603914C	BALLISTIC MISSILE DEFENSE TEST .....	293,441	293,441
089	0603915C	BALLISTIC MISSILE DEFENSE TARGETS .....	563,576	563,576
090	0603920D8Z	HUMANITARIAN DEMINING .....	10,007	10,007
091	0603923D8Z	COALITION WARFARE .....	10,126	10,126
092	0604016D8Z	DEPARTMENT OF DEFENSE CORROSION PROGRAM .....	3,893	3,893
093	0604115C	TECHNOLOGY MATURATION INITIATIVES .....	90,266	105,266

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

Line	Program Element	Item	FY 2017 Request	House Authorized
		Directed Energy Acceleration—Low Power Laser Demonstrator - to reclaim schedule slippage.		[15,000]
094	0604132D8Z	MISSILE DEFEAT PROJECT .....	45,000	45,000
095	0604250D8Z	ADVANCED INNOVATIVE TECHNOLOGIES .....	844,870	804,870
		SCO .....		[-40,000]
097	0604400D8Z	DEPARTMENT OF DEFENSE (DOD) UNMANNED SYSTEM COMMON DEVELOPMENT.	3,320	3,320
099	0604682D8Z	WARGAMING AND SUPPORT FOR STRATEGIC ANALYSIS (SSA) ....	4,000	4,000
102	0604826J	JOINT C5 CAPABILITY DEVELOPMENT, INTEGRATION AND INTEROPERABILITY ASSESSMENTS.	23,642	23,642
104	0604873C	LONG RANGE DISCRIMINATION RADAR (LRDR) .....	162,012	162,012
105	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS .....	274,148	274,148
106	0604876C	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT TEST.	63,444	63,444
107	0604878C	AEGIS BMD TEST .....	95,012	95,012
108	0604879C	BALLISTIC MISSILE DEFENSE SENSOR TEST .....	83,250	83,250
109	0604880C	LAND-BASED SM-3 (LBSM3) .....	43,293	43,293
110	0604881C	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT .....	106,038	106,038
111	0604887C	BALLISTIC MISSILE DEFENSE MIDCOURSE SEGMENT TEST .....	56,481	56,481
112	0604894C	MULTI-OBJECT KILL VEHICLE .....	71,513	71,513
114	0303191D8Z	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM .....	2,636	2,636
115	0305103C	CYBER SECURITY INITIATIVE .....	969	969
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES</b>	<b>6,919,519</b>	<b>7,089,519</b>
115A	0604XXND	WEATHER SYSTEM FOLLOW-ON .....		5,000
		Transfer Cloud Characterization and Theater Weather Imagery from USAF.		[5,000]
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>		<b>170,000</b>
		<b>SYSTEM DEVELOPMENT AND DEMONSTRATION</b>		
116	0604161D8Z	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT RDT&E SDD.	10,324	10,324
117	0604165D8Z	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT .....	181,303	186,303
		Examination of Army land-attack and anti-ship capability .....		[5,000]
118	0604384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—EMD .....	266,231	266,231
119	0604764K	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO) ... Commercial IT Eval Program .....		[15,000]
120	0604771D8Z	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	16,288	16,288
121	0605000BR	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES .....	4,568	4,568
122	0605013BL	INFORMATION TECHNOLOGY DEVELOPMENT .....	11,505	11,505
123	0605021SE	HOMELAND PERSONNEL SECURITY INITIATIVE .....	1,658	1,658
124	0605022D8Z	DEFENSE EXPORTABILITY PROGRAM .....	2,920	2,920
126	0605070S	DOD ENTERPRISE SYSTEMS DEVELOPMENT AND DEMONSTRATION.	12,631	12,631
128	0605080S	DEFENSE AGENCY INITIATIVES (DAI)—FINANCIAL SYSTEM .....	26,657	26,657
129	0605090S	DEFENSE RETIRED AND ANNUITANT PAY SYSTEM (DRAS) .....	4,949	4,949
130	0605140D8Z	TRUSTED FOUNDRY .....	69,000	69,000
131	0605210D8Z	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPABILITIES ....	9,881	9,881
132	0303141K	GLOBAL COMBAT SUPPORT SYSTEM .....	7,600	7,600
133	0305304D8Z	DOD ENTERPRISE ENERGY INFORMATION MANAGEMENT (EEM).	2,703	2,703
		<b>SUBTOTAL SYSTEM DEVELOPMENT AND DEMONSTRATION.</b>	<b>628,218</b>	<b>648,218</b>
		<b>MANAGEMENT SUPPORT</b>		
134	0604774D8Z	DEFENSE READINESS REPORTING SYSTEM (DRRS) .....	4,678	4,678
135	0604875D8Z	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT .....	4,499	4,499
136	0604940D8Z	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT (CTEIP).	219,199	219,199
137	0604942D8Z	ASSESSMENTS AND EVALUATIONS .....	28,706	28,706
138	0605001E	MISSION SUPPORT .....	69,244	69,244
139	0605100D8Z	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC) .....	87,080	87,080
140	0605104D8Z	TECHNICAL STUDIES, SUPPORT AND ANALYSIS .....	23,069	23,069
142	0605126J	JOINT INTEGRATED AIR AND MISSILE DEFENSE ORGANIZATION (JIAMDO).	32,759	32,759
144	0605142D8Z	SYSTEMS ENGINEERING .....	32,429	32,429
145	0605151D8Z	STUDIES AND ANALYSIS SUPPORT—OSD .....	3,797	3,797
146	0605161D8Z	NUCLEAR MATTERS-PHYSICAL SECURITY .....	5,302	5,302
147	0605170D8Z	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION .....	7,246	7,246
148	0605200D8Z	GENERAL SUPPORT TO USD (INTELLIGENCE) .....	1,874	1,874
149	0605384BP	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM .....	85,754	85,754
158	0605790D8Z	SMALL BUSINESS INNOVATION RESEARCH (SBIR)/ SMALL BUSINESS TECHNOLOGY TRANSFER.	2,187	2,187
159	0605798D8Z	DEFENSE TECHNOLOGY ANALYSIS .....	22,650	22,650
160	0605801KA	DEFENSE TECHNICAL INFORMATION CENTER (DTIC) .....	43,834	43,834
161	0605803SE	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING AND EVALUATION.	22,240	22,240

**SEC. 4201. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION**  
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Line	Program Element	Item	FY 2017 Request	House Authorized
162	0605804D8Z	DEVELOPMENT TEST AND EVALUATION .....	19,541	23,541
		DASD(DT&E) .....		[4,000]
163	0605898E	MANAGEMENT HQ—R&D .....	4,759	4,759
164	0605998KA	MANAGEMENT HQ—DEFENSE TECHNICAL INFORMATION CENTER (DTIC) .....	4,400	4,400
165	0606100D8Z	BUDGET AND PROGRAM ASSESSMENTS .....	4,014	4,014
166	0203345D8Z	DEFENSE OPERATIONS SECURITY INITIATIVE (DOSI) .....	2,072	2,072
167	0204571J	JOINT STAFF ANALYTICAL SUPPORT .....	7,464	7,464
170	0303166J	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES .....	857	857
171	0303260D8Z	DEFENSE MILITARY DECEPTION PROGRAM OFFICE (DMDPO) .....	916	916
172	0305172K	COMBINED ADVANCED APPLICATIONS .....	15,336	15,336
173	0305193D8Z	CYBER INTELLIGENCE .....	18,523	18,523
175	0804767D8Z	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION (CE2T2)—MHA .....	34,384	34,384
176	0901598C	MANAGEMENT HQ—MDA .....	31,160	56,160
		Cyber Improvements Acceleration .....		[25,000]
179	0903235D8W	JOINT SERVICE PROVIDER (JSP) .....	827	827
180A	999999999	CLASSIFIED PROGRAMS .....	56,799	56,799
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>897,599</b>	<b>926,599</b>
		<b>OPERATIONAL SYSTEM DEVELOPMENT</b>		
181	0604130V	ENTERPRISE SECURITY SYSTEM (ESS) .....	4,241	4,241
182	0605127T	REGIONAL INTERNATIONAL OUTREACH (RIO) AND PARTNERSHIP FOR PEACE INFORMATION MANA .....	1,424	1,424
183	0605147T	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM (OHASIS) .....	287	287
184	0607210D8Z	INDUSTRIAL BASE ANALYSIS AND SUSTAINMENT SUPPORT .....	16,195	16,195
185	0607310D8Z	CWMD SYSTEMS: OPERATIONAL SYSTEMS DEVELOPMENT .....	4,194	4,194
186	0607327T	GLOBAL THEATER SECURITY COOPERATION MANAGEMENT INFORMATION SYSTEMS (G-TSCMIS) .....	7,861	7,861
187	0607384BP	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT) .....	33,361	33,361
189	0208043J	PLANNING AND DECISION AID SYSTEM (PDAS) .....	3,038	3,038
190	0208045K	CAI INTEROPERABILITY .....	57,501	57,501
192	0301144K	JOINT/ALLIED COALITION INFORMATION SHARING .....	5,935	5,935
196	0302016K	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT .....	575	575
197	0302019K	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION .....	18,041	18,041
198	0303126K	LONG-HAUL COMMUNICATIONS—DCS .....	13,994	18,994
		Secure cellular communications for senior leaders .....		[5,000]
199	0303131K	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK (MEECN) .....	12,206	12,206
200	0303135G	PUBLIC KEY INFRASTRUCTURE (PKI) .....	34,314	34,314
201	0303136G	KEY MANAGEMENT INFRASTRUCTURE (KMI) .....	36,602	36,602
202	0303140D8Z	INFORMATION SYSTEMS SECURITY PROGRAM .....	8,876	8,876
203	0303140G	INFORMATION SYSTEMS SECURITY PROGRAM .....	159,068	161,068
		SHARKSEER Program Increase .....		[2,000]
204	0303150K	GLOBAL COMMAND AND CONTROL SYSTEM .....	24,438	24,438
205	0303153K	DEFENSE SPECTRUM ORGANIZATION .....	13,197	13,197
207	0303228K	JOINT INFORMATION ENVIRONMENT (JIE) .....	2,789	2,789
209	0303430K	FEDERAL INVESTIGATIVE SERVICES INFORMATION TECHNOLOGY .....	75,000	75,000
210	0303610K	TELEPORT PROGRAM .....	657	657
215	0305103K	CYBER SECURITY INITIATIVE .....	1,553	1,553
220	0305186D8Z	POLICY R&D PROGRAMS .....	6,204	4,204
		Program decrease .....		[-2,000]
221	0305199D8Z	NET CENTRICITY .....	17,971	17,971
223	0305208BB	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	5,415	5,415
226	0305208K	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS .....	3,030	3,030
229	0305327V	INSIDER THREAT .....	5,034	5,034
230	0305387D8Z	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM .....	2,037	2,037
236	0307577D8Z	INTELLIGENCE MISSION DATA (IMD) .....	13,800	13,800
238	0708012S	PACIFIC DISASTER CENTERS .....	1,754	1,754
239	0708047S	DEFENSE PROPERTY ACCOUNTABILITY SYSTEM .....	2,154	2,154
240	0902298J	MANAGEMENT HQ—OJCS .....	826	826
241	1105219BB	MQ-9 UAV .....	17,804	17,804
244	1160403BB	AVIATION SYSTEMS .....	159,143	147,043
		AC-130 Precision Strike .....		[-12,100]
245	1160405BB	INTELLIGENCE SYSTEMS DEVELOPMENT .....	7,958	7,958
246	1160408BB	OPERATIONAL ENHANCEMENTS .....	64,895	64,895
247	1160431BB	WARRIOR SYSTEMS .....	44,885	44,885
248	1160432BB	SPECIAL PROGRAMS .....	1,949	1,949
249	1160434BB	UNMANNED ISR .....	22,117	22,117
250	1160480BB	SOF TACTICAL VEHICLES .....	3,316	3,316
251	1160483BB	MARITIME SYSTEMS .....	54,577	54,577
252	1160489BB	GLOBAL VIDEO SURVEILLANCE ACTIVITIES .....	3,841	3,841
253	1160490BB	OPERATIONAL ENHANCEMENTS INTELLIGENCE .....	11,834	11,834
253A	999999999	CLASSIFIED PROGRAMS .....	3,270,515	3,270,515

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

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
		<b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT ....</b>	<b>4,256,406</b>	<b>4,249,306</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW.</b>	<b>18,308,826</b>	<b>18,477,126</b>
		<b>OPERATIONAL TEST &amp; EVAL, DEFENSE MANAGEMENT SUPPORT</b>		
001	0605118OTE	OPERATIONAL TEST AND EVALUATION .....	78,047	88,047
		DOT&E Cybersecurity Exercises .....		[10,000]
002	0605131OTE	LIVE FIRE TEST AND EVALUATION .....	48,316	48,316
003	0605814OTE	OPERATIONAL TEST ACTIVITIES AND ANALYSES .....	52,631	52,631
		<b>SUBTOTAL MANAGEMENT SUPPORT .....</b>	<b>178,994</b>	<b>188,994</b>
		<b>TOTAL OPERATIONAL TEST &amp; EVAL, DEFENSE ....</b>	<b>178,994</b>	<b>188,994</b>
		<b>TOTAL RDT&amp;E .....</b>	<b>71,391,771</b>	<b>71,629,841</b>

1 **SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
2 **TION FOR OVERSEAS CONTINGENCY OPER-**  
3 **ATIONS.**

**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<i>Line</i>	<i>Program Element</i>	<i>Item</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
055	0603308A	ARMY SPACE SYSTEMS INTEGRATION .....	9,375	9,375
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>9,375</b>	<b>9,375</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
117	0605035A	COMMON INFRARED COUNTERMEASURES (CIRCM) .....	10,900	10,900
122	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT .....	73,110	73,110
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>84,010</b>	<b>84,010</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
208	0307665A	BIOMETRICS ENABLED INTELLIGENCE .....	7,104	7,104
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>7,104</b>	<b>7,104</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY.</b>	<b>100,489</b>	<b>100,489</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
038	0603527N	RETRACT LARCH .....	3,907	3,907
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>3,907</b>	<b>3,907</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
245A	9999999999	CLASSIFIED PROGRAMS .....	36,426	36,426
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>36,426</b>	<b>36,426</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY.</b>	<b>40,333</b>	<b>40,333</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
058	0604421F	COUNTERSPACE SYSTEMS .....	425	425
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>425</b>	<b>425</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
200	0305174F	SPACE INNOVATION, INTEGRATION AND RAPID TECHNOLOGY DEVELOPMENT.	4,715	4,715
242A	9999999999	CLASSIFIED PROGRAMS .....	27,765	27,765
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>	<b>32,480</b>	<b>32,480</b>



**SEC. 4202. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, AF.</b>	<b>32,905</b>	<b>32,905</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW OPERATIONAL SYSTEM DEVELOPMENT</b>		
253A	9999999999	CLASSIFIED PROGRAMS .....	162,419	162,419
		<b>SUBTOTAL OPERATIONAL SYSTEM DEVELOPMENT .....</b>	<b>162,419</b>	<b>162,419</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW.</b>	<b>162,419</b>	<b>162,419</b>
		<b>TOTAL RDT&amp;E .....</b>	<b>336,146</b>	<b>336,146</b>

**1 SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUA-**  
**2 TION FOR OVERSEAS CONTINGENCY OPER-**  
**3 ATIONS FOR BASE REQUIREMENTS.**

**SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
090	0604715A	NON-SYSTEM TRAINING DEVICES—ENG DEV .....	33	33
122	0605051A	AIRCRAFT SURVIVABILITY DEVELOPMENT .....		10,000
		Army unfunded requirement- modernized warning system .....		[10,000]
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>	<b>33</b>	<b>10,033</b>
		<b>OPERATIONAL SYSTEMS DEVELOPMENT</b>		
161	0603778A	MLRS PRODUCT IMPROVEMENT PROGRAM .....		16,000
		Army unfunded requirement- GMLRS M-code upgrade .....		[16,000]
166	0607134A	LONG RANGE PRECISION FIRES (LRPF) .....		27,700
		Army unfunded requirement .....		[27,700]
179	0203735A	COMBAT VEHICLE IMPROVEMENT PROGRAMS .....		10,000
		Army unfunded requirement- Vehicle APS .....		[10,000]
		<b>SUBTOTAL OPERATIONAL SYSTEMS DEVELOPMENT .....</b>		<b>53,700</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, ARMY.</b>	<b>33</b>	<b>63,733</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
078	0604272N	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES (TADIRCM) .....	37,990	37,990
081	0604454N	LX (R) .....		19,000
		LX (R) Design .....		[19,000]
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>	<b>37,990</b>	<b>56,990</b>
		<b>SYSTEM DEVELOPMENT &amp; DEMONSTRATION</b>		
102	0604262N	V-22A .....		11,400
		Accelerate Readiness Improvement- Swashplate actuator re-design .....		[11,400]
118	0604501N	ADVANCED ABOVE WATER SENSORS .....		20,000
		Aegis Radar Solid State Improvements .....		[20,000]
		<b>SUBTOTAL SYSTEM DEVELOPMENT &amp; DEMONSTRATION.</b>		<b>31,400</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, NAVY.</b>	<b>37,990</b>	<b>88,390</b>
		<b>RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES</b>		
		<b>ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES</b>		
074	0603882C	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT ...		65,000

**SEC. 4203. RESEARCH, DEVELOPMENT, TEST, AND EVALUATION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

Line	Program Element	Item	FY 2017 Request	House Authorized
		Ground System Communications Modernization & Upgrades to Enable Full RKV Capabilities.		[65,000]
076	0603884C	BALLISTIC MISSILE DEFENSE SENSORS .....		45,000
		Electronic Protection Acceleration for Sensors .....		[25,000]
		RFPs for Hawaii & East Coast Radars .....		[20,000]
077	0603890C	BMD ENABLING PROGRAMS .....		10,000
		Modeling and Simulation Improvements .....		[10,000]
079	0603892C	AEGIS BMD .....		10,000
		Aegis BMD Integration with AMDR .....		[10,000]
082	0603896C	BALLISTIC MISSILE DEFENSE COMMAND AND CONTROL, BATTLE MANAGEMENT AND COMMUNICATI.		30,000
		C2BMC Acceleration .....		[20,000]
		Post-Intercept Assessment Acceleration .....		[10,000]
088	0603914C	BALLISTIC MISSILE DEFENSE TEST .....		10,000
		Test Infrastructure .....		[10,000]
105	0604874C	IMPROVED HOMELAND DEFENSE INTERCEPTORS .....		75,000
		Modernized Booster Acceleration .....		[50,000]
		RKV risk reduction .....		[25,000]
112	0604894C	MULTI-OBJECT KILL VEHICLE .....		55,000
		MOKV Technology Maturation .....		[55,000]
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT AND PROTOTYPES.</b>		<b>300,000</b>
		<b>SUBTOTAL ADVANCED COMPONENT DEVELOPMENT &amp; PROTOTYPES.</b>		<b>300,000</b>
		<b>TOTAL RESEARCH, DEVELOPMENT, TEST &amp; EVAL, DW.</b>		<b>300,000</b>
		<b>TOTAL RDT&amp;E .....</b>	<b>38,023</b>	<b>452,123</b>

1 **TITLE XLIII—OPERATION AND**  
2 **MAINTENANCE**  
3 **SEC. 4301. OPERATION AND MAINTENANCE.**

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

Line	Item	FY 2017 Request	House Authorized
	<b>OPERATION &amp; MAINTENANCE, ARMY</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	791,450	791,450
020	MODULAR SUPPORT BRIGADES .....	68,373	68,373
030	ECHELONS ABOVE BRIGADE .....	438,823	438,823
040	THEATER LEVEL ASSETS .....	660,258	660,258
050	LAND FORCES OPERATIONS SUPPORT .....	863,928	1,198,828
	Realign APS Unit Set Requirements from OCO .....		[334,900]
060	AVIATION ASSETS .....	1,360,597	1,360,597
070	FORCE READINESS OPERATIONS SUPPORT .....	3,086,443	3,094,443
	Additional cyber protection teams .....		[3,000]
	Public-private cyber training partnership .....		[5,000]
080	LAND FORCES SYSTEMS READINESS .....	439,488	439,488
090	LAND FORCES DEPOT MAINTENANCE .....	1,013,452	1,026,052
	Realign APS Unit Set Requirements from OCO .....		[12,600]
100	BASE OPERATIONS SUPPORT .....	7,816,343	7,831,343
	Realign APS Unit Set Requirements from OCO .....		[15,000]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	2,234,546	2,234,546
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	452,105	452,105
130	COMBATANT COMMANDERS CORE OPERATIONS .....	155,658	155,658
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT .....	441,143	441,143
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>19,822,607</b>	<b>20,193,107</b>
	<b>MOBILIZATION</b>		
180	STRATEGIC MOBILITY .....	336,329	336,329
190	ARMY PREPOSITIONED STOCKS .....	390,848	574,848
	Realign APS Unit Set Requirements from OCO .....		[184,000]

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
200	INDUSTRIAL PREPAREDNESS .....	7,401	7,401
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>734,578</b>	<b>918,578</b>
	<b>TRAINING AND RECRUITING</b>		
210	OFFICER ACQUISITION .....	131,942	131,942
220	RECRUIT TRAINING .....	47,846	47,846
230	ONE STATION UNIT TRAINING .....	45,419	45,419
240	SENIOR RESERVE OFFICERS TRAINING CORPS .....	482,747	482,747
250	SPECIALIZED SKILL TRAINING .....	921,025	927,525
	<i>Defense Foreign Language Program .....</i>		[6,500]
260	FLIGHT TRAINING .....	902,845	902,845
270	PROFESSIONAL DEVELOPMENT EDUCATION .....	216,583	216,583
280	TRAINING SUPPORT .....	607,534	607,534
290	RECRUITING AND ADVERTISING .....	550,599	550,599
300	EXAMINING .....	187,263	187,263
310	OFF-DUTY AND VOLUNTARY EDUCATION .....	189,556	189,556
320	CIVILIAN EDUCATION AND TRAINING .....	182,835	182,835
330	JUNIOR RESERVE OFFICER TRAINING CORPS .....	171,167	171,167
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>4,637,361</b>	<b>4,643,861</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
350	SERVICEWIDE TRANSPORTATION .....	230,739	350,739
	<i>Realign APS Unit Set Requirements from OCO .....</i>		[120,000]
360	CENTRAL SUPPLY ACTIVITIES .....	850,060	850,060
370	LOGISTIC SUPPORT ACTIVITIES .....	778,757	778,757
380	AMMUNITION MANAGEMENT .....	370,010	370,010
390	ADMINISTRATION .....	451,556	451,556
400	SERVICEWIDE COMMUNICATIONS .....	1,888,123	1,888,123
410	MANPOWER MANAGEMENT .....	276,403	276,403
420	OTHER PERSONNEL SUPPORT .....	369,443	369,443
430	OTHER SERVICE SUPPORT .....	1,096,074	1,096,074
440	ARMY CLAIMS ACTIVITIES .....	207,800	207,800
450	REAL ESTATE MANAGEMENT .....	240,641	240,641
460	FINANCIAL MANAGEMENT AND AUDIT READINESS .....	250,612	250,612
470	INTERNATIONAL MILITARY HEADQUARTERS .....	416,587	416,587
480	MISC. SUPPORT OF OTHER NATIONS .....	36,666	36,666
530	CLASSIFIED PROGRAMS .....	1,151,023	1,151,023
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES .....</b>	<b>8,614,494</b>	<b>8,734,494</b>
	<b>UNDISTRIBUTED</b>		
540	UNDISTRIBUTED .....		-654,600
	<i>Excessive standard price for fuel .....</i>		[-56,100]
	<i>Foreign Currency adjustments .....</i>		[-229,900]
	<i>Historical unobligated balances .....</i>		[-376,300]
	<i>Prohibition on Per Diem Allowance Reduction .....</i>		[7,700]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-654,600</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY ..</b>	<b>33,809,040</b>	<b>33,835,440</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY RES</b>		
	<b>OPERATING FORCES</b>		
010	MODULAR SUPPORT BRIGADES .....	11,435	11,435
020	ECHELONS ABOVE BRIGADE .....	491,772	491,772
030	THEATER LEVEL ASSETS .....	116,163	116,163
040	LAND FORCES OPERATIONS SUPPORT .....	563,524	563,524
050	AVIATION ASSETS .....	91,162	91,162
060	FORCE READINESS OPERATIONS SUPPORT .....	347,459	347,659
	<i>Defense Language Program .....</i>		[200]
070	LAND FORCES SYSTEMS READINESS .....	101,926	101,926
080	LAND FORCES DEPOT MAINTENANCE .....	56,219	56,219
090	BASE OPERATIONS SUPPORT .....	573,843	573,843
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION .....	214,955	214,955
110	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	37,620	37,620
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>2,606,078</b>	<b>2,606,278</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
120	SERVICEWIDE TRANSPORTATION .....	11,027	11,027
130	ADMINISTRATION .....	16,749	16,749
140	SERVICEWIDE COMMUNICATIONS .....	17,825	17,825

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
150	MANPOWER MANAGEMENT .....	6,177	6,177
160	RECRUITING AND ADVERTISING .....	54,475	54,475
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>106,253</b>	<b>106,253</b>
	<b>UNDISTRIBUTED</b>		
180	UNDISTRIBUTED .....		-6,800
	Excessive standard price for fuel .....		[-6,800]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-6,800</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES .....</b>	<b>2,712,331</b>	<b>2,705,731</b>
	<b>OPERATION &amp; MAINTENANCE, ARNG OPERATING FORCES</b>		
010	MANEUVER UNITS .....	708,251	708,251
020	MODULAR SUPPORT BRIGADES .....	197,251	197,251
030	ECHELONS ABOVE BRIGADE .....	792,271	792,271
040	THEATER LEVEL ASSETS .....	80,341	80,341
050	LAND FORCES OPERATIONS SUPPORT .....	37,138	37,138
060	AVIATION ASSETS .....	887,625	887,625
070	FORCE READINESS OPERATIONS SUPPORT .....	696,267	696,467
	Defense Language Program .....		[200]
080	LAND FORCES SYSTEMS READINESS .....	61,240	61,240
090	LAND FORCES DEPOT MAINTENANCE .....	219,948	219,948
100	BASE OPERATIONS SUPPORT .....	1,040,012	1,040,012
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION .....	676,715	676,715
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	1,021,144	1,021,144
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>6,418,203</b>	<b>6,418,403</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
130	SERVICEWIDE TRANSPORTATION .....	6,396	6,396
140	ADMINISTRATION .....	68,528	71,052
	National Guard State Partnership Program .....		[2,524]
150	SERVICEWIDE COMMUNICATIONS .....	76,524	76,524
160	MANPOWER MANAGEMENT .....	7,712	7,712
170	OTHER PERSONNEL SUPPORT .....	245,046	245,046
180	REAL ESTATE MANAGEMENT .....	2,961	2,961
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>407,167</b>	<b>409,691</b>
	<b>UNDISTRIBUTED</b>		
190	UNDISTRIBUTED .....		-29,000
	Excessive standard price for fuel .....		[-29,000]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-29,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARNG ..</b>	<b>6,825,370</b>	<b>6,799,094</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	4,094,765	4,094,765
020	FLEET AIR TRAINING .....	1,722,473	1,722,473
030	AVIATION TECHNICAL DATA & ENGINEERING SERVICES ....	52,670	52,670
040	AIR OPERATIONS AND SAFETY SUPPORT .....	97,584	97,584
050	AIR SYSTEMS SUPPORT .....	446,733	446,733
060	AIRCRAFT DEPOT MAINTENANCE .....	1,007,681	1,007,681
070	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	38,248	38,248
080	AVIATION LOGISTICS .....	564,720	564,720
090	MISSION AND OTHER SHIP OPERATIONS .....	3,513,083	3,513,083
100	SHIP OPERATIONS SUPPORT & TRAINING .....	743,765	743,765
110	SHIP DEPOT MAINTENANCE .....	5,168,273	5,177,773
	Ship Repair Capability in the Western Pacific .....		[9,500]
120	SHIP DEPOT OPERATIONS SUPPORT .....	1,575,578	1,575,578
130	COMBAT COMMUNICATIONS .....	558,727	558,727
140	ELECTRONIC WARFARE .....	105,680	105,680
150	SPACE SYSTEMS AND SURVEILLANCE .....	180,406	180,406
160	WARFARE TACTICS .....	470,032	470,032
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....	346,703	346,703
180	COMBAT SUPPORT FORCES .....	1,158,688	1,158,688
190	EQUIPMENT MAINTENANCE .....	113,692	113,692
200	DEPOT OPERATIONS SUPPORT .....	2,509	2,509

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
210	COMBATANT COMMANDERS CORE OPERATIONS .....	91,019	91,019
220	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	74,780	74,780
230	CRUISE MISSILE .....	106,030	106,030
240	FLEET BALLISTIC MISSILE .....	1,233,805	1,241,305
	Engineering and Technical Services, Project 934 .....		[7,500]
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT .....	163,025	163,025
260	WEAPONS MAINTENANCE .....	553,269	551,469
	Heavy Weight Torpedo Program Execution .....		[-1,500]
	Light Weight Torpedo Program Execution .....		[-300]
270	OTHER WEAPON SYSTEMS SUPPORT .....	350,010	350,010
280	ENTERPRISE INFORMATION .....	790,685	790,685
290	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	1,642,742	1,642,742
300	BASE OPERATING SUPPORT .....	4,206,136	4,206,136
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>31,173,511</b>	<b>31,188,711</b>
	<b>MOBILIZATION</b>		
310	SHIP PREPOSITIONING AND SURGE .....	893,517	893,517
320	READY RESERVE FORCE .....	274,524	274,524
330	AIRCRAFT ACTIVATIONS/INACTIVATIONS .....	6,727	6,727
340	SHIP ACTIVATIONS/INACTIVATIONS .....	288,154	288,154
350	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	95,720	95,720
360	INDUSTRIAL READINESS .....	2,109	2,109
370	COAST GUARD SUPPORT .....	21,114	21,114
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>1,581,865</b>	<b>1,581,865</b>
	<b>TRAINING AND RECRUITING</b>		
380	OFFICER ACQUISITION .....	143,815	143,815
390	RECRUIT TRAINING .....	8,519	8,519
400	RESERVE OFFICERS TRAINING CORPS .....	143,445	143,445
410	SPECIALIZED SKILL TRAINING .....	699,214	699,214
420	FLIGHT TRAINING .....	5,310	5,310
430	PROFESSIONAL DEVELOPMENT EDUCATION .....	172,852	174,052
	Naval Sea Cadets .....		[1,200]
440	TRAINING SUPPORT .....	222,728	222,728
450	RECRUITING AND ADVERTISING .....	225,647	225,647
460	OFF-DUTY AND VOLUNTARY EDUCATION .....	130,569	130,569
470	CIVILIAN EDUCATION AND TRAINING .....	73,730	73,730
480	JUNIOR ROTC .....	50,400	50,400
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>1,876,229</b>	<b>1,877,429</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
490	ADMINISTRATION .....	917,453	917,453
500	EXTERNAL RELATIONS .....	14,570	14,570
510	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT .....	124,070	124,070
520	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	369,767	369,767
530	OTHER PERSONNEL SUPPORT .....	285,927	285,927
540	SERVICEMAN COMMUNICATIONS .....	319,908	319,908
570	SERVICEMAN TRANSPORTATION .....	171,659	171,659
590	PLANNING, ENGINEERING AND DESIGN .....	270,863	270,863
600	ACQUISITION AND PROGRAM MANAGEMENT .....	1,112,766	1,112,766
610	HULL, MECHANICAL AND ELECTRICAL SUPPORT .....	49,078	49,078
620	COMBAT/WEAPONS SYSTEMS .....	24,989	24,989
630	SPACE AND ELECTRONIC WARFARE SYSTEMS .....	72,966	72,966
640	NAVAL INVESTIGATIVE SERVICE .....	595,711	595,711
700	INTERNATIONAL HEADQUARTERS AND AGENCIES .....	4,809	4,809
730	CLASSIFIED PROGRAMS .....	517,440	517,440
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>4,851,976</b>	<b>4,851,976</b>
	<b>UNDISTRIBUTED</b>		
740	UNDISTRIBUTED .....		-585,600
	Excessive standard price for fuel .....		[-390,500]
	Foreign Currency adjustments .....		[-26,400]
	Historical unobligated balances .....		[-174,100]
	Prohibition on Per Diem Allowance Reduction .....		[5,400]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-585,600</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY ..</b>	<b>39,483,581</b>	<b>38,914,381</b>
	<b>OPERATION &amp; MAINTENANCE, MARINE CORPS OPERATING FORCES</b>		

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
010	OPERATIONAL FORCES .....	674,613	674,613
020	FIELD LOGISTICS .....	947,424	947,424
030	DEPOT MAINTENANCE .....	206,783	206,783
040	MARITIME PREPOSITIONING .....	85,276	85,276
050	SUSTAINMENT, RESTORATION & MODERNIZATION .....	632,673	632,673
060	BASE OPERATING SUPPORT .....	2,136,626	2,136,626
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>4,683,395</b>	<b>4,683,395</b>
	<b>TRAINING AND RECRUITING</b>		
070	RECRUIT TRAINING .....	15,946	15,946
080	OFFICER ACQUISITION .....	935	935
090	SPECIALIZED SKILL TRAINING .....	99,305	99,305
100	PROFESSIONAL DEVELOPMENT EDUCATION .....	45,495	45,995
	MOS-to-Degree Program .....		[500]
110	TRAINING SUPPORT .....	369,979	369,979
120	RECRUITING AND ADVERTISING .....	165,566	165,566
130	OFF-DUTY AND VOLUNTARY EDUCATION .....	35,133	35,133
140	JUNIOR ROTC .....	23,622	23,622
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>755,981</b>	<b>756,481</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
150	SERVICEWIDE TRANSPORTATION .....	34,534	34,534
160	ADMINISTRATION .....	355,932	355,932
180	ACQUISITION AND PROGRAM MANAGEMENT .....	76,896	76,896
200	CLASSIFIED PROGRAMS .....	47,520	47,520
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>514,882</b>	<b>514,882</b>
	<b>UNDISTRIBUTED</b>		
210	UNDISTRIBUTED .....		-37,700
	Excessive standard price for fuel .....		[-4,900]
	Foreign Currency adjustments .....		[-1,500]
	Historical unobligated balances .....		[-33,100]
	Prohibition on Per Diem Allowance Reduction .....		[1,800]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-37,700</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MA- RINE CORPS .....</b>	<b>5,954,258</b>	<b>5,917,058</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RES OPERATING FORCES</b>		
010	MISSION AND OTHER FLIGHT OPERATIONS .....	526,190	526,190
020	INTERMEDIATE MAINTENANCE .....	6,714	6,714
030	AIRCRAFT DEPOT MAINTENANCE .....	86,209	86,209
040	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	389	389
050	AVIATION LOGISTICS .....	10,189	10,189
070	SHIP OPERATIONS SUPPORT & TRAINING .....	560	560
090	COMBAT COMMUNICATIONS .....	13,173	13,173
100	COMBAT SUPPORT FORCES .....	109,053	109,053
120	ENTERPRISE INFORMATION .....	27,226	27,226
130	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	27,571	27,571
140	BASE OPERATING SUPPORT .....	99,166	99,166
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>906,440</b>	<b>906,440</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
150	ADMINISTRATION .....	1,351	1,351
160	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	13,251	13,251
170	SERVICEWIDE COMMUNICATIONS .....	3,445	3,445
180	ACQUISITION AND PROGRAM MANAGEMENT .....	3,169	3,169
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>21,216</b>	<b>21,216</b>
	<b>UNDISTRIBUTED</b>		
200	UNDISTRIBUTED .....		-26,600
	Excessive standard price for fuel .....		[-26,600]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-26,600</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES .....</b>	<b>927,656</b>	<b>901,056</b>
	<b>OPERATION &amp; MAINTENANCE, MC RESERVE OPERATING FORCES</b>		

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
010	OPERATING FORCES .....	94,154	94,154
020	DEPOT MAINTENANCE .....	18,594	18,594
030	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	25,470	25,470
040	BASE OPERATING SUPPORT .....	111,550	111,550
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>249,768</b>	<b>249,768</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
050	SERVICEWIDE TRANSPORTATION .....	902	902
060	ADMINISTRATION .....	11,130	11,130
070	RECRUITING AND ADVERTISING .....	8,833	8,833
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>20,865</b>	<b>20,865</b>
	<b>UNDISTRIBUTED</b>		
090	UNDISTRIBUTED .....		-800
	Excessive standard price for fuel .....		[-800]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-800</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MC RE- SERVE .....</b>	<b>270,633</b>	<b>269,833</b>
	<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>		
	<b>OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	3,294,124	3,294,124
020	COMBAT ENHANCEMENT FORCES .....	1,682,045	1,682,045
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....	1,730,757	1,730,757
040	DEPOT MAINTENANCE .....	7,042,988	6,986,488
	Compass Call Program Restructure .....		[-56,500]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION .....	1,657,019	1,657,019
060	BASE SUPPORT .....	2,787,216	2,787,216
070	GLOBAL C3I AND EARLY WARNING .....	887,831	887,831
080	OTHER COMBAT OPS SPT PROGRAMS .....	1,070,178	1,070,178
100	LAUNCH FACILITIES .....	208,582	208,582
110	SPACE CONTROL SYSTEMS .....	362,250	362,250
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	907,245	907,245
130	COMBATANT COMMANDERS CORE OPERATIONS .....	199,171	199,171
135	CLASSIFIED PROGRAMS .....	930,757	930,757
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>22,760,163</b>	<b>22,703,663</b>
	<b>MOBILIZATION</b>		
140	AIRLIFT OPERATIONS .....	1,703,059	1,703,059
150	MOBILIZATION PREPAREDNESS .....	138,899	138,899
160	DEPOT MAINTENANCE .....	1,553,439	1,553,439
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION .....	258,328	258,328
180	BASE SUPPORT .....	722,756	722,756
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>4,376,481</b>	<b>4,376,481</b>
	<b>TRAINING AND RECRUITING</b>		
190	OFFICER ACQUISITION .....	120,886	120,886
200	RECRUIT TRAINING .....	23,782	23,782
210	RESERVE OFFICERS TRAINING CORPS (ROTC) .....	77,692	77,692
220	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZA- TION .....	236,254	236,254
230	BASE SUPPORT .....	819,915	819,915
240	SPECIALIZED SKILL TRAINING .....	387,446	387,446
250	FLIGHT TRAINING .....	725,134	725,134
260	PROFESSIONAL DEVELOPMENT EDUCATION .....	264,213	264,213
270	TRAINING SUPPORT .....	86,681	86,681
280	DEPOT MAINTENANCE .....	305,004	305,004
290	RECRUITING AND ADVERTISING .....	104,754	104,754
300	EXAMINING .....	3,944	3,944
310	OFF-DUTY AND VOLUNTARY EDUCATION .....	184,841	184,841
320	CIVILIAN EDUCATION AND TRAINING .....	173,583	173,583
330	JUNIOR ROTC .....	58,877	58,877
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>3,573,006</b>	<b>3,573,006</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
340	LOGISTICS OPERATIONS .....	1,107,846	1,107,846
350	TECHNICAL SUPPORT ACTIVITIES .....	924,185	924,185

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
360	DEPOT MAINTENANCE .....	48,778	48,778
370	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	321,013	321,013
380	BASE SUPPORT .....	1,115,910	1,115,910
390	ADMINISTRATION .....	811,650	811,650
400	SERVICEMAN COMMUNICATIONS .....	269,809	269,809
410	OTHER SERVICEMAN ACTIVITIES .....	961,304	961,304
420	CIVIL AIR PATROL .....	25,735	30,500
	Civil Air Patrol O&M Support .....		[4,765]
450	INTERNATIONAL SUPPORT .....	90,573	90,573
460	CLASSIFIED PROGRAMS .....	1,131,603	1,131,603
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>6,808,406</b>	<b>6,813,171</b>
	<b>UNDISTRIBUTED</b>		
470	UNDISTRIBUTED .....		-765,900
	Excessive standard price for fuel .....		[-368,000]
	Foreign Currency adjustments .....		[-116,700]
	Historical unobligated balances .....		[-288,000]
	Prohibition on Per Diem Allowance Reduction .....		[6,800]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-765,900</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE .....</b>	<b>37,518,056</b>	<b>36,700,421</b>
	<b>OPERATION &amp; MAINTENANCE, AF RESERVE OPERATING FORCES</b>		
010	PRIMARY COMBAT FORCES .....	1,707,882	1,707,882
020	MISSION SUPPORT OPERATIONS .....	230,016	230,016
030	DEPOT MAINTENANCE .....	541,743	541,743
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	113,470	113,470
050	BASE SUPPORT .....	384,832	384,832
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>2,977,943</b>	<b>2,977,943</b>
	<b>ADMINISTRATION AND SERVICEMAN ACTIVITIES</b>		
060	ADMINISTRATION .....	54,939	54,939
070	RECRUITING AND ADVERTISING .....	14,754	14,754
080	MILITARY MANPOWER AND PERS MGMT (ARPC) .....	12,707	12,707
090	OTHER PERS SUPPORT (DISABILITY COMP) .....	7,210	7,210
100	AUDIOVISUAL .....	376	376
	<b>SUBTOTAL ADMINISTRATION AND SERVICEMAN ACTIVITIES .....</b>	<b>89,986</b>	<b>89,986</b>
	<b>UNDISTRIBUTED</b>		
110	UNDISTRIBUTED .....		-59,700
	Excessive standard price for fuel .....		[-59,700]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-59,700</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE .....</b>	<b>3,067,929</b>	<b>3,008,229</b>
	<b>OPERATION &amp; MAINTENANCE, ANG OPERATING FORCES</b>		
010	AIRCRAFT OPERATIONS .....	3,282,238	3,282,238
020	MISSION SUPPORT OPERATIONS .....	723,062	723,062
030	DEPOT MAINTENANCE .....	1,824,329	1,824,329
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....	245,840	245,840
050	BASE SUPPORT .....	575,548	575,548
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>6,651,017</b>	<b>6,651,017</b>
	<b>ADMINISTRATION AND SERVICE-WIDE ACTIVITIES</b>		
060	ADMINISTRATION .....	23,715	26,239
	National Guard State Partnership Program .....		[2,524]
070	RECRUITING AND ADVERTISING .....	28,846	28,846
	<b>SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES .....</b>	<b>52,561</b>	<b>55,085</b>
	<b>UNDISTRIBUTED</b>		
080	UNDISTRIBUTED .....		-117,700



**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
	Excessive standard price for fuel .....		[-117,700]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-117,700</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ANG</b> ....	<b>6,703,578</b>	<b>6,588,402</b>
	<b>OPERATION &amp; MAINTENANCE, DEFENSE-WIDE</b>		
	<b>OPERATING FORCES</b>		
010	JOINT CHIEFS OF STAFF .....	506,113	506,113
020	OFFICE OF THE SECRETARY OF DEFENSE .....	524,439	519,439
	Program decrease .....		[-5,000]
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES .....	4,898,159	4,898,159
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>5,928,711</b>	<b>5,923,711</b>
	<b>TRAINING AND RECRUITING</b>		
040	DEFENSE ACQUISITION UNIVERSITY .....	138,658	138,658
050	JOINT CHIEFS OF STAFF .....	85,701	85,701
070	SPECIAL OPERATIONS COMMAND/TRAINING AND RECRUITING .....		
	ING .....	365,349	365,349
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>589,708</b>	<b>589,708</b>
	<b>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b>		
080	CIVIL MILITARY PROGRAMS .....	160,480	180,480
	STARBASE .....		[20,000]
100	DEFENSE CONTRACT AUDIT AGENCY .....	630,925	630,925
110	DEFENSE CONTRACT MANAGEMENT AGENCY .....	1,356,380	1,356,380
120	DEFENSE HUMAN RESOURCES ACTIVITY .....	683,620	683,620
130	DEFENSE INFORMATION SYSTEMS AGENCY .....	1,439,891	1,439,891
150	DEFENSE LEGAL SERVICES AGENCY .....	24,984	24,984
160	DEFENSE LOGISTICS AGENCY .....	357,964	357,964
170	DEFENSE MEDIA ACTIVITY .....	223,422	213,422
	Program decrease .....		[-10,000]
180	DEFENSE PERSONNEL ACCOUNTING AGENCY .....	112,681	112,681
190	DEFENSE SECURITY COOPERATION AGENCY .....	496,754	496,754
200	DEFENSE SECURITY SERVICE .....	538,711	538,711
230	DEFENSE TECHNOLOGY SECURITY ADMINISTRATION .....	35,417	35,417
240	DEFENSE THREAT REDUCTION AGENCY .....	448,146	448,146
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .....	2,671,143	2,701,143
	Impact Aid .....		[30,000]
270	MISSILE DEFENSE AGENCY .....	446,975	446,975
290	OFFICE OF ECONOMIC ADJUSTMENT .....	155,399	155,399
300	OFFICE OF THE SECRETARY OF DEFENSE .....	1,481,643	1,406,713
	Alcohol Abuse Prevention Program .....		[1,000]
	BRAC 2017 Round Planning and Analyses .....		[-3,530]
	CWMD Sustainment: Constellation program reduction .....		[-3,800]
	Program decrease .....		[-84,428]
	Readiness environmental protection initiative .....		[15,828]
310	SPECIAL OPERATIONS COMMAND/ADMIN & SVC-WIDE ACTIVITIES .....	89,429	70,829
	SOCOM MH-60 Block Upgrades / MH-60M Replacement .....		[-18,600]
320	WASHINGTON HEADQUARTERS SERVICES .....	629,874	619,874
	Program decrease .....		[-10,000]
330	CLASSIFIED PROGRAMS .....	14,069,333	14,071,333
	Classified adjustment .....		[2,000]
	<b>SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b> .....	<b>26,053,171</b>	<b>25,991,641</b>
	<b>UNDISTRIBUTED</b>		
340	UNDISTRIBUTED .....		-293,900
	Excessive standard price for fuel .....		[-17,800]
	Foreign Currency adjustments .....		[-34,300]
	Historical unobligated balances .....		[-248,100]
	Prohibition on Per Diem Allowance Reduction .....		[6,300]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-293,900</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, DEFENSE-WIDE</b> .....	<b>32,571,590</b>	<b>32,211,160</b>
	<b>MISCELLANEOUS APPROPRIATIONS</b>		
010	US COURT OF APPEALS FOR THE ARMED FORCES, DEFENSE .....	14,194	14,194

**SEC. 4301. OPERATION AND MAINTENANCE**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
020	OVERSEAS HUMANITARIAN, DISASTER AND CIVIC AID .....	105,125	105,125
030	COOPERATIVE THREAT REDUCTION .....	325,604	325,604
050	ENVIRONMENTAL RESTORATION, ARMY .....	170,167	170,167
060	ENVIRONMENTAL RESTORATION, NAVY .....	281,762	281,762
070	ENVIRONMENTAL RESTORATION, AIR FORCE .....	371,521	371,521
080	ENVIRONMENTAL RESTORATION, DEFENSE .....	9,009	9,009
090	ENVIRONMENTAL RESTORATION FORMERLY USED SITES ..	197,084	197,084
	<b>SUBTOTAL MISCELLANEOUS APPROPRIATIONS .....</b>	<b>1,474,466</b>	<b>1,474,466</b>
	<b>TOTAL MISCELLANEOUS APPROPRIATIONS ...</b>	<b>1,474,466</b>	<b>1,474,466</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE .....</b>	<b>171,318,488</b>	<b>169,325,271</b>

**1 SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS**

**2 CONTINGENCY OPERATIONS.**

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
	<b>OPERATION &amp; MAINTENANCE, ARMY</b>		
	<b>OPERATING FORCES</b>		
010	MANEUVER UNITS .....	406,852	396,052
	Army requested realignment (ERI) .....		[-10,800]
040	THEATER LEVEL ASSETS .....	1,643,456	1,713,556
	Operational support for deployed end strength of 9,800 in Afghanistan		[70,100]
050	LAND FORCES OPERATIONS SUPPORT .....	556,066	156,366
	Army requested realignment (ERI) .....		[-132,000]
	Operational support for deployed end strength of 9,800 in Afghanistan		[67,200]
	Realign APS Unit Set Requirements to Base .....		[-334,900]
060	AVIATION ASSETS .....	58,620	90,120
	Operational support for deployed end strength of 9,800 in Afghanistan		[31,500]
070	FORCE READINESS OPERATIONS SUPPORT .....	1,502,845	1,676,345
	Army requested realignment (ERI) .....		[-2,000]
	Operational support for deployed end strength of 9,800 in Afghanistan		[175,500]
080	LAND FORCES SYSTEMS READINESS .....	348,174	358,174
	Operational support for deployed end strength of 9,800 in Afghanistan		[10,000]
100	BASE OPERATIONS SUPPORT .....	40,000	25,000
	Realign APS Unit Set Requirements to Base .....		[-15,000]
140	ADDITIONAL ACTIVITIES .....	5,979,678	7,060,278
	Operational support for deployed end strength of 9,800 in Afghanistan		[1,093,200]
	Realign APS Unit Set Requirements to Base .....		[-12,600]
150	COMMANDERS EMERGENCY RESPONSE PROGRAM .....	5,000	5,000
160	RESET .....	1,092,542	1,092,542
170	COMBATANT COMMANDS DIRECT MISSION SUPPORT .....	79,568	79,568
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>11,712,801</b>	<b>12,653,001</b>
	<b>MOBILIZATION</b>		
190	ARMY PREPOSITIONED STOCKS .....	350,200	130,000
	Army requested realignment (ERI) .....		[-220,200]
	<b>SUBTOTAL MOBILIZATION .....</b>	<b>350,200</b>	<b>130,000</b>
	<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>		
350	SERVICEWIDE TRANSPORTATION .....	540,400	559,500
	Army requested realignment (ERI) .....		[120,000]
	Operational support for deployed end strength of 9,800 in Afghanistan		[203,100]
	Realign APS Unit Set Requirements to Base .....		[-304,000]
380	AMMUNITION MANAGEMENT .....	13,974	49,074
	Operational support for deployed end strength of 9,800 in Afghanistan		[35,100]
420	OTHER PERSONNEL SUPPORT .....	105,508	105,508
450	REAL ESTATE MANAGEMENT .....	165,678	263,178
	Operational support for deployed end strength of 9,800 in Afghanistan		[97,500]
530	CLASSIFIED PROGRAMS .....	835,551	849,851
	Operational support for deployed end strength of 9,800 in Afghanistan		[14,300]
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES .....</b>	<b>1,661,111</b>	<b>1,827,111</b>

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>UNDISTRIBUTED</b>			
540	UNDISTRIBUTED .....		-6,083,330
	Excessive standard price for fuel .....		[-138,600]
	Historical unobligated balances .....		[-188,500]
	Prorated OCO allocation in support of base readiness requirements .....		[-5,756,230]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-6,083,330</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY</b> .....	<b>13,724,112</b>	<b>8,526,782</b>
<b>OPERATION &amp; MAINTENANCE, ARMY RES OPERATING FORCES</b>			
020	ECHELONS ABOVE BRIGADE .....	6,252	9,252
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[3,000]
040	LAND FORCES OPERATIONS SUPPORT .....	2,075	3,075
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[1,000]
060	FORCE READINESS OPERATIONS SUPPORT .....	1,140	1,440
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[300]
090	BASE OPERATIONS SUPPORT .....	14,653	15,153
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[500]
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>24,120</b>	<b>28,920</b>
<b>UNDISTRIBUTED</b>			
180	UNDISTRIBUTED .....		-11,394
	Prorated OCO allocation in support of base readiness requirements .....		[-11,394]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-11,394</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES ...</b>	<b>24,120</b>	<b>17,526</b>
<b>OPERATION &amp; MAINTENANCE, ARNG OPERATING FORCES</b>			
010	MANEUVER UNITS .....	10,564	16,564
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[6,000]
020	MODULAR SUPPORT BRIGADES .....	748	748
030	ECHELONS ABOVE BRIGADE .....	5,751	7,451
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[1,700]
040	THEATER LEVEL ASSETS .....	200	200
060	AVIATION ASSETS .....	27,183	30,983
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[3,800]
070	FORCE READINESS OPERATIONS SUPPORT .....	2,741	2,741
100	BASE OPERATIONS SUPPORT .....	18,800	18,800
120	MANAGEMENT AND OPERATIONAL HEADQUARTERS .....	920	920
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>66,907</b>	<b>78,407</b>
<b>UNDISTRIBUTED</b>			
190	UNDISTRIBUTED .....		-30,892
	Prorated OCO allocation in support of base readiness requirements .....		[-30,892]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-30,892</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARNG</b> .....	<b>66,907</b>	<b>47,515</b>
<b>AFGHANISTAN SECURITY FORCES FUND MINISTRY OF DEFENSE</b>			
010	SUSTAINMENT .....	2,173,341	2,173,341
020	INFRASTRUCTURE .....	48,262	48,262
030	EQUIPMENT AND TRANSPORTATION .....	76,216	176,047
	Maintain security forces at fiscal year 2016 levels .....		[99,831]
040	TRAINING AND OPERATIONS .....	220,139	281,555
	Maintain security forces at fiscal year 2016 levels .....		[61,416]
	<b>SUBTOTAL MINISTRY OF DEFENSE</b> .....	<b>2,517,958</b>	<b>2,679,205</b>
<b>MINISTRY OF INTERIOR</b>			
050	SUSTAINMENT .....	860,441	880,300
	Maintain security forces at fiscal year 2016 levels .....		[19,859]
060	INFRASTRUCTURE .....	20,837	20,837
070	EQUIPMENT AND TRANSPORTATION .....	8,153	116,573
	Maintain security forces at fiscal year 2016 levels .....		[108,420]
080	TRAINING AND OPERATIONS .....	41,326	65,342
	Maintain security forces at fiscal year 2016 levels .....		[24,016]
	<b>SUBTOTAL MINISTRY OF INTERIOR</b> .....	<b>930,757</b>	<b>1,083,052</b>

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>UNDISTRIBUTED</b>			
110	UNDISTRIBUTED .....		-1,482,289
	Prorated OCO allocation in support of base readiness requirements .....		[-1,482,289]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-1,482,289</b>
	<b>TOTAL AFGHANISTAN SECURITY FORCES FUND</b> ....	<b>3,448,715</b>	<b>2,279,968</b>
<b>IRAQ TRAIN AND EQUIP FUND</b>			
<b>IRAQ TRAIN AND EQUIP FUND</b>			
010	IRAQ TRAIN AND EQUIP FUND .....	630,000	680,000
	Support to Kurdish and Sunni tribal security forces for operations in Mosul, Iraq .....		[50,000]
	<b>SUBTOTAL IRAQ TRAIN AND EQUIP FUND</b> .....	<b>630,000</b>	<b>680,000</b>
<b>UNDISTRIBUTED</b>			
020	UNDISTRIBUTED .....		-267,913
	Prorated OCO allocation in support of base readiness requirements .....		[-267,913]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-267,913</b>
	<b>TOTAL IRAQ TRAIN AND EQUIP FUND</b> .....	<b>630,000</b>	<b>412,087</b>
<b>SYRIA TRAIN AND EQUIP FUND</b>			
<b>SYRIA TRAIN AND EQUIP FUND</b>			
010	SYRIA TRAIN AND EQUIP FUND .....	250,000	250,000
	<b>SUBTOTAL SYRIA TRAIN AND EQUIP FUND</b> .....	<b>250,000</b>	<b>250,000</b>
<b>UNDISTRIBUTED</b>			
020	UNDISTRIBUTED .....		-98,497
	Prorated OCO allocation in support of base readiness requirements .....		[-98,497]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-98,497</b>
	<b>TOTAL SYRIA TRAIN AND EQUIP FUND</b> .....	<b>250,000</b>	<b>151,503</b>
<b>OPERATION &amp; MAINTENANCE, NAVY</b>			
<b>OPERATING FORCES</b>			
010	MISSION AND OTHER FLIGHT OPERATIONS .....	360,621	360,621
040	AIR OPERATIONS AND SAFETY SUPPORT .....	4,603	4,603
050	AIR SYSTEMS SUPPORT .....	159,049	159,049
060	AIRCRAFT DEPOT MAINTENANCE .....	113,994	113,994
070	AIRCRAFT DEPOT OPERATIONS SUPPORT .....	1,840	1,840
080	AVIATION LOGISTICS .....	35,529	35,529
090	MISSION AND OTHER SHIP OPERATIONS .....	1,073,080	1,073,080
100	SHIP OPERATIONS SUPPORT & TRAINING .....	17,306	17,306
110	SHIP DEPOT MAINTENANCE .....	2,128,431	2,128,431
130	COMBAT COMMUNICATIONS .....	21,257	21,257
160	WAREFARE TACTICS .....	22,603	22,603
170	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY .....	22,934	22,934
180	COMBAT SUPPORT FORCES .....	568,511	568,511
190	EQUIPMENT MAINTENANCE .....	11,358	11,358
250	IN-SERVICE WEAPONS SYSTEMS SUPPORT .....	61,000	61,000
260	WEAPONS MAINTENANCE .....	289,045	289,045
270	OTHER WEAPON SYSTEMS SUPPORT .....	8,000	8,000
290	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	7,819	7,819
300	BASE OPERATING SUPPORT .....	61,493	61,493
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>4,968,473</b>	<b>4,968,473</b>
<b>MOBILIZATION</b>			
330	AIRCRAFT ACTIVATIONS/INACTIVATIONS .....	1,530	1,530
350	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	5,307	5,307
370	COAST GUARD SUPPORT .....	162,692	162,692
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>169,529</b>	<b>169,529</b>
<b>TRAINING AND RECRUITING</b>			
410	SPECIALIZED SKILL TRAINING .....	43,365	43,365
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>43,365</b>	<b>43,365</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
490	ADMINISTRATION .....	3,764	3,764
500	EXTERNAL RELATIONS .....	515	515

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
520	MILITARY MANPOWER AND PERSONNEL MANAGEMENT .....	5,409	5,409
530	OTHER PERSONNEL SUPPORT .....	1,578	1,578
570	SERVICEWIDE TRANSPORTATION .....	126,700	126,700
600	ACQUISITION AND PROGRAM MANAGEMENT .....	9,261	9,261
640	NAVAL INVESTIGATIVE SERVICE .....	1,501	1,501
730	CLASSIFIED PROGRAMS .....	15,780	15,780
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>164,508</b>	<b>164,508</b>
	<b>UNDISTRIBUTED</b>		
740	UNDISTRIBUTED .....		-2,226,518
	Excessive standard price for fuel .....		[-120,300]
	Prorated OCO allocation in support of base readiness requirements .....		[-2,106,218]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-2,226,518</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY .....</b>	<b>5,345,875</b>	<b>3,119,357</b>
	<b>OPERATION &amp; MAINTENANCE, MARINE CORPS</b>		
	<b>OPERATING FORCES</b>		
010	OPERATIONAL FORCES .....	403,489	469,789
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[66,300]
020	FIELD LOGISTICS .....	266,094	266,094
030	DEPOT MAINTENANCE .....	147,000	147,000
060	BASE OPERATING SUPPORT .....	18,576	18,576
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>835,159</b>	<b>901,459</b>
	<b>TRAINING AND RECRUITING</b>		
110	TRAINING SUPPORT .....	31,750	31,750
	<b>SUBTOTAL TRAINING AND RECRUITING .....</b>	<b>31,750</b>	<b>31,750</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
150	SERVICEWIDE TRANSPORTATION .....	73,800	89,800
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[16,000]
200	CLASSIFIED PROGRAMS .....	3,650	3,650
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES .....</b>	<b>77,450</b>	<b>93,450</b>
	<b>UNDISTRIBUTED</b>		
210	UNDISTRIBUTED .....		-413,593
	Excessive standard price for fuel .....		[-9,100]
	Prorated OCO allocation in support of base readiness requirements .....		[-404,493]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-413,593</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS .....</b>	<b>944,359</b>	<b>613,066</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RES</b>		
	<b>OPERATING FORCES</b>		
030	AIRCRAFT DEPOT MAINTENANCE .....	16,500	16,500
050	AVIATION LOGISTICS .....	2,522	2,522
100	COMBAT SUPPORT FORCES .....	7,243	7,243
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>26,265</b>	<b>26,265</b>
	<b>UNDISTRIBUTED</b>		
200	UNDISTRIBUTED .....		-10,448
	Excessive standard price for fuel .....		[-100]
	Prorated OCO allocation in support of base readiness requirements .....		[-10,348]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-10,448</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES ...</b>	<b>26,265</b>	<b>15,817</b>
	<b>OPERATION &amp; MAINTENANCE, MC RESERVE</b>		
	<b>OPERATING FORCES</b>		
010	OPERATING FORCES .....	2,500	2,500
040	BASE OPERATING SUPPORT .....	804	804
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>3,304</b>	<b>3,304</b>
	<b>UNDISTRIBUTED</b>		
090	UNDISTRIBUTED .....		-1,302
	Prorated OCO allocation in support of base readiness requirements .....		[-1,302]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-1,302</b>

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>TOTAL OPERATION &amp; MAINTENANCE, MC RE-</b>			
	<b>SERVE</b> .....	<b>3,304</b>	<b>2,002</b>
<b>OPERATION &amp; MAINTENANCE, AIR FORCE</b>			
<b>OPERATING FORCES</b>			
010	PRIMARY COMBAT FORCES .....	1,339,461	1,370,361
	Enhancing readiness levels of DCA aircraft .....		[10,000]
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[20,900]
020	COMBAT ENHANCEMENT FORCES .....	1,096,021	1,116,921
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[20,900]
030	AIR OPERATIONS TRAINING (OJT, MAINTAIN SKILLS) .....	152,278	152,278
040	DEPOT MAINTENANCE .....	1,061,506	1,087,106
	Compass Call Program Restructure .....		[25,600]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ...	56,700	56,700
060	BASE SUPPORT .....	941,714	941,714
070	GLOBAL C3I AND EARLY WARNING .....	30,219	30,219
080	OTHER COMBAT OPS SPT PROGRAMS .....	207,696	217,696
	Promoting additional DCA burden sharing .....		[5,000]
	Supporting DCA dispersal CONOP development .....		[5,000]
100	LAUNCH FACILITIES .....	869	869
110	SPACE CONTROL SYSTEMS .....	5,008	5,008
120	COMBATANT COMMANDERS DIRECT MISSION SUPPORT .....	100,081	100,081
135	CLASSIFIED PROGRAMS .....	79,893	79,893
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>5,071,446</b>	<b>5,158,846</b>
<b>MOBILIZATION</b>			
140	AIRLIFT OPERATIONS .....	2,774,729	2,872,429
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[97,700]
150	MOBILIZATION PREPAREDNESS .....	108,163	108,163
160	DEPOT MAINTENANCE .....	891,102	891,102
180	BASE SUPPORT .....	3,686	3,686
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>3,777,680</b>	<b>3,875,380</b>
<b>TRAINING AND RECRUITING</b>			
230	BASE SUPPORT .....	52,740	52,740
240	SPECIALIZED SKILL TRAINING .....	4,500	4,500
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>57,240</b>	<b>57,240</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
340	LOGISTICS OPERATIONS .....	86,716	86,716
380	BASE SUPPORT .....	59,133	59,133
400	SERVICEWIDE COMMUNICATIONS .....	165,348	165,348
410	OTHER SERVICEWIDE ACTIVITIES .....	141,883	141,883
450	INTERNATIONAL SUPPORT .....	61	61
460	CLASSIFIED PROGRAMS .....	15,323	15,323
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>468,464</b>	<b>468,464</b>
<b>UNDISTRIBUTED</b>			
470	UNDISTRIBUTED .....		-3,868,111
	Excessive standard price for fuel .....		[-101,600]
	Prorated OCO allocation in support of base readiness requirements .....		[-3,766,511]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-3,868,111</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE</b>	<b>9,374,830</b>	<b>5,691,819</b>
<b>OPERATION &amp; MAINTENANCE, AF RESERVE</b>			
<b>OPERATING FORCES</b>			
030	DEPOT MAINTENANCE .....	51,086	51,086
050	BASE SUPPORT .....	6,500	6,500
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>57,586</b>	<b>57,586</b>
<b>UNDISTRIBUTED</b>			
110	UNDISTRIBUTED .....		-22,788
	Excessive standard price for fuel .....		[-100]
	Prorated OCO allocation in support of base readiness requirements .....		[-22,688]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-22,788</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AF RE-</b>	<b>57,586</b>	<b>34,798</b>
	<b>SERVE</b> .....		

**SEC. 4302. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
<b>OPERATION &amp; MAINTENANCE, ANG</b>			
<b>OPERATING FORCES</b>			
020	MISSION SUPPORT OPERATIONS .....	3,400	3,400
050	BASE SUPPORT .....	16,600	16,600
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>20,000</b>	<b>20,000</b>
<b>UNDISTRIBUTED</b>			
080	UNDISTRIBUTED .....		-7,880
	Prorated OCO allocation in support of base readiness requirements .....		[-7,880]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-7,880</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ANG .....</b>	<b>20,000</b>	<b>12,120</b>
<b>OPERATION &amp; MAINTENANCE, DEFENSE-WIDE</b>			
<b>OPERATING FORCES</b>			
010	JOINT CHIEFS OF STAFF .....		10,000
	Enhancing exercise of DCA aircraft .....		[10,000]
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES .....	2,636,307	2,805,907
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[169,600]
	<b>SUBTOTAL OPERATING FORCES .....</b>	<b>2,636,307</b>	<b>2,815,907</b>
<b>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b>			
100	DEFENSE CONTRACT AUDIT AGENCY .....	13,436	13,436
110	DEFENSE CONTRACT MANAGEMENT AGENCY .....	13,564	13,564
130	DEFENSE INFORMATION SYSTEMS AGENCY .....	32,879	32,879
150	DEFENSE LEGAL SERVICES AGENCY .....	111,986	111,986
170	DEFENSE MEDIA ACTIVITY .....	13,317	13,317
190	DEFENSE SECURITY COOPERATION AGENCY .....	1,412,000	1,412,000
260	DEPARTMENT OF DEFENSE EDUCATION ACTIVITY .....	67,000	67,000
300	OFFICE OF THE SECRETARY OF DEFENSE .....	31,106	31,106
320	WASHINGTON HEADQUARTERS SERVICES .....	3,137	3,137
330	CLASSIFIED PROGRAMS .....	1,609,397	1,610,397
	Operational support for deployed end strength of 9,800 in Afghanistan .....		[1,000]
	<b>SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES .....</b>	<b>3,307,822</b>	<b>3,308,822</b>
<b>UNDISTRIBUTED</b>			
340	UNDISTRIBUTED .....		-2,419,878
	Excessive standard price for fuel .....		[-6,800]
	Prorated OCO allocation in support of base readiness requirements .....		[-2,413,078]
	<b>SUBTOTAL UNDISTRIBUTED .....</b>		<b>-2,419,878</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, DEFENSE- WIDE .....</b>	<b>5,944,129</b>	<b>3,704,851</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE .....</b>	<b>39,860,202</b>	<b>24,629,211</b>

1 **SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS**  
2 **CONTINGENCY OPERATIONS FOR BASE RE-**  
3 **QUIREMENTS.**

**SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE  
REQUIREMENTS**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
<b>OPERATION &amp; MAINTENANCE, ARMY</b>			
<b>OPERATING FORCES</b>			
010	MANEUVER UNITS .....	317,093	367,093
	Army unfunded requirement—Improve training from BN+ to BCT- .....		[50,000]
020	MODULAR SUPPORT BRIGADES .....	5,904	5,904
030	ECHELONS ABOVE BRIGADE .....	38,614	38,614
040	THEATER LEVEL ASSETS .....	8,361	8,361
050	LAND FORCES OPERATIONS SUPPORT .....	279,072	279,072

**SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
060	AVIATION ASSETS .....	106,424	206,924
	Army unfunded requirement—Meet air readiness targets .....		[68,000]
	Increase to support ARI—Eleventh CAB .....		[32,500]
070	FORCE READINESS OPERATIONS SUPPORT .....	253,533	253,533
090	LAND FORCES DEPOT MAINTENANCE .....	350,000	350,000
100	BASE OPERATIONS SUPPORT .....		22,100
	Increase to support ARI—Eleventh CAB .....		[22,100]
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ...		922,000
	Increase Restoration & Modernization funding .....		[494,900]
	Restore Sustainment shortfalls .....		[427,100]
140	ADDITIONAL ACTIVITIES .....	11,200	11,200
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>1,370,201</b>	<b>2,464,801</b>
<b>TRAINING AND RECRUITING</b>			
250	SPECIALIZED SKILL TRAINING .....	3,565	3,565
260	FLIGHT TRAINING .....		42,934
	Army unfunded requirement—Ensure AVN restructure initiative execu- tion .....		[5,405]
	Army unfunded requirement—Increase student workload for additional warrant officers .....		[31,125]
	Army unfunded requirement—Train full ARPINT load of 990 .....		[6,404]
270	PROFESSIONAL DEVELOPMENT EDUCATION .....	9,021	40,621
	Military Training and PME .....		[31,600]
280	TRAINING SUPPORT .....	2,434	2,434
290	RECRUITING AND ADVERTISING .....		356,500
	Recruiting and Advertising Add .....		[356,500]
320	CIVILIAN EDUCATION AND TRAINING .....	1,254	1,254
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....	<b>16,274</b>	<b>447,308</b>
<b>ADMIN &amp; SRVWIDE ACTIVITIES</b>			
350	SERVICEWIDE TRANSPORTATION .....	200,000	265,000
	Army unfunded requirement—Restore critical shortfalls .....		[65,000]
	<b>SUBTOTAL ADMIN &amp; SRVWIDE ACTIVITIES</b> .....	<b>200,000</b>	<b>265,000</b>
<b>UNDISTRIBUTED</b>			
540	UNDISTRIBUTED .....		704,300
	Additional funding to support increase in Army end strength .....		[704,300]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>704,300</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY</b> .....	<b>1,586,475</b>	<b>3,881,409</b>
<b>OPERATION &amp; MAINTENANCE, ARMY RES OPERATING FORCES</b>			
010	MODULAR SUPPORT BRIGADES .....	708	708
020	ECHELONS ABOVE BRIGADE .....	8,570	28,570
	Army unfunded requirement—Improve training from PLT to CO pro- ficiency .....		[20,000]
030	THEATER LEVEL ASSETS .....	375	375
040	LAND FORCES OPERATIONS SUPPORT .....	13	13
050	AVIATION ASSETS .....	608	608
060	FORCE READINESS OPERATIONS SUPPORT .....	4,285	4,285
100	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ...		97,500
	Increase Restoration & Modernization funding .....		[57,100]
	Restore Sustainment shortfalls .....		[40,400]
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>14,559</b>	<b>132,059</b>
<b>UNDISTRIBUTED</b>			
180	UNDISTRIBUTED .....		103,400
	Additional funding to support increase in Army Reserve end strength ..		[103,400]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>103,400</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARMY RES ...</b>	<b>14,559</b>	<b>235,459</b>
<b>OPERATION &amp; MAINTENANCE, ARNG OPERATING FORCES</b>			
010	MANEUVER UNITS .....	5,585	5,585
030	ECHELONS ABOVE BRIGADE .....	28,956	28,956
040	THEATER LEVEL ASSETS .....	10,272	10,272
060	AVIATION ASSETS .....	5,621	51,621



**SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

<b>Line</b>	<b>Item</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
	Increase to support ARI .....		[46,000]
070	FORCE READINESS OPERATIONS SUPPORT .....	9,694	9,694
110	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ...		121,000
	Increase Restoration & Modernization funding .....		[16,800]
	Restore Sustainment shortfalls .....		[104,200]
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>60,128</b>	<b>227,128</b>
<b>UNDISTRIBUTED</b>			
190	UNDISTRIBUTED .....		159,100
	Additional funding to support increase in Army National Guard end strength .....		[159,100]
	<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>159,100</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ARNG</b> .....	<b>60,128</b>	<b>386,228</b>
<b>OPERATION &amp; MAINTENANCE, NAVY OPERATING FORCES</b>			
010	MISSION AND OTHER FLIGHT OPERATIONS .....	500,000	556,520
	Carrier Air Wing Restoration .....		[56,520]
020	FLEET AIR TRAINING .....		23,020
	Carrier Air Wing Restoration .....		[23,020]
050	AIR SYSTEMS SUPPORT .....		6,500
	Marine Corps unfunded requirement—accelerate readiness - H-1 .....		[5,300]
	Marine Corps unfunded requirement—accelerate readiness - MV-22B ...		[1,200]
060	AIRCRAFT DEPOT MAINTENANCE .....		36,000
	Carrier Air Wing Restoration .....		[6,000]
	Navy unfunded requirement—Improve Afloat Readiness .....		[30,000]
080	AVIATION LOGISTICS .....		33,500
	Marine Corps unfunded requirement—accelerate readiness - KC-130J .....		[6,800]
	Marine Corps unfunded requirement—accelerate readiness - MV-22B ...		[10,700]
	Navy unfunded requirement—Improve Afloat Readiness .....		[16,000]
090	MISSION AND OTHER SHIP OPERATIONS .....		348,200
	Cruiser Modernization .....		[90,200]
	Navy unfunded requirement—Improve Afloat Readiness .....		[158,000]
	Navy unfunded requirement—Restore 3 CG Deployments .....		[41,000]
	Navy unfunded requirement—Reverse PONCE (LPD-15) Inactivation .....		[59,000]
100	SHIP OPERATIONS SUPPORT & TRAINING .....		19,700
	Navy unfunded requirement—Restore Fleet Training .....		[19,700]
110	SHIP DEPOT MAINTENANCE .....	775,000	1,084,100
	Cruiser Modernization .....		[71,100]
	Navy unfunded requirement—Ship Depot Wholeness .....		[238,000]
120	SHIP DEPOT OPERATIONS SUPPORT .....		79,000
	Navy unfunded requirement—Increase Afloat Readiness .....		[79,000]
290	SUSTAINMENT, RESTORATION AND MODERNIZATION .....	19,270	408,470
	Increase Restoration & Modernization funding .....		[113,600]
	Restore Sustainment shortfalls .....		[275,600]
300	BASE OPERATING SUPPORT .....	158,032	158,032
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>1,452,302</b>	<b>2,753,042</b>
<b>MOBILIZATION</b>			
350	EXPEDITIONARY HEALTH SERVICES SYSTEMS .....	3,597	3,597
	<b>SUBTOTAL MOBILIZATION</b> .....	<b>3,597</b>	<b>3,597</b>
<b>ADMIN &amp; SRVWD ACTIVITIES</b>			
540	SERVICEWIDE COMMUNICATIONS .....	25,617	25,617
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....	<b>25,617</b>	<b>25,617</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY</b> .....	<b>1,481,516</b>	<b>2,782,256</b>
<b>OPERATION &amp; MAINTENANCE, MARINE CORPS OPERATING FORCES</b>			
010	OPERATIONAL FORCES .....	300,000	322,000
	Marine Corps unfunded requirement- enhanced combat helmets .....		[22,000]
020	FIELD LOGISTICS .....		21,450
	Marine Corps unfunded requirement- rifle combat optic modernization .....		[13,200]
	Marine Corps unfunded requirement- SPMAGTF—C4 UUNS .....		[8,250]
050	SUSTAINMENT, RESTORATION & MODERNIZATION .....		145,600
	Increase Restoration & Modernization funding .....		[31,400]
	Restore Sustainment shortfalls .....		[114,200]

**SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>300,000</b>	<b>489,050</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MARINE CORPS</b> .....	<b>300,000</b>	<b>489,050</b>
	<b>OPERATION &amp; MAINTENANCE, NAVY RES OPERATING FORCES</b>		
030	AIRCRAFT DEPOT MAINTENANCE .....		4,000
	Navy unfunded requirement—Improve Afloat Readiness .....		[4,000]
070	SHIP OPERATIONS SUPPORT & TRAINING .....		300
	Navy unfunded requirement—Restore Fleet Training .....		[300]
130	SUSTAINMENT, RESTORATION AND MODERNIZATION .....		7,800
	Increase Restoration & Modernization funding .....		[2,100]
	Restore Sustainment shortfalls .....		[5,700]
	<b>SUBTOTAL OPERATING FORCES</b> .....		<b>12,100</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, NAVY RES</b> ...		<b>12,100</b>
	<b>OPERATION &amp; MAINTENANCE, MC RESERVE OPERATING FORCES</b>		
030	SUSTAINMENT, RESTORATION AND MODERNIZATION .....		7,700
	Increase Restoration & Modernization funding .....		[4,300]
	Restore Sustainment shortfalls .....		[3,400]
	<b>SUBTOTAL OPERATING FORCES</b> .....		<b>7,700</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, MC RESERVE</b> .....		<b>7,700</b>
	<b>OPERATION &amp; MAINTENANCE, AIR FORCE OPERATING FORCES</b>		
040	DEPOT MAINTENANCE .....	124,000	447,576
	Air Force unfunded requirement—Weapons System Sustainment .....		[323,576]
050	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ...		407,900
	Increase Restoration & Modernization funding .....		[142,900]
	Restore Sustainment shortfalls .....		[265,000]
070	GLOBAL C3I AND EARLY WARNING .....		40,000
	Air Force unfunded requirement—Ground Based Radars .....		[40,000]
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>124,000</b>	<b>895,476</b>
	<b>MOBILIZATION</b>		
160	DEPOT MAINTENANCE .....		66,424
	Air Force unfunded requirement—Weapons System Sustainment .....		[66,424]
170	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ...		63,600
	Increase Restoration & Modernization funding .....		[22,300]
	Restore Sustainment shortfalls .....		[41,300]
	<b>SUBTOTAL MOBILIZATION</b> .....		<b>130,024</b>
	<b>TRAINING AND RECRUITING</b>		
220	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ...		58,200
	Increase Restoration & Modernization funding .....		[20,400]
	Restore Sustainment shortfalls .....		[37,800]
	<b>SUBTOTAL TRAINING AND RECRUITING</b> .....		<b>58,200</b>
	<b>ADMIN &amp; SRVWD ACTIVITIES</b>		
370	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ...		79,000
	Increase Restoration & Modernization funding .....		[27,700]
	Restore Sustainment shortfalls .....		[51,300]
	<b>SUBTOTAL ADMIN &amp; SRVWD ACTIVITIES</b> .....		<b>79,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AIR FORCE</b>	<b>124,000</b>	<b>1,162,700</b>
	<b>OPERATION &amp; MAINTENANCE, AF RESERVE OPERATING FORCES</b>		
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION ...		20,500
	Increase Restoration & Modernization funding .....		[7,100]
	Restore Sustainment shortfalls .....		[13,400]
	<b>SUBTOTAL OPERATING FORCES</b> .....		<b>20,500</b>

**SEC. 4303. OPERATION AND MAINTENANCE FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

<i>Line</i>	<i>Item</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
	<b>TOTAL OPERATION &amp; MAINTENANCE, AF RESERVE</b> .....		<b>20,500</b>
	<b>OPERATION &amp; MAINTENANCE, ANG OPERATING FORCES</b>		
030	DEPOT MAINTENANCE .....		40,000
	Air Force unfunded requirement—Weapons System Sustainment .....		[40,000]
040	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION .....		64,500
	Increase Restoration & Modernization funding .....		[18,900]
	Restore Sustainment shortfalls .....		[45,600]
	<b>SUBTOTAL OPERATING FORCES</b> .....		<b>104,500</b>
	<b>ADMINISTRATION AND SERVICE-WIDE ACTIVITIES</b>		
070	RECRUITING AND ADVERTISING .....		67,000
	Air Force unfunded requirement .....		[67,000]
	<b>SUBTOTAL ADMINISTRATION AND SERVICE-WIDE ACTIVITIES</b> .....		<b>67,000</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, ANG</b> .....		<b>171,500</b>
	<b>OPERATION &amp; MAINTENANCE, DEFENSE-WIDE OPERATING FORCES</b>		
030	SPECIAL OPERATIONS COMMAND/OPERATING FORCES .....	14,344	14,344
	<b>SUBTOTAL OPERATING FORCES</b> .....	<b>14,344</b>	<b>14,344</b>
	<b>ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b>		
130	DEFENSE INFORMATION SYSTEMS AGENCY .....	14,700	14,700
330	CLASSIFIED PROGRAMS .....	9,000	9,000
	<b>SUBTOTAL ADMINISTRATION AND SERVICEWIDE ACTIVITIES</b> .....	<b>23,700</b>	<b>23,700</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE, DEFENSE-WIDE</b> .....	<b>38,044</b>	<b>38,044</b>
	<b>TOTAL OPERATION &amp; MAINTENANCE</b> .....	<b>3,604,722</b>	<b>9,186,946</b>

1 **TITLE XLIV—MILITARY**  
2 **PERSONNEL**

3 **SEC. 4401. MILITARY PERSONNEL.**

**SEC. 4401. MILITARY PERSONNEL**  
(In Thousands of Dollars)

<i>Item</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
<b>Military Personnel Appropriations</b> .....	<b>128,902,332</b>	<b>128,482,914</b>
Foreign Currency adjustments .....		[-200,400]
Historical unobligated balances .....		[-248,700]
National Guard State Partnership Program, Air Force, Special Training .....		[841]
National Guard State Partnership Program, Army, Special Training .....		[841]
Prohibition on Per Diem Allowance Reduction .....		[28,000]
<b>Medicare-Eligible Retiree Health Fund Contributions</b> .....	<b>6,366,908</b>	<b>6,366,908</b>

1 **SEC. 4402. MILITARY PERSONNEL FOR OVERSEAS CONTIN-**  
 2 **GENCY OPERATIONS.**

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

<i>Item</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
<b>Military Personnel Appropriations</b> .....	<b>3,499,293</b>	<b>2,199,572</b>
<i>Maintain end strength of 9,800 in Afghanistan</i> .....		[130,300]
<i>Prorated OCO allocation in support of base readiness re-</i> <i>quirements</i> .....		[-1,430,021]

3 **SEC. 4403. MILITARY PERSONNEL FOR OVERSEAS CONTIN-**  
 4 **GENCY OPERATIONS FOR BASE REQUIRE-**  
 5 **MENTS.**

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

<i>Item</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
<i>Military Personnel Appropriations</i> .....	62,965	2,572,715
<i>Fund active Air Force end strength to 321k</i> .....		[145,000]
<i>Fund active Army end strength to 480k</i> .....		[1,123,500]
<i>Fund active Marine Corps end strength to 185k</i> .....		[300,000]
<i>Fund active Navy end strength</i> .....		[65,300]
<i>Fund Army National Guard end strength to 350k</i> .....		[303,700]
<i>Fund Army Reserves end strength to 205k</i> .....		[166,650]
<i>Marine Corps—Bonus Pay/PCS Resotral/Foreign Lan-</i> <i>guage Bonus</i> .....		[75,600]
<i>Military Personnel Pay Raise</i> .....		[330,000]
<i>Medicare-Eligible Retiree Health Fund Contributions</i> .....		49,900
<i>Increase associated with additional end strength</i> .....		[49,900]

6 **TITLE XLV—OTHER**  
 7 **AUTHORIZATIONS**

8 **SEC. 4501. OTHER AUTHORIZATIONS.**

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

<i>Item</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
<b>WORKING CAPITAL FUND, ARMY</b>		
<b>INDUSTRIAL OPERATIONS</b>		
<i>SUPPLY MANAGEMENT—ARMY</i> .....	56,469	56,469
<b>TOTAL WORKING CAPITAL FUND, ARMY</b> .....	<b>56,469</b>	<b>56,469</b>
<b>WORKING CAPITAL FUND, AIR FORCE</b>		
<b>FUEL COSTS</b>		
<i>SUPPLIES AND MATERIALS</i> .....	63,967	63,967
<b>TOTAL WORKING CAPITAL FUND, AIR FORCE</b> ..	<b>63,967</b>	<b>63,967</b>
<b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>		

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

<i>Item</i>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>ENERGY MANAGEMENT—DEF</b>		
SUPPLY CHAIN MANAGEMENT—DEF .....	37,132	37,132
<b>TOTAL WORKING CAPITAL FUND, DEFENSE- WIDE</b> .....	<b>37,132</b>	<b>37,132</b>
<b>WORKING CAPITAL FUND, DECA</b>		
WORKING CAPITAL FUND, DECA .....	1,214,045	1,214,045
<b>TOTAL WORKING CAPITAL FUND, DECA</b> .....	<b>1,214,045</b>	<b>1,214,045</b>
<b>NATIONAL DEFENSE SEALIFT FUND POST DELIVERY AND OUTFITTING</b>		
NATIONAL DEF SEALIFT VESSEL .....		85,000
National Security Multi-Mission Vehicle .....		[85,000]
<b>TOTAL NATIONAL DEFENSE SEALIFT FUND</b> .....		<b>85,000</b>
<b>NATIONAL SEA-BASED DETERRENCE FUND</b>		
DEVELOPMENT .....		773,138
Realignment of funds to the National Sea-Based Deter- rence Fund .....		[773,138]
<b>TOTAL NATIONAL SEA-BASED DETERRENCE FUND</b> .....		<b>773,138</b>
<b>CHEM AGENTS &amp; MUNITIONS DESTRUCTION</b>		
OPERATION & MAINTENANCE .....	147,282	147,282
RDT&E .....	388,609	388,609
PROCUREMENT .....	15,132	15,132
<b>TOTAL CHEM AGENTS &amp; MUNITIONS DE- STRUCTION</b> .....	<b>551,023</b>	<b>551,023</b>
<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE .....	730,087	760,087
SOUTHCOM Operational Support .....		[30,000]
DRUG DEMAND REDUCTION PROGRAM .....	114,713	114,713
<b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG AC- TIVITIES, DEF</b> .....	<b>844,800</b>	<b>874,800</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>		
OPERATION AND MAINTENANCE .....	318,882	318,882
RDT&E .....	3,153	3,153
<b>TOTAL OFFICE OF THE INSPECTOR GENERAL</b>	<b>322,035</b>	<b>322,035</b>
<b>DEFENSE HEALTH PROGRAM OPERATION &amp; MAINTENANCE</b>		
IN-HOUSE CARE .....	9,240,160	9,240,160
PRIVATE SECTOR CARE .....	15,738,759	15,738,759
CONSOLIDATED HEALTH SUPPORT .....	2,367,759	2,367,759
INFORMATION MANAGEMENT .....	1,743,749	1,743,749
MANAGEMENT ACTIVITIES .....	311,380	311,380
EDUCATION AND TRAINING .....	743,231	743,231
BASE OPERATIONS/COMMUNICATIONS .....	2,086,352	2,086,352
<b>SUBTOTAL OPERATION &amp; MAINTENANCE</b> .....	<b>32,231,390</b>	<b>32,231,390</b>
<b>RDT&amp;E</b>		
RESEARCH .....	9,097	9,097
EXPLORATORY DEVELOPMENT .....	58,517	58,517
ADVANCED DEVELOPMENT .....	221,226	221,226
DEMONSTRATION/VALIDATION .....	96,602	96,602
ENGINEERING DEVELOPMENT .....	364,057	364,057
MANAGEMENT AND SUPPORT .....	58,410	58,410
CAPABILITIES ENHANCEMENT .....	14,998	14,998

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

<i>Item</i>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>SUBTOTAL RDT&amp;E</b> .....	<b>822,907</b>	<b>822,907</b>
<b>PROCUREMENT</b>		
INITIAL OUTFITTING .....	20,611	20,611
REPLACEMENT & MODERNIZATION .....	360,727	360,727
JOINT OPERATIONAL MEDICINE INFORMATION SYSTEM .....	2,413	2,413
DOD HEALTHCARE MANAGEMENT SYSTEM MODERNIZA- TION .....	29,468	29,468
<b>SUBTOTAL PROCUREMENT</b> .....	<b>413,219</b>	<b>413,219</b>
UNDISTRIBUTED .....		-419,500
Foreign Currency adjustments .....		[-20,400]
Historical unobligated balances .....		[-399,100]
<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-419,500</b>
<b>TOTAL DEFENSE HEALTH PROGRAM</b> .....	<b>33,467,516</b>	<b>33,048,016</b>
<b>TOTAL OTHER AUTHORIZATIONS</b> .....	<b>36,556,987</b>	<b>37,025,625</b>

1 **SEC. 4502. OTHER AUTHORIZATIONS FOR OVERSEAS CON-**  
2 **TINGENCY OPERATIONS.**

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

<i>Item</i>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<b>WORKING CAPITAL FUND, ARMY</b>		
<b>INDUSTRIAL OPERATIONS</b>		
SUPPLY MANAGEMENT—ARMY .....	46,833	46,833
UNDISTRIBUTED .....		-18,452
Reduction to sustain minimal readiness levels .....		[-18,452]
<b>TOTAL WORKING CAPITAL FUND, ARMY</b> .....	<b>46,833</b>	<b>28,381</b>
<b>WORKING CAPITAL FUND, DEFENSE-WIDE</b>		
<b>SUPPLY CHAIN MANAGEMENT—DEF</b>		
DEFENSE LOGISTICS AGENCY (DLA) .....	93,800	93,800
UNDISTRIBUTED .....		-36,956
Prorated OCO allocation in support of base readiness re- quirements .....		[-36,956]
<b>TOTAL WORKING CAPITAL FUND, DEFENSE- WIDE</b> .....	<b>93,800</b>	<b>56,844</b>
<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DE- FENSE .....	191,533	191,533
<b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG AC- TIVITIES, DEF</b> .....	<b>191,533</b>	<b>191,533</b>
<b>OFFICE OF THE INSPECTOR GENERAL</b>		
OPERATION AND MAINTENANCE .....	22,062	22,062
<b>TOTAL OFFICE OF THE INSPECTOR GENERAL</b> .....	<b>22,062</b>	<b>22,062</b>
<b>DEFENSE HEALTH PROGRAM</b>		
<b>OPERATION &amp; MAINTENANCE</b>		
IN-HOUSE CARE .....	95,366	95,366
PRIVATE SECTOR CARE .....	233,073	233,073
CONSOLIDATED HEALTH SUPPORT .....	3,325	3,325
<b>SUBTOTAL OPERATION &amp; MAINTENANCE</b> .....	<b>331,764</b>	<b>331,764</b>

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

<i>Item</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
<b>UNDISTRIBUTED</b>		
UNDISTRIBUTED .....		-130,711
Prorated OCO allocation in support of base readiness re- quirements .....		[-130,711]
<b>SUBTOTAL UNDISTRIBUTED</b> .....		<b>-130,711</b>
<b>TOTAL DEFENSE HEALTH PROGRAM</b> .....	<b>331,764</b>	<b>201,053</b>
<b>UKRAINE SECURITY ASSISTANCE</b>		
UKRAINE SECURITY ASSISTANCE .....		150,000
Program increase .....		[150,000]
<b>TOTAL UKRAINE SECURITY ASSISTANCE</b> .....		<b>150,000</b>
<b>COUNTERTERRORISM PARTNERSHIPS FUND</b>		
COUNTERTERRORISM PARTNERSHIPS FUND .....	1,000,000	750,000
Program decrease .....		[-250,000]
<b>TOTAL COUNTERTERRORISM PARTNERSHIPS     FUND</b> .....	<b>1,000,000</b>	<b>750,000</b>
<b>TOTAL OTHER AUTHORIZATIONS</b> .....	<b>1,685,992</b>	<b>1,399,873</b>

1 **SEC. 4503. OTHER AUTHORIZATIONS FOR OVERSEAS CON-**  
2 **TINGENCY OPERATIONS FOR BASE REQUIRE-**  
3 **MENTS.**

**SEC. 4503. OTHER AUTHORIZATIONS FOR OVERSEAS CONTINGENCY OPERATIONS  
FOR BASE REQUIREMENTS**  
(In Thousands of Dollars)

<i>Item</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
<b>DRUG INTERDICTION &amp; CTR-DRUG ACTIVITIES, DEF</b>		
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DE- FENSE .....	23,800	23,800
<b>TOTAL DRUG INTERDICTION &amp; CTR-DRUG AC-     TIVITIES, DEF</b> .....	<b>23,800</b>	<b>23,800</b>
<b>TOTAL OTHER AUTHORIZATIONS</b> .....	<b>23,800</b>	<b>23,800</b>

4 **TITLE XLVI—MILITARY**  
5 **CONSTRUCTION**

6 **SEC. 4601. MILITARY CONSTRUCTION.**

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<i>Account</i>	<i>State/Country and Installation</i>	<i>Project Title</i>	<i>FY 2017 Request</i>	<i>House Agreement</i>
Army	Alaska Fort Wainwright	Unmanned Aerial Vehicle Hangar .....	47,000	47,000
Army	California Concord	Access Control Point .....	12,600	12,600
Army	Colorado Fort Carson	Automated Infantry Platoon Battle Course .....	8,100	8,100
Army	Fort Carson	Unmanned Aerial Vehicle Hangar .....	5,000	5,000

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2017 Request</b>	<b>House Agreement</b>
	<i>Georgia</i>			
Army	Fort Gordon	Access Control Point .....	0	29,000
Army	Fort Gordon	Company Operations Facility .....	0	10,600
Army	Fort Gordon	CYBER Protection Team Ops Facility .....	90,000	90,000
Army	Fort Stewart	Automated Qualification/Training Range .....	14,800	14,800
	<i>Germany</i>			
Army	East Camp Grafenwoehr	Training Support Center .....	22,000	22,000
Army	Garmisch	Dining Facility .....	9,600	9,600
Army	Wiesbaden Army Airfield	Controlled Humidity Warehouse .....	16,500	16,500
Army	Wiesbaden Army Airfield	Hazardous Material Storage Building .....	2,700	2,700
	<i>Guantanamo Bay, Cuba</i>			
Army	Guantanamo Bay	Guantanamo Bay Naval Station Migration Complex .....	33,000	33,000
	<i>Hawaii</i>			
Army	Fort Shafter	Command and Control Facility, Incr 2 .....	40,000	40,000
	<i>Missouri</i>			
Army	Fort Leonard Wood	Fire Station .....	0	6,900
	<i>Texas</i>			
Army	Fort Hood	Automated Infantry Platoon Battle Course .....	7,600	7,600
	<i>Utah</i>			
Army	Camp Williams	Live Fire Exercise Shoothouse .....	7,400	7,400
	<i>Virginia</i>			
Army	Fort Belvoir	Secure Admin/Operations Facility, Incr 2 .....	64,000	64,000
Army	Fort Belvoir	Vehicle Maintenance Shop .....	0	23,000
	<i>Worldwide Unspecified Locations</i>			
Army	Unspecified Worldwide Locations	Host Nation Support FY17 .....	18,000	18,000
Army	Unspecified Worldwide Locations	Minor Construction FY17 .....	25,000	25,000
Army	Unspecified Worldwide Locations	Planning and Design FY17 .....	80,159	80,159
	<b>Military Construction, Army Total .....</b>		<b>503,459</b>	<b>572,959</b>
	<i>Arizona</i>			
Navy	Yuma	VMX-22 Maintenance Hangar .....	48,355	48,355
	<i>California</i>			
Navy	Coronado	Coastal Campus Entry Control Point .....	13,044	13,044
Navy	Coronado	Coastal Campus Utilities Infrastructure .....	81,104	81,104
Navy	Coronado	Grace Hopper Data Center Power Upgrades .....	10,353	10,353
Navy	Lemoore	F-35C Engine Repair Facility .....	26,723	26,723
Navy	Miramar	Aircraft Maintenance Hangar, Incr 1 .....	0	79,399
Navy	Miramar	Communications Complex & Infrastructure Upgrade .....	0	34,700
Navy	Miramar	F-35 Aircraft Parking Apron .....	0	40,000
Navy	San Diego	Energy Security Hospital Microgrid .....	6,183	0
Navy	Seal Beach	Missile Magazines .....	21,007	21,007
	<i>Florida</i>			
Navy	Eglin AFB	WMD Field Training Facilities .....	20,489	20,489
Navy	Mayport	Advanced Wastewater Treatment Plant .....	0	66,000
Navy	Pensacola	A-School Dormitory .....	0	53,000
	<i>Guam</i>			
Navy	Joint Region Marianas	Hardening of Guam POL Infrastructure .....	26,975	26,975
Navy	Joint Region Marianas	Power Upgrade—Harmon .....	62,210	62,210
	<i>Hawaii</i>			
Navy	Barking Sands	Upgrade Power Plant & Electrical Distrib Sys .....	43,384	43,384
Navy	Kaneohe Bay	Regimental Consolidated Comm/Elec Facility .....	72,565	72,565
	<i>Japan</i>			
Navy	Kadena AB	Aircraft Maintenance Complex .....	26,489	26,489
Navy	Sasebo	Shore Power (Juliet Pier) .....	16,420	16,420
	<i>Maine</i>			
Navy	Kittery	Unaccompanied Housing .....	17,773	17,773
Navy	Kittery	Utility Improvements for Nuclear Platforms .....	30,119	30,119
	<i>Maryland</i>			
Navy	Patuxent River	UCLASS RDT&E Hangar .....	40,576	40,576
	<i>Nevada</i>			
Navy	Fallon	Air Wing Simulator Facility .....	13,523	13,523
	<i>North Carolina</i>			
Navy	Camp Lejeune	Range Facilities Safety Improvements .....	18,482	18,482
Navy	Cherry Point	Central Heating Plant Conversion .....	12,515	12,515
	<i>South Carolina</i>			
Navy	Beaufort	Aircraft Maintenance Hangar .....	83,490	83,490
Navy	Parris Island	Recruit Reconditioning Center & Barracks .....	29,882	29,882
	<i>Spain</i>			
Navy	Rota	Communication Station .....	23,607	23,607
	<i>Virginia</i>			
Navy	Norfolk	Chambers Field Magazine Recap PH I .....	0	27,000
	<i>Washington</i>			



**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2017 Request</b>	<b>House Agreement</b>
Navy	Bangor	SEAWOLF Class Service Pier .....	0	73,000
Navy	Bangor	Service Pier Electrical Upgrades .....	18,939	18,939
Navy	Bangor	Submarine Refit Maint Support Facility .....	21,476	21,476
Navy	Bremerton	Nuclear Repair Facility .....	6,704	6,704
Navy	Whidbey Island	EA-18G Maintenance Hangar .....	45,501	45,501
Navy	Whidbey Island	Triton Mission Control Facility .....	30,475	30,475
	<i>Worldwide Unspecified</i>			
Navy	Unspecified Worldwide Locations	Planning and Design .....	88,230	88,230
Navy	Unspecified Worldwide Locations	Unspecified Minor Construction .....	29,790	29,790
Navy	Various Worldwide Locations	Triton Forward Operating Base Hangar .....	41,380	41,380
<b>Military Construction, Navy Total .....</b>			<b>1,027,763</b>	<b>1,394,679</b>
<i>Alaska</i>				
AF	Clear AFB	Fire Station .....	20,000	20,000
AF	Eielson AFB	F-35A ADAL Field Training Detachment Fac .....	22,100	22,100
AF	Eielson AFB	F-35A Aircraft Weather Shelter (Sqd 2) .....	82,300	0
AF	Eielson AFB	F-35A Aircraft Weather Shelters (Sqd 1) .....	79,500	79,500
AF	Eielson AFB	F-35A Earth Covered Magazines .....	11,300	11,300
AF	Eielson AFB	F-35A Hangar/Propulsion MX/Dispatch .....	44,900	44,900
AF	Eielson AFB	F-35A Hangar/Squad Ops/AMU Sq #2 .....	42,700	42,700
AF	Eielson AFB	F-35A Missile Maintenance Facility .....	12,800	12,800
AF	Joint Base Elmendorf-Richardson	Add/Alter AWACS Alert Hangar .....	29,000	29,000
<i>Arizona</i>				
AF	Luke AFB	F-35A Squad Ops/Aircraft Maint Unit #5 .....	20,000	20,000
<i>Australia</i>				
AF	Darwin	APR—Aircraft MX Support Facility .....	1,800	1,800
AF	Darwin	APR—Expand Parking Apron .....	28,600	28,600
<i>California</i>				
AF	Edwards AFB	Flightline Fire Station .....	24,000	24,000
<i>Colorado</i>				
AF	Buckley AFB	Small Arms Range Complex .....	13,500	13,500
<i>Delaware</i>				
AF	Dover AFB	Aircraft Maintenance Hangar .....	39,000	39,000
<i>Florida</i>				
AF	Eglin AFB	Advanced Munitions Technology Complex .....	75,000	75,000
AF	Eglin AFB	Flightline Fire Station .....	13,600	13,600
AF	Patrick AFB	Fire/Crash Rescue Station .....	13,500	13,500
<i>Georgia</i>				
AF	Moody AFB	Personnel Recovery 4-Bay Hangar/Helo Mx Unit .....	30,900	30,900
<i>Germany</i>				
AF	Ramstein AB	37 AS Squadron Operations/Aircraft Maint Unit .....	13,437	13,437
AF	Spangdahlem AB	EIC—Site Development and Infrastructure .....	43,465	43,465
<i>Guam</i>				
AF	Joint Region Marianas	APR—Munitions Storage Igloos, Ph 2 .....	35,300	35,300
AF	Joint Region Marianas	APR—SATCOM C4I Facility .....	14,200	14,200
AF	Joint Region Marianas	Block 40 Maintenance Hangar .....	31,158	31,158
<i>Japan</i>				
AF	Kadena AB	APR—Replace Munitions Structures .....	19,815	19,815
AF	Yokota AB	C-130J Corrosion Control Hangar .....	23,777	23,777
AF	Yokota AB	Construct Combat Arms Training & Maint Fac .....	8,243	8,243
<i>Kansas</i>				
AF	McConnell AFB	Air Traffic Control Tower .....	11,200	11,200
AF	McConnell AFB	KC-46A ADAL Taxiway Delta .....	5,600	5,600
AF	McConnell AFB	KC-46A Alter Flight Simulator Bldgs .....	3,000	3,000
<i>Louisiana</i>				
AF	Barksdale AFB	Consolidated Communication Facility .....	21,000	21,000
<i>Mariana Islands</i>				
AF	Unspecified Location	APR—Land Acquisition .....	9,000	9,000
<i>Maryland</i>				
AF	Joint Base Andrews	21 Points Enclosed Firing Range .....	13,000	13,000
AF	Joint Base Andrews	Consolidated Communications Center .....	0	50,000
AF	Joint Base Andrews	PAR Relocate JADOC Satellite Site .....	3,500	3,500
<i>Massachusetts</i>				
AF	Hanscom AFB	Construct Vandenberg Gate Complex .....	0	10,965
AF	Hanscom AFB	System Management Engineering Facility .....	20,000	20,000
<i>Montana</i>				
AF	Malmstrom AFB	Missile Maintenance Facility .....	14,600	14,600
<i>Nevada</i>				
AF	Nellis AFB	F-35A POL Fill Stand Addition .....	10,600	10,600
<i>New Mexico</i>				
AF	Cannon AFB	North Fitness Center .....	21,000	21,000
AF	Holloman AFB	Hazardous Cargo Pad and Taxiway .....	10,600	10,600
AF	Kirtland AFB	Combat Rescue Helicopter (CRH) Simulator .....	7,300	7,300

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2017 Request</b>	<b>House Agreement</b>
	<i>Ohio</i>			
AF	Wright-Patterson AFB	Relocated Entry Control Facility 26A .....	12,600	12,600
	<i>Oklahoma</i>			
AF	Altus AFB	KC-46A FTU/FTC Simulator Facility Ph 2 .....	11,600	11,600
AF	Tinker AFB	E-3G Mission and Flight Simulator Training Facility.	0	26,000
AF	Tinker AFB	KC-46A Depot System Integration Laboratory .....	17,000	17,000
	<i>South Carolina</i>			
AF	Joint Base Charleston	Fire & Rescue Station .....	0	17,000
	<i>Texas</i>			
AF	Joint Base San Antonio	BMT Recruit Dormitory 6 .....	67,300	67,300
	<i>Turkey</i>			
AF	Incirlik AB	Airfield Fire/Crash Rescue Station .....	13,449	13,449
	<i>United Arab Emirates</i>			
AF	Al Dhafra	Large Aircraft Maintenance Hangar .....	35,400	35,400
	<i>United Kingdom</i>			
AF	RAF Croughton	JIAC Consolidation—Ph 3 .....	53,082	0
AF	RAF Croughton	Main Gate Complex .....	16,500	16,500
	<i>Utah</i>			
AF	Hill AFB	649 MUNS Munitions Storage Magazines .....	6,600	6,600
AF	Hill AFB	649 MUNS Precision Guided Missile MX Facility .....	8,700	8,700
AF	Hill AFB	649 MUNS Stamp/Maint & Inspection Facility .....	12,000	12,000
AF	Hill AFB	Composite Aircraft Antenna Calibration Fac .....	7,100	7,100
AF	Hill AFB	F-35A Munitions Maintenance Complex .....	10,100	10,100
	<i>Virginia</i>			
AF	Joint Base Langley-Eustis	Air Force Targeting Center .....	45,000	45,000
AF	Joint Base Langley-Eustis	Fuel System Maintenance Dock .....	14,200	14,200
	<i>Washington</i>			
AF	Fairchild AFB	Pipeline Dorm, USAF SERE School (150 RM) .....	27,000	27,000
	<i>Worldwide Unspecified</i>			
AF	Various Worldwide Locations	Planning & Design .....	143,582	163,582
AF	Various Worldwide Locations	Unspecified Minor Military Construction .....	30,000	63,082
	<i>Wyoming</i>			
AF	F. E. Warren AFB	Missile Transfer Facility Bldg 4331 .....	5,550	5,550
	<b>Military Construction, Air Force Total</b> .....		<b>1,481,058</b>	<b>1,502,723</b>
	<i>Alaska</i>			
Def-Wide	Clear AFS	Long Range Discrim Radar Sys Complex Ph1, Incr 1	155,000	100,000
Def-Wide	Fort Greely	Missile Defense Complex Switchgear Facility .....	9,560	9,560
Def-Wide	Joint Base Elmendorf-Richardson	Construct Truck Offload Facility .....	4,900	4,900
	<i>Arizona</i>			
Def-Wide	Fort Huachuca	JITC Building 52110 Renovation .....	4,493	4,493
	<i>California</i>			
Def-Wide	Coronado	SOF Human Performance Training Center .....	15,578	15,578
Def-Wide	Coronado	SOF Seal Team Ops Facility .....	47,290	47,290
Def-Wide	Coronado	SOF Seal Team Ops Facility .....	47,290	47,290
Def-Wide	Coronado	SOF Special RECON Team ONE Operations Fac .....	20,949	20,949
Def-Wide	Coronado	SOF Training Detachment ONE Ops Facility .....	44,305	44,305
Def-Wide	Travis AFB	Replace Hydrant Fuel System .....	26,500	26,500
	<i>Delaware</i>			
Def-Wide	Dover AFB	Welch ES/Dover MS Replacement .....	44,115	44,115
	<i>Diego Garcia</i>			
Def-Wide	Diego Garcia	Improve Wharf Refueling Capability .....	30,000	30,000
	<i>Florida</i>			
Def-Wide	Patrick AFB	Replace Fuel Tanks .....	10,100	10,100
	<i>Georgia</i>			
Def-Wide	Fort Benning	SOF Tactical Unmanned Aerial Vehicle Hangar .....	4,820	4,820
Def-Wide	Fort Gordon	Medical Clinic Replacement .....	25,000	25,000
	<i>Germany</i>			
Def-Wide	Kaiserlautern AB	Sombach Elementary/Middle School Replacement .....	45,221	45,221
Def-Wide	Rhine Ordnance Barracks	Medical Center Replacement Incr 6 .....	58,063	58,063
	<i>Japan</i>			
Def-Wide	Iwakuni	Construct Truck Offload & Loading Facilities .....	6,664	6,664
Def-Wide	Kadena AB	Kadena Elementary School Replacement .....	84,918	84,918
Def-Wide	Kadena AB	Medical Materiel Warehouse .....	20,881	20,881
Def-Wide	Kadena AB	SOF Maintenance Hangar .....	42,823	42,823
Def-Wide	Kadena AB	SOF Simulator Facility (MC-130) .....	12,602	12,602
Def-Wide	Yokota AB	Airfield Apron .....	41,294	41,294
Def-Wide	Yokota AB	Hangar/AMU .....	39,466	39,466
Def-Wide	Yokota AB	Operations and Warehouse Facilities .....	26,710	26,710
Def-Wide	Yokota AB	Simulator Facility .....	6,261	6,261

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2017 Request</b>	<b>House Agreement</b>
	<i>Kwajalein</i>			
Def-Wide	<i>Kwajalein Atoll</i>	Replace Fuel Storage Tanks .....	85,500	85,500
	<i>Maine</i>			
Def-Wide	<i>Kittery</i>	Medical/Dental Clinic Replacement .....	27,100	27,100
	<i>Maryland</i>			
Def-Wide	<i>Bethesda Naval Hospital</i>	MEDCEN Addition/Alteration Incr 1 .....	50,000	50,000
Def-Wide	<i>Fort Meade</i>	Access Control Facility .....	21,000	21,000
Def-Wide	<i>Fort Meade</i>	NSAW Campus Feeders Phase 3 .....	17,000	17,000
Def-Wide	<i>Fort Meade</i>	NSAW Recapitalize Building #2 Incr 2 .....	195,000	145,000
	<i>Missouri</i>			
Def-Wide	<i>St. Louis</i>	Land Acquisition-Next NGA West (N2W) Campus .....	801	0
	<i>North Carolina</i>			
Def-Wide	<i>Camp Lejeune</i>	Dental Clinic Replacement .....	31,000	31,000
Def-Wide	<i>Fort Bragg</i>	SOF Combat Medic Training Facility .....	10,905	10,905
Def-Wide	<i>Fort Bragg</i>	SOF Parachute Rigging Facility .....	21,420	21,420
Def-Wide	<i>Fort Bragg</i>	SOF Special Tactics Facility (PH3) .....	30,670	30,670
Def-Wide	<i>Fort Bragg</i>	SOF Tactical Equipment Maintenance Facility .....	23,598	23,598
	<i>South Carolina</i>			
Def-Wide	<i>Joint Base Charleston</i>	Construct Hydrant Fuel System .....	17,000	17,000
	<i>Texas</i>			
Def-Wide	<i>Red River Army Depot</i>	Construct Warehouse & Open Storage .....	44,700	44,700
Def-Wide	<i>Sheppard AFB</i>	Medical/Dental Clinic Replacement .....	91,910	91,910
	<i>United Kingdom</i>			
Def-Wide	<i>RAF Croughton</i>	Croughton ELEM/Middle/High School Replacement .....	71,424	71,424
Def-Wide	<i>RAF Lakenheath</i>	Construct Hydrant Fuel System .....	13,500	13,500
	<i>Virginia</i>			
Def-Wide	<i>Pentagon</i>	Pentagon Metro Entrance Facility .....	12,111	12,111
Def-Wide	<i>Pentagon</i>	Upgrade IT Facilities Infrastructure—RRMC .....	8,105	8,105
	<i>Wake Island</i>			
Def-Wide	<i>Wake Island</i>	Test Support Facility .....	11,670	11,670
	<i>Worldwide Unspecified</i>			
Def-Wide	<i>Unspecified Worldwide Locations</i>	Contingency Construction .....	10,000	10,000
Def-Wide	<i>Unspecified Worldwide Locations</i>	ECIP Design .....	10,000	0
Def-Wide	<i>Unspecified Worldwide Locations</i>	Energy Conservation Investment Program .....	150,000	150,000
Def-Wide	<i>Unspecified Worldwide Locations</i>	Exercise Related Minor Construction .....	8,631	8,631
Def-Wide	<i>Unspecified Worldwide Locations</i>	Planning and Design, Defense Wide .....	13,450	23,450
Def-Wide	<i>Unspecified Worldwide Locations</i>	Planning and Design, DODEA .....	23,585	23,585
Def-Wide	<i>Unspecified Worldwide Locations</i>	Planning and Design, NGA .....	71,647	36,000
Def-Wide	<i>Unspecified Worldwide Locations</i>	Planning and Design, NSA .....	24,000	24,000
Def-Wide	<i>Unspecified Worldwide Locations</i>	Planning and Design, WHS .....	3,427	3,427
Def-Wide	<i>Unspecified Worldwide Locations</i>	Unspecified Minor Construction, DHA .....	8,500	8,500
Def-Wide	<i>Unspecified Worldwide Locations</i>	Unspecified Minor Construction, DODEA .....	3,000	3,000
Def-Wide	<i>Unspecified Worldwide Locations</i>	Unspecified Minor Construction, Defense Wide .....	3,000	3,000
Def-Wide	<i>Unspecified Worldwide Locations</i>	Unspecified Minor Construction, SOCOM .....	5,994	5,994
Def-Wide	<i>Unspecified Worldwide Locations</i>	Unspecified Minor MILCON, NSA .....	3,913	3,913
Def-Wide	<i>Unspecified Worldwide Locations</i>	Worldwide Unspecified Minor Construction, MDA .....	2,414	2,414
Def-Wide	<i>Various Worldwide Locations</i>	Planning & Design, DLA .....	27,660	27,660
Def-Wide	<i>Various Worldwide Locations</i>	Planning and Design, SOCOM .....	27,653	27,653
	<i>Worldwide Unspecified Locations</i>			
Def-Wide	<i>Unspecified Worldwide Locations</i>	Planning & Design, MDA .....	0	15,000
	<b>Military Construction, Defense-Wide Total</b> .....		<b>2,056,091</b>	<b>1,929,643</b>
	<i>Worldwide Unspecified</i>			
NATO	<i>NATO Security Investment Program</i>	NATO Security Investment Program .....	177,932	177,932
	<b>NATO Security Investment Program Total</b> .....		<b>177,932</b>	<b>177,932</b>

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2017 Request</b>	<b>House Agreement</b>
	<i>Colorado</i>			
Army NG	Fort Carson	National Guard Readiness Center .....	0	16,500
	<i>Hawaii</i>			
Army NG	Hilo	Combined Support Maintenance Shop .....	31,000	31,000
	<i>Iowa</i>			
Army NG	Davenport	National Guard Readiness Center .....	23,000	23,000
	<i>Kansas</i>			
Army NG	Fort Leavenworth	National Guard Readiness Center .....	29,000	29,000
	<i>New Hampshire</i>			
Army NG	Hooksett	National Guard Vehicle Maintenance Shop .....	11,000	11,000
Army NG	Rochester	National Guard Vehicle Maintenance Shop .....	8,900	8,900
	<i>Oklahoma</i>			
Army NG	Ardmore	National Guard Readiness Center .....	22,000	22,000
	<i>Pennsylvania</i>			
Army NG	Fort Indiantown Gap	Access Control Buildings .....	0	20,000
Army NG	York	National Guard Readiness Center .....	9,300	9,300
	<i>Rhode Island</i>			
Army NG	East Greenwich	National Guard/Reserve Center Building (JFHQ) .....	20,000	20,000
	<i>Utah</i>			
Army NG	Camp Williams	National Guard Readiness Center .....	37,000	37,000
	<i>Worldwide Unspecified</i>			
Army NG	Unspecified Worldwide Locations	Planning and Design .....	8,729	8,729
Army NG	Unspecified Worldwide Locations	Unspecified Minor Construction .....	12,001	12,001
	<i>Wyoming</i>			
Army NG	Camp Guernsey	General Instruction Building .....	0	31,000
Army NG	Laramie	National Guard Readiness Center .....	21,000	21,000
	<b>Military Construction, Army National Guard Total .....</b>		<b>232,930</b>	<b>300,430</b>
	<i>Arizona</i>			
Army Res	Phoenix	Army Reserve Center .....	0	30,000
	<i>California</i>			
Army Res	Camp Parks	Transient Training Barracks .....	19,000	19,000
Army Res	Fort Hunter Liggett	Emergency Services Center .....	21,500	21,500
Army Res	Barstow	Equipment Concentration Site .....	0	29,000
	<i>Virginia</i>			
Army Res	Dublin	Organizational Maintenance Shop/AMSA .....	6,000	6,000
	<i>Washington</i>			
Army Res	Joint Base Lewis-McChord	Army Reserve Center .....	0	27,500
	<i>Wisconsin</i>			
Army Res	Fort McCoy	AT/MOB Dining Facility .....	11,400	11,400
	<i>Worldwide Unspecified</i>			
Army Res	Unspecified Worldwide Locations	Planning and Design .....	7,500	7,500
Army Res	Unspecified Worldwide Locations	Unspecified Minor Construction .....	2,830	2,830
	<b>Military Construction, Army Reserve Total .....</b>		<b>68,230</b>	<b>154,730</b>
	<i>Louisiana</i>			
N/MC Res	New Orleans	Joint Reserve Intelligence Center .....	11,207	11,207
	<i>New York</i>			
N/MC Res	Brooklyn	Electric Feeder Ductbank .....	1,964	1,964
N/MC Res	Syracuse	Marine Corps Reserve Center .....	13,229	13,229
	<i>Texas</i>			
N/MC Res	Galveston	Reserve Center Annex .....	8,414	8,414
	<i>Worldwide Unspecified</i>			
N/MC Res	Unspecified Worldwide Locations	MCNR Planning & Design .....	3,783	3,783
	<b>Military Construction, Naval Reserve Total .....</b>		<b>38,597</b>	<b>38,597</b>
	<i>Connecticut</i>			
Air NG	Bradley LAP	Construct Small Air Terminal .....	6,300	6,300
	<i>Florida</i>			
Air NG	Jacksonville LAP	Replace Fire Crash/Rescue Station .....	9,000	9,000
	<i>Hawaii</i>			
Air NG	Joint Base Pearl Harbor-Hickam	F-22 Composite Repair Facility .....	11,000	11,000
	<i>Iowa</i>			
Air NG	Sioux Gateway Airport	Construct Consolidated Support Functions .....	12,600	12,600
	<i>Maryland</i>			
Air NG	Joint Base Andrews	Munitions Load Crew Trng/Corrosion Cntrl Facility .....	0	5,000
	<i>Minnesota</i>			

**SEC. 4601. MILITARY CONSTRUCTION**  
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Air NG	Duluth LAP	Load Crew Training/Weapon Shops .....	7,600	7,600
	New Hampshire			
Air NG	Pease International Trade Port	KC-46A Install Fuselage Trainer Bldg 251 .....	1,500	1,500
	North Carolina			
Air NG	Charlotte/Douglas LAP	C-17 Corrosion Control/Fuel Cell Hangar .....	29,600	29,600
Air NG	Charlotte/Douglas LAP	C-17 Type III Hydrant Refueling System .....	21,000	21,000
	Ohio			
Air NG	Toledo Express Airport	Indoor Small Arms Range .....	0	6,000
	South Carolina			
Air NG	McEntire ANGS	Replace Operations and Training Facility .....	8,400	8,400
	Texas			
Air NG	Ellington Field	Consolidate Crew Readiness Facility .....	4,500	4,500
	Vermont			
Air NG	Burlington LAP	F-35 Beddown 4-Bay Flight Simulator .....	4,500	4,500
	Worldwide Unspecified			
Air NG	Unspecified Worldwide Locations	Unspecified Minor Construction .....	17,495	29,495
Air NG	Various Worldwide Locations	Planning and Design .....	10,462	10,462
<b>Military Construction, Air National Guard Total .....</b>			<b>143,957</b>	<b>166,957</b>
	Guam			
AF Res	Andersen AFB	Reserve Medical Training Facility .....	0	5,200
	Massachusetts			
AF Res	Westover ARB	Indoor Small Arms Range .....	0	9,200
	North Carolina			
AF Res	Seymour Johnson AFB	KC-46A ADAL Bldg for AGE/Fuselage Training .....	5,700	5,700
AF Res	Seymour Johnson AFB	KC-46A ADAL Squadron Operations Facilities .....	2,250	2,250
AF Res	Seymour Johnson AFB	KC-46A Two-Bay Corrosion/Fuel Cell Hangar .....	90,000	90,000
	Pennsylvania			
AF Res	Pittsburgh LAP	C-17 ADAL Fuel Hydrant System .....	22,800	22,800
AF Res	Pittsburgh LAP	C-17 Const/Overlay Taxiway and Apron .....	8,200	8,200
AF Res	Pittsburgh LAP	C-17 Construct Two-Bay Corrosion/Fuel Hangar .....	54,000	54,000
	Utah			
AF Res	Hill AFB	ADAL Life Support Facility .....	0	3,050
	Worldwide Unspecified			
AF Res	Unspecified Worldwide Locations	Planning & Design .....	4,500	4,500
AF Res	Unspecified Worldwide Locations	Unspecified Minor Construction .....	1,500	1,500
<b>Military Construction, Air Force Reserve Total .....</b>			<b>188,950</b>	<b>206,400</b>
	Korea			
FH Con Army	Camp Humphreys	Family Housing New Construction, Incr 1 .....	143,563	100,000
FH Con Army	Camp Walker	Family Housing New Construction .....	54,554	54,554
	Worldwide Unspecified			
FH Con Army	Unspecified Worldwide Locations	Planning & Design .....	2,618	2,618
<b>Family Housing Construction, Army Total .....</b>			<b>200,735</b>	<b>157,172</b>
	Worldwide Unspecified			
FH Ops Army	Unspecified Worldwide Locations	Furnishings .....	10,178	10,178
FH Ops Army	Unspecified Worldwide Locations	Housing Privatization Support .....	19,146	19,146
FH Ops Army	Unspecified Worldwide Locations	Leasing .....	131,761	131,761
FH Ops Army	Unspecified Worldwide Locations	Maintenance .....	60,745	60,745
FH Ops Army	Unspecified Worldwide Locations	Management .....	40,344	40,344
FH Ops Army	Unspecified Worldwide Locations	Miscellaneous .....	400	400
FH Ops Army	Unspecified Worldwide Locations	Services .....	7,993	7,993
FH Ops Army	Unspecified Worldwide Locations	Utilities .....	55,428	55,428
<b>Family Housing Operation And Maintenance, Army Total .....</b>			<b>325,995</b>	<b>325,995</b>
	Mariana Islands			
FH Con Navy	Guam	Replace Andersen Housing PH I .....	78,815	78,815
	Worldwide Unspecified			
FH Con Navy	Unspecified Worldwide Locations	Construction Improvements .....	11,047	11,047

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2017 Request</b>	<b>House Agreement</b>
<i>FH Con Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Planning &amp; Design .....</i>	4,149	4,149
<b>Family Housing Construction, Navy And Marine Corps Total .....</b>			<b>94,011</b>	<b>94,011</b>
<i>Worldwide Unspecified</i>				
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings .....</i>	17,457	17,457
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Housing Privatization Support .....</i>	26,320	26,320
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing .....</i>	54,689	54,689
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance .....</i>	81,254	81,254
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Management .....</i>	51,291	51,291
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous .....</i>	364	364
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Services .....</i>	12,855	12,855
<i>FH Ops Navy</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities .....</i>	56,685	56,685
<b>Family Housing Operation And Maintenance, Navy And Marine Corps Total .....</b>			<b>300,915</b>	<b>300,915</b>
<i>Worldwide Unspecified</i>				
<i>FH Con AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Construction Improvements .....</i>	56,984	56,984
<i>FH Con AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Planning &amp; Design .....</i>	4,368	4,368
<b>Family Housing Construction, Air Force Total .....</b>			<b>61,352</b>	<b>61,352</b>
<i>Worldwide Unspecified</i>				
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings .....</i>	31,690	31,690
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Housing Privatization Support .....</i>	41,809	41,809
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing .....</i>	20,530	20,530
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance .....</i>	85,469	85,469
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Management .....</i>	42,919	42,919
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Miscellaneous .....</i>	1,745	1,745
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Services .....</i>	13,026	13,026
<i>FH Ops AF</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities .....</i>	37,241	37,241
<b>Family Housing Operation And Maintenance, Air Force Total .....</b>			<b>274,429</b>	<b>274,429</b>
<i>Worldwide Unspecified</i>				
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings .....</i>	399	399
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings .....</i>	20	20
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Furnishings .....</i>	500	500
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing .....</i>	11,044	11,044
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Leasing .....</i>	40,984	40,984
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance .....</i>	800	800
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Maintenance .....</i>	349	349
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Management .....</i>	388	388
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Services .....</i>	32	32
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities .....</i>	174	174
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities .....</i>	367	367
<i>FH Ops DW</i>	<i>Unspecified Worldwide Locations</i>	<i>Utilities .....</i>	4,100	4,100

**SEC. 4601. MILITARY CONSTRUCTION**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2017 Request</b>	<b>House Agreement</b>
<b>Family Housing Operation And Maintenance, Defense-Wide Total</b> .....			<b>59,157</b>	<b>59,157</b>
	<i>Worldwide Unspecified</i>			
FHIF	<i>Unspecified Worldwide Locations</i>	<i>Program Expenses</i> .....	3,258	3,258
<b>DoD Family Housing Improvement Fund Total</b> .....			<b>3,258</b>	<b>3,258</b>
	<i>Worldwide Unspecified</i>			
BRAC	<i>Base Realignment &amp; Closure, Army</i>	<i>Base Realignment and Closure</i> .....	14,499	24,499
<b>Base Realignment and Closure—Army Total</b> .....			<b>14,499</b>	<b>24,499</b>
	<i>Worldwide Unspecified</i>			
BRAC	<i>Base Realignment &amp; Closure, Navy</i>	<i>Base Realignment &amp; Closure</i> .....	110,606	125,606
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DON-100: Planning, Design and Management</i> .....	4,604	4,604
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DON-101: Various Locations</i> .....	10,461	10,461
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DON-138: NAS Brunswick, ME</i> .....	557	557
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DON-157: MCSA Kansas City, MO</i> .....	100	100
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DON-172: NWS Seal Beach, Concord, CA</i> .....	4,648	4,648
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DON-84: JRB Willow Grove &amp; Cambria Reg AP</i> .....	3,397	3,397
<b>Base Realignment and Closure—Navy Total</b> .....			<b>134,373</b>	<b>149,373</b>
	<i>Worldwide Unspecified</i>			
BRAC	<i>Unspecified Worldwide Locations</i>	<i>DoD BRAC Activities—Air Force</i> .....	56,365	56,365
<b>Base Realignment and Closure—Air Force Total</b> .....			<b>56,365</b>	<b>56,365</b>
	<i>Worldwide Unspecified</i>			
PYS	<i>Worldwide</i>	<i>Air Force</i> .....	0	-29,300
PYS	<i>Worldwide</i>	<i>Army</i> .....	0	-25,000
PYS	<i>Worldwide</i>	<i>Defense-Wide</i> .....	0	-60,577
PYS	<i>Worldwide</i>	<i>Navy</i> .....	0	-87,699
PYS	<i>Worldwide</i>	<i>HAP</i> .....	0	-25,000
PYS	<i>Worldwide</i>	<i>NSIP</i> .....	0	-30,000
<b>Prior Year Savings Total</b> .....			<b>0</b>	<b>-257,576</b>
<b>Total, Military Construction</b> .....			<b>7,444,056</b>	<b>7,694,000</b>

**1 SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CON-**  
**2 TINGENCY OPERATIONS.**

**SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2017 Request</b>	<b>House Agreement</b>
	<i>Worldwide Unspecified</i>			
Army	<i>Unspecified Worldwide Locations</i>	<i>ERI: Planning and Design</i> .....	18,900	18,900
<b>Military Construction, Army Total</b> .....			<b>18,900</b>	<b>18,900</b>
	<i>Iceland</i>			
Navy	<i>Keflavik</i>	<i>ERI: P-8A Aircraft Rinse Rack</i> .....	5,000	5,000
Navy	<i>Keflavik</i>	<i>ERI: P-8A Hangar Upgrade</i> .....	14,600	14,600
	<i>Worldwide Unspecified</i>			
Navy	<i>Unspecified Worldwide Locations</i>	<i>ERI: Planning and Design</i> .....	1,800	1,800
<b>Military Construction, Navy Total</b> .....			<b>21,400</b>	<b>21,400</b>

**SEC. 4602. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2017 Request</b>	<b>House Agreement</b>
	<i>Bulgaria</i>			
AF	<i>Graf Ignatievo</i>	ERI: Construct Sq Ops/Operational Alert Fac .....	3,800	3,800
AF	<i>Graf Ignatievo</i>	ERI: Fighter Ramp Extension .....	7,000	7,000
AF	<i>Graf Ignatievo</i>	ERI: Upgrade Munitions Storage Area .....	2,600	2,600
	<i>Djibouti</i>			
AF	<i>Chabelley Airfield</i>	OCO: Construct Chabelley Access Road .....	3,600	3,600
AF	<i>Chabelley Airfield</i>	OCO: Construct Parking Apron and Taxiway .....	6,900	6,900
	<i>Estonia</i>			
AF	<i>Anari AB</i>	ERI: Construct Bulk Fuel Storage .....	6,500	6,500
	<i>Germany</i>			
AF	<i>Spangdahlem AB</i>	ERI: Construct High Cap Trim Pad & Hush House .....	1,000	1,000
AF	<i>Spangdahlem AB</i>	ERI: F/A-22 Low Observable/Comp Repair Fac .....	12,000	12,000
AF	<i>Spangdahlem AB</i>	ERI: F/A-22 Upgrade Infrastructure/Comm/Util .....	1,600	1,600
AF	<i>Spangdahlem AB</i>	ERI: Upgrade Hardened Aircraft Shelters .....	2,700	2,700
AF	<i>Spangdahlem AB</i>	ERI: Upgrade Munitions Storage Doors .....	1,400	1,400
	<i>Lithuania</i>			
AF	<i>Siauliai</i>	ERI: Munitions Storage .....	3,000	3,000
	<i>Poland</i>			
AF	<i>Lask AB</i>	ERI: Construct Squadron Operations Facility .....	4,100	4,100
AF	<i>Powidz AB</i>	ERI: Construct Squadron Operations Facility .....	4,100	4,100
	<i>Romania</i>			
AF	<i>Campia Turzii</i>	ERI: Construct Munitions Storage Area .....	3,000	3,000
AF	<i>Campia Turzii</i>	ERI: Construct Squadron Operations Facility .....	3,400	3,400
AF	<i>Campia Turzii</i>	ERI: Construct Two-Bay Hangar .....	6,100	6,100
AF	<i>Campia Turzii</i>	ERI: Extend Parking Aprons .....	6,000	6,000
	<i>Worldwide Unspecified</i>			
AF	<i>Unspecified Worldwide Locations</i>	CTP: Planning and Design .....	9,000	8,551
AF	<i>Unspecified Worldwide Locations</i>	OCO: Planning and Design .....	940	940
	<b>Military Construction, Air Force Total</b> .....		<b>88,740</b>	<b>88,291</b>
	<i>Worldwide Unspecified</i>			
Def-Wide	<i>Unspecified Worldwide Locations</i>	ERI: Unspecified Minor Construction .....	5,000	5,000
	<b>Military Construction, Defense-Wide Total</b> .....		<b>5,000</b>	<b>5,000</b>
	<b>Total, Military Construction</b> .....		<b>134,040</b>	<b>133,591</b>

1 **SEC. 4603. MILITARY CONSTRUCTION FOR OVERSEAS CON-**  
 2 **TINGENCY OPERATIONS FOR BASE REQUIRE-**  
 3 **MENTS.**

**SEC. 4603. MILITARY CONSTRUCTION FOR OVERSEAS CONTINGENCY OPERATIONS FOR BASE RE-**  
**QUIREMENTS**  
(In Thousands of Dollars)

<b>Account</b>	<b>State/Country and Installation</b>	<b>Project Title</b>	<b>FY 2017 Request</b>	<b>House Agreement</b>
	<i>Djibouti</i>			
Navy	<i>Camp Lemonier</i>	OCO: Medical/Dental Facility .....	37,409	37,409
	<i>Worldwide Unspecified</i>			
Navy	<i>Unspecified Worldwide Locations</i>	Planning and Design .....	1,000	1,000
	<b>Military Construction, Navy Total</b> .....		<b>38,409</b>	<b>38,409</b>
	<b>Total, Military Construction</b> .....		<b>38,409</b>	<b>38,409</b>



1 **TITLE XLVII—DEPARTMENT OF**  
 2 **ENERGY NATIONAL SECURITY**  
 3 **PROGRAMS**

4 **SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY**  
 5 **PROGRAMS.**

<i>SEC. 4701. DEPARTMENT OF ENERGY NATIONAL SECURITY PROGRAMS</i>		
<i>(In Thousands of Dollars)</i>		
<i>Program</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
<b>Discretionary Summary By Appropriation</b>		
<b>Energy And Water Development, And Related Agencies</b>		
<b>Appropriation Summary:</b>		
<b>Energy Programs</b>		
Nuclear Energy .....	151,876	136,616
<b>Atomic Energy Defense Activities</b>		
<b>National nuclear security administration:</b>		
Weapons activities .....	9,243,147	9,559,147
Defense nuclear nonproliferation .....	1,807,916	1,901,916
Naval reactors .....	1,420,120	1,420,120
Federal salaries and expenses .....	412,817	372,817
<b>Total, National nuclear security administration .....</b>	<b>12,884,000</b>	<b>13,254,000</b>
<b>Environmental and other defense activities:</b>		
Defense environmental cleanup .....	5,382,050	5,289,950
Other defense activities .....	791,552	800,552
<b>Total, Environmental &amp; other defense activities .....</b>	<b>6,173,602</b>	<b>6,090,502</b>
<b>Total, Atomic Energy Defense Activities .....</b>	<b>19,057,602</b>	<b>19,344,502</b>
<b>Total, Discretionary Funding .....</b>	<b>19,209,478</b>	<b>19,481,118</b>
<b>Nuclear Energy</b>		
Idaho sitewide safeguards and security .....	129,303	129,303
Idaho operations and maintenance .....	7,313	7,313
Consent Based Siting .....	15,260	0
Denial of funds for defense-only repository .....		[-15,260]
<b>Total, Nuclear Energy .....</b>	<b>151,876</b>	<b>136,616</b>
<b>Weapons Activities</b>		
<b>Directed stockpile work</b>		
<b>Life extension programs</b>		
B61 Life extension program .....	616,079	616,079
W76 Life extension program .....	222,880	222,880
W88 Alt 370 .....	281,129	281,129
W80-4 Life extension program .....	220,253	241,253
Mitigation of schedule risk .....		[21,000]
<b>Total, Life extension programs .....</b>	<b>1,340,341</b>	<b>1,361,341</b>
<b>Stockpile systems</b>		
B61 Stockpile systems .....	57,313	57,313
W76 Stockpile systems .....	38,604	38,604
W78 Stockpile systems .....	56,413	56,413
W80 Stockpile systems .....	64,631	64,631
B83 Stockpile systems .....	41,659	41,659
W87 Stockpile systems .....	81,982	81,982
W88 Stockpile systems .....	103,074	103,074
<b>Total, Stockpile systems .....</b>	<b>443,676</b>	<b>443,676</b>
<b>Weapons dismantlement and disposition</b>		
Operations and maintenance .....	68,984	54,984
Denial of dismantlement acceleration .....		[-14,000]
<b>Stockpile services</b>		
Production support .....	457,043	457,043
Research and development support .....	34,187	34,187

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

<b>Program</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
R&D certification and safety .....	156,481	202,481
Stockpile Responsiveness Program and technology maturation ef- forts .....		[46,000]
Management, technology, and production .....	251,978	251,978
<b>Total, Stockpile services .....</b>	<b>899,689</b>	<b>945,689</b>
<b>Nuclear material commodities</b>		
Uranium sustainment .....	20,988	20,988
Plutonium sustainment .....	184,970	190,970
Mitigation of schedule risk for meeting statutory pit production re- quirements .....		[6,000]
Tritium sustainment .....	109,787	109,787
Domestic uranium enrichment .....	50,000	50,000
Strategic materials sustainment .....	212,092	212,092
<b>Total, Nuclear material commodities .....</b>	<b>577,837</b>	<b>583,837</b>
<b>Total, Directed stockpile work .....</b>	<b>3,330,527</b>	<b>3,389,527</b>
<b>Research, development, test and evaluation (RDT&amp;E)</b>		
<b>Science</b>		
Advanced certification .....	58,000	58,000
Primary assessment technologies .....	99,000	111,000
Support to Prototype Nuclear Weapons for Intelligence Estimates program .....		[12,000]
Dynamic materials properties .....	106,000	106,000
Advanced radiography .....	50,500	50,500
Secondary assessment technologies .....	76,000	76,000
Academic alliances and partnerships .....	52,484	52,484
<b>Total, Science .....</b>	<b>441,984</b>	<b>453,984</b>
<b>Engineering</b>		
Enhanced surety .....	37,196	53,196
Stockpile Responsiveness Program and technology maturation ef- forts .....		[16,000]
Weapon systems engineering assessment technology .....	16,958	16,958
Nuclear survivability .....	43,105	47,105
Improve planning and coordination on strategic radiation-hard- ened microsystems .....		[4,000]
Enhanced surveillance .....	42,228	42,228
<b>Total, Engineering .....</b>	<b>139,487</b>	<b>159,487</b>
<b>Inertial confinement fusion ignition and high yield</b>		
Ignition .....	75,432	70,432
Program decrease .....		[-5,000]
Support of other stockpile programs .....	23,363	23,363
Diagnostics, cryogenics and experimental support .....	68,696	68,696
Pulsed power inertial confinement fusion .....	5,616	5,616
Joint program in high energy density laboratory plasmas .....	9,492	9,492
Facility operations and target production .....	340,360	336,360
Program decrease .....		[-4,000]
<b>Total, Inertial confinement fusion and high yield .....</b>	<b>522,959</b>	<b>513,959</b>
Advanced simulation and computing .....	663,184	656,184
Program decrease .....		[-7,000]
<b>Advanced manufacturing</b>		
Additive manufacturing .....	12,000	12,000
Component manufacturing development .....	46,583	77,583
Stockpile Responsiveness Program and technology maturation ef- forts .....		[31,000]
Processing technology development .....	28,522	28,522
<b>Total, Advanced manufacturing .....</b>	<b>87,105</b>	<b>118,105</b>
<b>Total, RDT&amp;E .....</b>	<b>1,854,719</b>	<b>1,901,719</b>
<b>Infrastructure and operations (formerly RTBF)</b>		
<b>Operating</b>		
<b>Operations of facilities</b>		
Kansas City Plant .....	101,000	101,000
Lawrence Livermore National Laboratory .....	70,500	70,500
Los Alamos National Laboratory .....	196,500	196,500
Nevada Test Site .....	92,500	92,500

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

<b>Program</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
<i>Pantex</i> .....	55,000	55,000
<i>Sandia National Laboratory</i> .....	118,000	118,000
<i>Savannah River Site</i> .....	83,500	83,500
<i>Y-12 National security complex</i> .....	107,000	107,000
<b>Total, Operations of facilities</b> .....	<b>824,000</b>	<b>824,000</b>
<i>Safety and environmental operations</i> .....	110,000	110,000
<i>Maintenance and repair of facilities</i> .....	294,000	324,000
<i>Address high-priority preventative maintenance</i> .....		[30,000]
<b>Recapitalization:</b>		
<i>Infrastructure and safety</i> .....	554,643	674,643
<i>Address high-priority deferred maintenance</i> .....		[120,000]
<i>Capability based investment</i> .....	112,639	112,639
<b>Total, Recapitalization</b> .....	<b>667,282</b>	<b>787,282</b>
<b>Construction:</b>		
<i>17-D-640, U1a Complex Enhancements Project, NNSS</i> .....	11,500	11,500
<i>17-D-630 Electrical Infrastructure Upgrades, LLNL</i> .....	25,000	25,000
<i>16-D-515 Albuquerque complex upgrades project</i> .....	15,047	15,047
<i>15-D-613 Emergency Operations Center, Y-12</i> .....	2,000	2,000
<i>15-D-302, TA-55 Reinvestment project, Phase 3, LANL</i> .....	21,455	21,455
<i>07-D-220-04 Transuranic liquid waste facility, LANL</i> .....	17,053	17,053
<i>06-D-141 PED/Construction, UPF Y-12, Oak Ridge, TN</i> .....	575,000	575,000
<i>04-D-125-04 RLUOB equipment installation</i> .....	159,615	159,615
<b>Total, Construction</b> .....	<b>826,670</b>	<b>826,670</b>
<b>Total, Infrastructure and operations</b> .....	<b>2,721,952</b>	<b>2,871,952</b>
<b>Secure transportation asset</b>		
<i>Operations and equipment</i> .....	179,132	179,132
<i>Program direction</i> .....	103,600	103,600
<b>Total, Secure transportation asset</b> .....	<b>282,732</b>	<b>282,732</b>
<b>Defense nuclear security</b>		
<i>Operations and maintenance</i> .....	657,133	717,133
<i>Support to physical security infrastructure recapitalization and</i> <i>CSTART</i> .....		[60,000]
<b>Construction:</b>		
<i>14-D-710 Device assembly facility argus installation project, NV</i> .....	13,000	13,000
<b>Total, Defense nuclear security</b> .....	<b>670,133</b>	<b>730,133</b>
<i>Information technology and cybersecurity</i> .....	176,592	176,592
<i>Legacy contractor pensions</i> .....	248,492	248,492
<i>Rescission of prior year balances</i> .....	-42,000	-42,000
<b>Total, Weapons Activities</b> .....	<b>9,243,147</b>	<b>9,559,147</b>
<b>Defense Nuclear Nonproliferation</b>		
<b>Defense Nuclear Nonproliferation Programs</b>		
<b>Defense Nuclear Nonproliferation R&amp;D</b>		
<i>Global material security</i> .....	337,108	332,108
<i>Program decrease</i> .....		[-5,000]
<i>Material management and minimization</i> .....	341,094	341,094
<i>Nonproliferation and arms control</i> .....	124,703	124,703
<i>Defense Nuclear Nonproliferation R&amp;D</i> .....	393,922	417,922
<i>Acceleration of low-yield detection experiments</i> .....		[4,000]
<i>Nuclear detection technology and new challenges such as 3D print-</i> <i>ing</i> .....		[20,000]
<i>Low Enriched Uranium R&amp;D for Naval Reactors</i> .....	0	5,000
<i>Low Enriched Uranium R&amp;D for Naval Reactors</i> .....		[5,000]
<b>Nonproliferation Construction:</b>		
<i>99-D-143 Mixed Oxide (MOX) Fuel Fabrication Facility, SRS</i> ....	270,000	340,000
<i>Increase to support construction</i> .....		[70,000]
<b>Total, Nonproliferation construction</b> .....	<b>270,000</b>	<b>340,000</b>
<b>Total, Defense Nuclear Nonproliferation Programs</b> .....	<b>1,466,827</b>	<b>1,560,827</b>
<i>Legacy contractor pensions</i> .....	83,208	83,208
<i>Nuclear counterterrorism and incident response program</i> .....	271,881	271,881

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

<b>Program</b>	<b>FY 2017 Request</b>	<b>House Authorized</b>
Rescission of prior year balances .....	-14,000	-14,000
<b>Total, Defense Nuclear Nonproliferation .....</b>	<b>1,807,916</b>	<b>1,901,916</b>
<b>Naval Reactors</b>		
Naval reactors operations and infrastructure .....	449,682	449,682
Naval reactors development .....	437,338	437,338
Ohio replacement reactor systems development .....	213,700	213,700
SSG Prototype refueling .....	124,000	124,000
Program direction .....	47,100	47,100
<b>Construction:</b>		
17-D-911, BL Fire System Upgrade .....	1,400	1,400
15-D-904 NRF Overpack Storage Expansion 3 .....	700	700
15-D-902 KS Engineer room team trainer facility .....	33,300	33,300
14-D-901 Spent fuel handling recapitalization project, NRF .....	100,000	100,000
10-D-903, Security upgrades, KAPL .....	12,900	12,900
<b>Total, Construction .....</b>	<b>148,300</b>	<b>148,300</b>
<b>Total, Naval Reactors .....</b>	<b>1,420,120</b>	<b>1,420,120</b>
<b>Federal Salaries And Expenses</b>		
Program direction .....	412,817	372,817
Program decrease .....		[-40,000]
<b>Total, Office Of The Administrator .....</b>	<b>412,817</b>	<b>372,817</b>
<b>Defense Environmental Cleanup</b>		
<b>Closure sites:</b>		
Closure sites administration .....	9,389	9,389
<b>Hanford site:</b>		
River corridor and other cleanup operations .....	69,755	114,755
Acceleration of priority programs .....		[45,000]
Central plateau remediation .....	620,869	628,869
Acceleration of priority programs .....		[8,000]
Richland community and regulatory support .....	14,701	14,701
<b>Construction:</b>		
15-D-401 Containerized sludge removal annex, RL .....	11,486	11,486
<b>Total, Hanford site .....</b>	<b>716,811</b>	<b>769,811</b>
<b>Idaho National Laboratory:</b>		
Idaho cleanup and waste disposition .....	359,088	359,088
Idaho community and regulatory support .....	3,000	3,000
<b>Total, Idaho National Laboratory .....</b>	<b>362,088</b>	<b>362,088</b>
<b>Los Alamos National Laboratory</b>		
EMLA cleanup activities .....	185,606	185,606
EMLA community and regulatory support .....	3,394	3,394
<b>Total, Los Alamos National Laboratory .....</b>	<b>189,000</b>	<b>189,000</b>
<b>NNSA sites</b>		
Lawrence Livermore National Laboratory .....	1,396	1,396
Separations Process Research Unit .....	3,685	3,685
Nevada .....	62,176	62,176
Sandia National Laboratories .....	4,130	4,130
<b>Total, NNSA sites and Nevada off-sites .....</b>	<b>71,387</b>	<b>71,387</b>
<b>Oak Ridge Reservation:</b>		
<b>OR Nuclear facility D &amp; D</b>		
OR Nuclear facility D & D .....	93,851	93,851
<b>Construction:</b>		
14-D-403 Outfall 200 Mercury Treatment Facility .....	5,100	5,100
<b>Total, OR Nuclear facility D &amp; D .....</b>	<b>98,951</b>	<b>98,951</b>
U233 Disposition Program .....	37,311	37,311
OR cleanup and disposition .....	54,557	54,557
OR reservation community and regulatory support .....	4,400	4,400
Oak Ridge technology development .....	3,000	3,000
<b>Total, Oak Ridge Reservation .....</b>	<b>198,219</b>	<b>198,219</b>

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

<i>Program</i>	<i>FY 2017 Request</i>	<i>House Authorized</i>
<b>Office of River Protection:</b>		
<b>Waste treatment and immobilization plant</b>		
WTP operations .....	3,000	3,000
15-D-409 Low activity waste pretreatment system, ORP .....	73,000	73,000
01-D-416 A-D/ORP-0060 / Major construction .....	690,000	690,000
<b>Total, Waste treatment and immobilization plant .....</b>	<b>766,000</b>	<b>766,000</b>
<b>Tank farm activities</b>		
Rad liquid tank waste stabilization and disposition .....	721,456	721,456
<b>Total, Tank farm activities .....</b>	<b>721,456</b>	<b>721,456</b>
<b>Total, Office of River protection .....</b>	<b>1,487,456</b>	<b>1,487,456</b>
<b>Savannah River sites:</b>		
Nuclear Material Management .....	311,062	311,062
Environmental Cleanup .....	152,504	152,504
SR community and regulatory support .....	11,249	11,249
<b>Radioactive liquid tank waste:</b>		
Radioactive liquid tank waste stabilization and disposition .....	645,332	645,332
<b>Construction:</b>		
15-D-402—Saltstone Disposal Unit #6, SRS .....	7,577	7,577
17-D-401—Saltstone Disposal Unit #7 .....	9,729	9,729
05-D-405 Salt waste processing facility, Savannah River Site .....	160,000	160,000
<b>Total, Construction .....</b>	<b>177,306</b>	<b>177,306</b>
<b>Total, Radioactive liquid tank waste .....</b>	<b>822,638</b>	<b>822,638</b>
<b>Total, Savannah River site .....</b>	<b>1,297,453</b>	<b>1,297,453</b>
<b>Waste Isolation Pilot Plant</b>		
Operations and maintenance .....	257,188	257,188
<b>Construction:</b>		
15-D-411 Safety significant confinement ventilation system, WIPP .....	2,532	2,532
15-D-412 Exhaust shaft, WIPP .....	2,533	2,533
<b>Total, Construction .....</b>	<b>5,065</b>	<b>5,065</b>
<b>Total, Waste Isolation Pilot Plant .....</b>	<b>262,253</b>	<b>262,253</b>
Program direction .....	290,050	290,050
Program support .....	14,979	14,979
Safeguards and Security .....	255,973	255,973
Technology development .....	30,000	40,000
NAS study on technology development, acceleration of priority efforts .....		[10,000]
Infrastructure recapitalization .....	41,892	41,892
Defense Uranium enrichment D&D .....	155,100	0
Ahead of need .....		[-155,100]
<b>Subtotal, Defense environmental cleanup .....</b>	<b>5,382,050</b>	<b>5,289,950</b>
<b>Total, Defense Environmental Cleanup .....</b>	<b>5,382,050</b>	<b>5,289,950</b>
<b>Other Defense Activities</b>		
<b>Environment, health, safety and security</b>		
Environment, health, safety and security .....	130,693	130,693
Program direction .....	66,519	66,519
<b>Total, Environment, Health, safety and security .....</b>	<b>197,212</b>	<b>197,212</b>
<b>Independent enterprise assessments</b>		
Independent enterprise assessments .....	24,580	24,580
Program direction .....	51,893	51,893
<b>Total, Independent enterprise assessments .....</b>	<b>76,473</b>	<b>76,473</b>
Specialized security activities .....	237,912	246,912
IT infrastructure and red teaming .....		[9,000]
<b>Office of Legacy Management</b>		
Legacy management .....	140,306	140,306
Program direction .....	14,014	14,014
<b>Total, Office of Legacy Management .....</b>	<b>154,320</b>	<b>154,320</b>
<b>Defense-related activities</b>		
<b>Defense related administrative support</b>		
Chief financial officer .....	23,642	23,642

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

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Program	FY 2017 Request	House Authorized
Chief information officer .....	93,074	93,074
Project management oversight and assessments .....	3,000	3,000
<b>Total, Defense related administrative support .....</b>	<b>119,716</b>	<b>119,716</b>
Office of hearings and appeals .....	5,919	5,919
<b>Subtotal, Other defense activities .....</b>	<b>791,552</b>	<b>800,552</b>
<b>Total, Other Defense Activities .....</b>	<b>791,552</b>	<b>800,552</b>

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1    ***DIVISION E—MILITARY JUSTICE***

2    ***SEC. 6000. SHORT TITLE.***

3           *This division may be cited as the “Military Justice*  
4 *Act of 2016”.*

5                           ***TITLE LX—GENERAL***  
6                                   ***PROVISIONS***

7    ***SEC. 6001. DEFINITIONS.***

8           *(a) DEFINITION OF MILITARY JUDGE.—Paragraph*  
9 *(10) of section 801 of title 10, United States Code (article*  
10 *1 of the Uniform Code of Military Justice), is amended to*  
11 *read as follows:*

12                   *“(10) The term ‘military judge’ means a judge*  
13 *advocate designated under section 826(c) of this title*  
14 *(article 26(c)) who is detailed under section 826(a) of*  
15 *this title (article 26(a)).”.*

16           *(b) DEFINITION OF JUDGE ADVOCATE.—Paragraph*  
17 *(13) of such section (article) is amended—*

18                   *(1) in subparagraph (A), by striking “the Army*  
19 *or the Navy” and inserting “the Army, the Navy, or*  
20 *the Air Force”; and*

1           (2) in subparagraph (B), by striking “the Air  
2       Force or”.

3       **SEC. 6002. CLARIFICATION OF PERSONS SUBJECT TO UCMJ**  
4                               **WHILE ON INACTIVE-DUTY TRAINING.**

5       Paragraph (3) of section 802(a) of title 10, United  
6 States Code (article 2(a) of the Uniform Code of Military  
7 Justice), is amended to read as follows:

8           “(3)(A) While on inactive-duty training and  
9       during any of the periods specified in subparagraph  
10       (B)—

11                               “(i) members of a reserve component; and  
12                               “(ii) members of the Army National Guard  
13       of the United States or the Air National Guard  
14       of the United States, but only when in Federal  
15       service.

16           “(B) The periods referred to in subparagraph  
17       (A) are the following:

18                               “(i) Travel to and from the inactive-duty  
19       training site of the member, pursuant to orders  
20       or regulations.

21                               “(ii) Intervals between consecutive periods  
22       of inactive-duty training on the same day, pur-  
23       suant to orders or regulations.

1           “(iii) Intervals between inactive-duty train-  
2           ing on consecutive days, pursuant to orders or  
3           regulations.”.

4 **SEC. 6003. STAFF JUDGE ADVOCATE DISQUALIFICATION**  
5           **DUE TO PRIOR INVOLVEMENT IN CASE.**

6           Subsection (c) of section 806 of title 10, United States  
7 Code (article 6 of the Uniform Code of Military Justice),  
8 is amended to read as follows:

9           “(c)(1) No person who, with respect to a case, serves  
10 in a capacity specified in paragraph (2) may later serve  
11 as a staff judge advocate or legal officer to any reviewing  
12 or convening authority upon the same case.

13           “(2) The capacities referred to in paragraph (1) are,  
14 with respect to the case involved, any of the following:

15           “(A) Preliminary hearing officer, court member,  
16 military judge, military magistrate, or appellate  
17 judge.

18           “(B) Counsel who have acted in the same case or  
19 appeared in any proceeding before a military judge,  
20 military magistrate, preliminary hearing officer, or  
21 appellate court.”.

22 **SEC. 6004. CONFORMING AMENDMENT RELATING TO MILI-**  
23           **TARY MAGISTRATES.**

24           The first sentence of section 806a(a) of title 10, United  
25 States Code (article 6a(a) of the Uniform Code of Military



1 *Justice), is amended by striking “military judge” and all*  
 2 *that follows through the end of the sentence and inserting*  
 3 *“military appellate judge, military judge, or military mag-*  
 4 *istrate to perform the duties of the position involved.”.*

5 **SEC. 6005. RIGHTS OF VICTIM.**

6       (a) *DESIGNATION OF REPRESENTATIVE.*—Subsection  
 7 (c) of section 806b of title 10, United States Code (article  
 8 6b of the Uniform Code of Military Justice), is amended  
 9 in the first sentence by striking “the military judge” and  
 10 all that follows through the end of the sentence and inserting  
 11 the following: “the legal guardians of the victim or the rep-  
 12 resentatives of the victim’s estate, family members, or any  
 13 other person designated as suitable by the military judge,  
 14 may assume the rights of the victim under this section.”.

15       (b) *RULE OF CONSTRUCTION.*—Subsection (d) of such  
 16 section (article) is amended—

17               (1) by striking “or” at the end of paragraph (1);

18               (2) by striking the period at the end of para-  
 19 graph (2) and inserting “; or”; and

20               (3) by adding at the end the following new para-  
 21 graph:

22               “(3) to impair the exercise of discretion under  
 23 sections 830 and 834 of this title (articles 30 and  
 24 34).”.

1       (c) *INTERVIEW OF VICTIM.*—Such section (article) is  
2 amended by adding at the end the following new subsection:

3       “(f) *COUNSEL FOR ACCUSED INTERVIEW OF VICTIM OF*  
4 *ALLEGED OFFENSE.*—(1) Upon notice by counsel for the  
5 Government to counsel for the accused of the name of an  
6 alleged victim of an offense under this chapter who counsel  
7 for the Government intends to call as a witness at a pro-  
8 ceeding under this chapter, counsel for the accused shall  
9 make any request to interview the victim through the Spe-  
10 cial Victim’s Counsel or other counsel for the victim, if ap-  
11 plicable.

12       “(2) If requested by an alleged victim who is subject  
13 to a request for interview under paragraph (1), any inter-  
14 view of the victim by counsel for the accused shall take place  
15 only in the presence of the counsel for the Government, a  
16 counsel for the victim, or, if applicable, a victim advocate.”.

17       **TITLE LXI—APPREHENSION AND**  
18       **RESTRAINT**

19       **SEC. 6101. RESTRAINT OF PERSONS CHARGED.**

20       Section 810 of title 10, United States Code (article 10  
21 of the Uniform Code of Military Justice), is amended to  
22 read as follows:

23       **“§ 810. Art. 10. Restraint of person charged**

24       “(a) *IN GENERAL.*—(1) Subject to paragraph (2), any  
25 person subject to this chapter who is charged with an offense

1 *under this chapter may be ordered into arrest or confine-*  
2 *ment as the circumstances require.*

3       “(2) *When a person subject to this chapter is charged*  
4 *only with an offense that is normally tried by summary*  
5 *court-martial, the person ordinarily shall not be ordered*  
6 *into confinement.*

7       “(b) *NOTIFICATION TO ACCUSED AND RELATED PRO-*  
8 *CEDURES.—(1) When a person subject to this chapter is or-*  
9 *dered into arrest or confinement before trial, immediate*  
10 *steps shall be taken—*

11               “(A) *to inform the person of the specific offense*  
12 *of which the person is accused; and*

13               “(B) *to try the person or to dismiss the charges*  
14 *and release the person.*

15       “(2) *To facilitate compliance with paragraph (1), the*  
16 *President shall prescribe regulations setting forth proce-*  
17 *dures relating to referral for trial, including procedures for*  
18 *prompt forwarding of the charges and specifications and,*  
19 *if applicable, the preliminary hearing report submitted*  
20 *under section 832 of this title (article 32).”.*

1 **SEC. 6102. MODIFICATION OF PROHIBITION OF CONFINEMENT OF ARMED FORCES MEMBERS WITH**  
 2 **ENEMY PRISONERS AND CERTAIN OTHERS.**

4 *Section 812 of title 10, United States Code (article 12*  
 5 *of the Uniform Code of Military Justice), is amended to*  
 6 *read as follows:*

7 **“§ 812. Art. 12. Prohibition of confinement of armed**  
 8 **forces members with enemy prisoners and**  
 9 **certain others**

10 *“No member of the armed forces may be placed in con-*  
 11 *finement in immediate association with—*

12 *“(1) enemy prisoners; or*

13 *“(2) other individuals—*

14 *“(A) who are detained under the law of war*  
 15 *and are foreign nationals; and*

16 *“(B) who are not members of the armed*  
 17 *forces.”.*

18 **TITLE LXII—NON-JUDICIAL**  
 19 **PUNISHMENT**

20 **SEC. 6201. MODIFICATION OF CONFINEMENT AS NON-JUDI-**  
 21 **CIAL PUNISHMENT.**

22 *Section 815 of title 10, United States Code (article 15*  
 23 *of the Uniform Code of Military Justice), is amended—*

24 *(1) in subsection (b)—*

25 *(A) in paragraph (2)(A), by striking “on*  
 26 *bread and water or diminished rations”; and*

1           (B) in the undesignated matter after para-  
 2           graph (2), by striking “on bread and water or  
 3           diminished rations” in the sentence beginning  
 4           “*No two or more*”; and  
 5           (2) in subsection (d), by striking “on bread and  
 6           water or diminished rations” in paragraphs (2) and  
 7           (3).

8           **TITLE LXIII—COURT-MARTIAL**  
 9           **JURISDICTION**

10       **SEC. 6301. COURTS-MARTIAL CLASSIFIED.**

11           Section 816 of title 10, United States Code (article 16  
 12       of the Uniform Code of Military Justice), is amended to  
 13       read as follows:

14       **“§ 816. Art 16. Courts-martial classified**

15           “(a) *IN GENERAL.*—The three kinds of courts-martial  
 16       in each of the armed forces are the following:

17           “(1) *General courts-martial*, as described in sub-  
 18       section (b).

19           “(2) *Special courts-martial*, as described in sub-  
 20       section (c).

21           “(3) *Summary courts-martial*, as described in  
 22       subsection (d).

23           “(b) *GENERAL COURTS-MARTIAL.*—General courts-  
 24       martial are of the following three types:

1           “(1) *A general court-martial consisting of a*  
2           *military judge and eight members, subject to sections*  
3           *825(d)(3) and 829 of this title (articles 25(d)(3) and*  
4           *29).*

5           “(2) *In a capital case, a general court-martial*  
6           *consisting of a military judge and the number of*  
7           *members determined under section 825a of this title*  
8           *(article 25a), subject to sections 825(d)(3) and 829 of*  
9           *this title (articles 25(d)(3) and 29).*

10           “(3) *A general court-martial consisting of a*  
11           *military judge alone, if, before the court is assembled,*  
12           *the accused, knowing the identity of the military*  
13           *judge and after consultation with defense counsel, re-*  
14           *quests, orally on the record or in writing, a court*  
15           *composed of a military judge alone and the military*  
16           *judge approves the request.*

17           “(c) *SPECIAL COURTS-MARTIAL.—Special courts-mar-*  
18           *tial are of the following two types:*

19           “(1) *A special court-martial, consisting of a*  
20           *military judge and four members, subject to sections*  
21           *825(d)(3) and 829 of this title (articles 25(d)(3) and*  
22           *29).*

23           “(2) *A special court-martial consisting of a mili-*  
24           *tary judge alone—*

1           “(A) if the case is so referred by the con-  
 2           vening authority, subject to section 819 of this  
 3           title (article 19) and such limitations as the  
 4           President may prescribe by regulation; or

5           “(B) if the case is referred under paragraph  
 6           (1) and, before the court is assembled, the ac-  
 7           cused, knowing the identity of the military judge  
 8           and after consultation with defense counsel, re-  
 9           quests, orally on the record or in writing, a court  
 10          composed of a military judge alone and the mili-  
 11          tary judge approves the request.

12          “(d) SUMMARY COURT-MARTIAL.—A summary court-  
 13          martial consists of one commissioned officer.”.

14          **SEC. 6302. JURISDICTION OF GENERAL COURTS-MARTIAL.**

15          Section 818 of title 10, United States Code (article 18  
 16          of the Uniform Code of Military Justice), is amended—

17                 (1) in subsection (b), by striking “section  
 18                 816(1)(B) of this title (article 16(1)(B))” and insert-  
 19                 ing “section 816(b)(3) of this title (article 16(b)(3))”;  
 20                 and

21                 (2) by striking subsection (c) and inserting the  
 22                 following:

23                 “(c) Consistent with sections 819 and 820 of this title  
 24                 (articles 19 and 20), only general courts-martial have juris-  
 25                 diction over the following offenses:

1           “(1) A violation of subsection (a) or (b) of sec-  
2           tion 920 of this title (article 120).

3           “(2) A violation of subsection (a) or (b) of sec-  
4           tion 920b of this title (article 120b).

5           “(3) An attempt to commit an offense specified  
6           in paragraph (1) or (2) that is punishable under sec-  
7           tion 880 of this title (article 80).”.

8   **SEC. 6303. JURISDICTION OF SPECIAL COURTS-MARTIAL.**

9           Section 819 of title 10, United States Code (article 19  
10 of the Uniform Code of Military Justice), is amended—

11           (1) by striking “Subject to” in the first sentence  
12           and inserting the following:

13           “(a) *IN GENERAL.*—Subject to”;

14           (2) by striking “A bad-conduct discharge” and  
15           all that follows through the end; and

16           (3) by adding after subsection (a), as designated  
17           by paragraph (1), the following new subsections:

18           “(b) *ADDITIONAL LIMITATION.*—Neither a bad-conduct  
19           discharge, nor confinement for more than six months, nor  
20           forfeiture of pay for more than six months may be adjudged  
21           if charges and specifications are referred to a special court-  
22           martial consisting of a military judge alone under section  
23           816(c)(2)(A) of this title (article 16(c)(2)(A)).

24           “(c) *MILITARY MAGISTRATE.*—If charges and speci-  
25           fications are referred to a special court-martial consisting



1 of a military judge alone under section 816(c)(2)(A) of this  
 2 title (article 16(c)(2)(A)), the military judge, with the con-  
 3 sent of the parties, may designate a military magistrate  
 4 to preside over the special court-martial.”.

5 **SEC. 6304. SUMMARY COURT-MARTIAL AS NON-CRIMINAL**  
 6 **FORUM.**

7 Section 820 of title 10, United States Code (article 20  
 8 of the Uniform Code of Military Justice), is amended—

9 (1) by inserting “(a) **IN GENERAL.**—” before  
 10 “Subject to”; and

11 (2) by adding at the end the following new sub-  
 12 section:

13 “(b) **NON-CRIMINAL FORUM.**—A summary court-mar-  
 14 tial is a non-criminal forum. A finding of guilty at a sum-  
 15 mary court-martial does not constitute a criminal convic-  
 16 tion.”.

17 **TITLE LXIV—COMPOSITION OF**  
 18 **COURTS-MARTIAL**

19 **SEC. 6401. TECHNICAL AMENDMENT RELATING TO PER-**  
 20 **SONS AUTHORIZED TO CONVENE GENERAL**  
 21 **COURTS-MARTIAL.**

22 Section 822(a)(6) of title 10, United States Code (arti-  
 23 cle 22(a)(6) of the Uniform Code of Military Justice), is  
 24 amended by striking “in chief”.

1 **SEC. 6402. WHO MAY SERVE ON COURTS-MARTIAL; DETAIL**  
2 **OF MEMBERS.**

3 (a) *WHO MAY SERVE ON COURTS-MARTIAL.*—Sub-  
4 section (c) of section 825 of title 10, United States Code  
5 (article 25 of the Uniform Code of Military Justice), is  
6 amended to read as follows:

7 “(c)(1) *Any enlisted member on active duty is eligible*  
8 *to serve on a general or special court-martial for the trial*  
9 *of any other enlisted member.*

10 “(2) *Before a court-martial with a military judge and*  
11 *members is assembled for trial, an enlisted member who is*  
12 *an accused may personally request, orally on the record or*  
13 *in writing, that—*

14 “(A) *the membership of the court-martial be*  
15 *comprised entirely of officers; or*

16 “(B) *enlisted members comprise at least one-*  
17 *third of the membership of the court-martial, regard-*  
18 *less of whether enlisted members have been detailed to*  
19 *the court-martial.*

20 “(3) *Except as provided in paragraph (4), after such*  
21 *a request, the accused may not be tried by a general or spe-*  
22 *cial court-martial if the membership of the court-martial*  
23 *is inconsistent with the request.*

24 “(4) *If, because of physical conditions or military ex-*  
25 *igencies, a sufficient number of eligible officers or enlisted*  
26 *members, as the case may be, are not available to carry*

1 out paragraph (2), the trial may nevertheless be held. In  
 2 that event, the convening authority shall make a detailed  
 3 written statement of the reasons for nonavailability. The  
 4 statement shall be appended to the record.”.

5 (b) *DETAIL OF MEMBERS.*—Subsection (d) of such sec-  
 6 tion (article) is amended by adding at the end the following  
 7 new paragraph:

8 “(3) The convening authority shall detail not less  
 9 than the number of members necessary to impanel the  
 10 court-martial under section 829 of this title (article  
 11 29).”.

12 **SEC. 6403. NUMBER OF COURT-MARTIAL MEMBERS IN CAP-**  
 13 **ITAL CASES.**

14 Section 825a of title 10, United States Code (article  
 15 25a of the Uniform Code of Military Justice), is amended  
 16 to read as follows:

17 “§ 825a. **Art. 25a. Number of court-martial members in**  
 18 **capital cases**

19 “(a) *IN GENERAL.*—In a case in which the accused  
 20 may be sentenced to death, the number of members shall  
 21 be 12.

22 “(b) *CASE NO LONGER CAPITAL.*—Subject to section  
 23 829 of this title (article 29)—

24 “(1) if a case is referred for trial as a capital  
 25 case and, before the members are impaneled, the ac-

1        *cused may no longer be sentenced to death, the num-*  
 2        *ber of members shall be eight; and*

3            *“(2) if a case is referred for trial as a capital*  
 4        *case and, after the members are impaneled, the ac-*  
 5        *cused may no longer be sentenced to death, the num-*  
 6        *ber of members shall remain 12.”.*

7        **SEC. 6404. DETAILING, QUALIFICATIONS, ETC. OF MILITARY**  
 8            **JUDGES.**

9            *(a) SPECIAL COURTS-MARTIAL.—Subsection (a) of sec-*  
 10        *tion 826 of title 10, United States Code (article 26 of the*  
 11        *Uniform Code of Military Justice), is amended—*

12            *(1) in the first sentence, by inserting after “each*  
 13        *general” the following: “and special”; and*

14            *(2) by striking the second sentence.*

15            *(b) QUALIFICATIONS.—Subsection (b) of such section*  
 16        *(article) is amended by striking “qualified for duty” and*  
 17        *inserting “qualified, by reason of education, training, expe-*  
 18        *rience, and judicial temperament, for duty”.*

19            *(c) DETAIL AND ASSIGNMENT.—Subsection (c) of such*  
 20        *section (article) is amended to read as follows:*

21            *“(c)(1) In accordance with regulations prescribed*  
 22        *under subsection (a), a military judge of a general or spe-*  
 23        *cial court-martial shall be designated for detail by the*  
 24        *Judge Advocate General of the armed force of which the*  
 25        *military judge is a member.*

1       “(2) Neither the convening authority nor any member  
2 of the staff of the convening authority shall prepare or re-  
3 view any report concerning the effectiveness, fitness, or effi-  
4 ciency of the military judge so detailed, which relates to  
5 the military judge’s performance of duty as a military  
6 judge.

7       “(3) A commissioned officer who is certified to be  
8 qualified for duty as a military judge of a general court-  
9 martial—

10           “(A) may perform such duties only when the of-  
11 ficer is assigned and directly responsible to the Judge  
12 Advocate General of the armed force of which the  
13 military judge is a member; and

14           “(B) may perform duties of a judicial or non-  
15 judicial nature other than those relating to the offi-  
16 cer’s primary duty as a military judge of a general  
17 court-martial when such duties are assigned to the of-  
18 ficer by or with the approval of that Judge Advocate  
19 General.

20       “(4) In accordance with regulations prescribed by the  
21 President, assignments of military judges under this section  
22 (article) shall be for appropriate minimum periods, subject  
23 to such exceptions as may be authorized in the regula-  
24 tions.”.

1           (d) *DETAIL TO A DIFFERENT ARMED FORCE.*—Such  
 2 section (article) is further amended by adding at the end  
 3 the following new subsection:

4           “(f) A military judge may be detailed under subsection  
 5 (a) to a court-martial that is convened in a different armed  
 6 force, when so permitted by the Judge Advocate General of  
 7 the armed force of which the military judge is a member.”.

8           (e) *CHIEF TRIAL JUDGES.*—Such section (article), as  
 9 amended by subsection (d), is further amended by adding  
 10 at the end the following new subsection:

11           “(g) In accordance with regulations prescribed by the  
 12 President, each Judge Advocate General shall designate a  
 13 chief trial judge from among the members of the applicable  
 14 trial judiciary.”.

15 **SEC. 6405. QUALIFICATIONS OF TRIAL COUNSEL AND DE-**  
 16 **FENSE COUNSEL.**

17           Section 827 of title 10, United States Code (article 27  
 18 of the Uniform Code of Military Justice), is amended—

19           (1) in the first sentence of paragraph (2) of sub-  
 20 section (a), by striking “No person” and all that fol-  
 21 lows through “trial counsel,” the first place it appears  
 22 and inserting the following: “No person who, with re-  
 23 spect to a case, has served as a preliminary hearing  
 24 officer, court member, military judge, military mag-

1 *istrate, or appellate judge, may later serve as trial*  
2 *counsel,”;*

3 *(2) in the first sentence of subsection (b), by*  
4 *striking “Trial counsel or defense counsel” and insert-*  
5 *ing “Trial counsel, defense counsel, or assistant de-*  
6 *fense counsel”;* and

7 *(3) by striking subsection (c) and inserting the*  
8 *following new subsections:*

9 *“(c)(1) Defense counsel and assistant defense counsel*  
10 *detailed for a special court-martial shall have the qualifica-*  
11 *tions set forth in subsection (b).*

12 *“(2) Trial counsel and assistant trial counsel detailed*  
13 *for a special court-martial and assistant trial counsel de-*  
14 *tailed for a general court-martial must be determined to*  
15 *be competent to perform such duties by the Judge Advocate*  
16 *General, under such rules as the President may prescribe.*

17 *“(d) To the greatest extent practicable, in any capital*  
18 *case, at least one defense counsel shall, as determined by*  
19 *the Judge Advocate General, be learned in the law applica-*  
20 *ble to such cases. If necessary, this counsel may be a civilian*  
21 *and, if so, may be compensated in accordance with regula-*  
22 *tions prescribed by the Secretary of Defense.”.*

1 **SEC. 6406. ASSEMBLY AND IMPANELING OF MEMBERS; DE-**  
 2 **TAIL OF NEW MEMBERS AND MILITARY**  
 3 **JUDGES.**

4 *Section 829 of title 10, United States Code (article 29*  
 5 *of the Uniform Code of Military Justice), is amended to*  
 6 *read as follows:*

7 **“§ 829. Art. 29. Assembly and impaneling of members;**  
 8 ***detail of new members and military***  
 9 ***judges***

10 *“(a) ASSEMBLY.—The military judge shall announce*  
 11 *the assembly of a general or special court-martial with*  
 12 *members. After such a court-martial is assembled, no mem-*  
 13 *ber may be absent, unless the member is excused—*

14 *“(1) as a result of a challenge;*

15 *“(2) under subsection (b)(1)(B); or*

16 *“(3) by order of the military judge or the con-*  
 17 *vening authority for disability or other good cause.*

18 *“(b) IMPANELING.—(1) Under rules prescribed by the*  
 19 *President, the military judge of a general or special court-*  
 20 *martial with members shall—*

21 *“(A) after determination of challenges, impanel*  
 22 *the court-martial; and*

23 *“(B) excuse the members who, having been as-*  
 24 *sembled, are not impaneled.*

25 *“(2) In a general court-martial, the military judge*  
 26 *shall impanel—*



1           “(A) 12 members in a capital case; and

2           “(B) eight members in a noncapital case.

3           “(3) In a special court-martial, the military judge  
4 shall impanel four members.

5           “(c) *ALTERNATE MEMBERS.*—In addition to members  
6 under subsection (b), the military judge shall impanel alter-  
7 nate members, if the convening authority authorizes alter-  
8 nate members.

9           “(d) *DETAIL OF NEW MEMBERS.*—(1) If, after mem-  
10 bers are impaneled, the membership of the court-martial is  
11 reduced to—

12           “(A) fewer than 12 members with respect to a  
13 general court-martial in a capital case;

14           “(B) fewer than six members with respect to a  
15 general court-martial in a noncapital case; or

16           “(C) fewer than four members with respect to a  
17 special court-martial;

18           the trial may not proceed unless the convening au-  
19 thority details new members and, from among the  
20 members so detailed, the military judge impanels new  
21 members sufficient in number to provide the member-  
22 ship specified in paragraph (2).

23           “(2) The membership referred to in paragraph  
24 (1) is as follows:

1           “(A) 12 members with respect to a general  
2           court-martial in a capital case.

3           “(B) At least six but not more than eight  
4           members with respect to a general court-martial  
5           in a noncapital case.

6           “(C) Four members with respect to a special  
7           court-martial.

8           “(e) *DETAIL OF NEW MILITARY JUDGE.*—If the mili-  
9           tary judge is unable to proceed with the trial because of  
10          disability or otherwise, a new military judge shall be de-  
11          tailed to the court-martial.

12          “(f) *EVIDENCE.*—(1) In the case of new members under  
13          subsection (d), the trial may proceed with the new members  
14          present after the evidence previously introduced is read or,  
15          in the case of audiotape, videotape, or similar recording,  
16          is played, in the presence of the new members, the military  
17          judge, the accused, and counsel for both sides.

18          “(2) In the case of a new military judge under sub-  
19          section (e), the trial shall proceed as if no evidence had been  
20          introduced, unless the evidence previously introduced is  
21          read or, in the case of audiotape, videotape, or similar re-  
22          cording, is played, in the presence of the new military  
23          judge, the accused, and counsel for both sides.”.

1 **SEC. 6407. MILITARY MAGISTRATES.**

2       *Subchapter V of chapter 47 of title 10, United States*  
3 *Code, is amended by inserting after section 826 (article 26*  
4 *of the Uniform Code of Military Justice) the following new*  
5 *section (article):*

6 **“§ 826a. Art. 26a. Military magistrates**

7       “(a) *QUALIFICATIONS.—A military magistrate shall be*  
8 *a commissioned officer of the armed forces who—*

9               “(1) *is a member of the bar of a Federal court*  
10 *or a member of the bar of the highest court of a State;*  
11 *and*

12               “(2) *is certified to be qualified, by reason of edu-*  
13 *cation, training, experience, and judicial tempera-*  
14 *ment, for duty as a military magistrate by the Judge*  
15 *Advocate General of the armed force of which the offi-*  
16 *cer is a member.*

17       “(b) *DUTIES.—In accordance with regulations pre-*  
18 *scribed by the Secretary concerned, in addition to duties*  
19 *when designated under section 819 of this title (article 19),*  
20 *a military magistrate may be assigned to perform other du-*  
21 *ties of a nonjudicial nature.”.*

1                   **TITLE LXV—PRE-TRIAL**  
2                                   **PROCEDURE**

3 **SEC. 6501. CHARGES AND SPECIFICATIONS.**

4           *Section 830 of title 10, United States Code (article 30*  
5 *of the Uniform Code of Military Justice), is amended to*  
6 *read as follows:*

7 **“§ 830. Art. 30. Charges and specifications**

8           “(a) *IN GENERAL.—Charges and specifications—*

9                   “(1) *may be preferred only by a person subject*  
10 *to this chapter; and*

11                   “(2) *shall be preferred by presentment in writ-*  
12 *ing, signed under oath before a commissioned officer*  
13 *of the armed forces who is authorized to administer*  
14 *oaths.*

15           “(b) *REQUIRED CONTENT.—The writing under sub-*  
16 *section (a) shall state that—*

17                   “(1) *the signer has personal knowledge of, or has*  
18 *investigated, the matters set forth in the charges and*  
19 *specifications; and*

20                   “(2) *the charges and specifications are true, to*  
21 *the best of the knowledge and belief of the signer.*

22           “(c) *DUTY OF PROPER AUTHORITY.—When charges*  
23 *and specifications are preferred under subsection (a), the*  
24 *proper authority shall, as soon as practicable—*

1           “(1) inform the person accused of the charges  
2           and specifications; and

3           “(2) determine what disposition should be made  
4           of the charges and specifications in the interest of jus-  
5           tice and discipline.”.

6   **SEC. 6502. PRELIMINARY HEARING REQUIRED BEFORE RE-**  
7                                   **FERRAL TO GENERAL COURT-MARTIAL.**

8           (a) *IN GENERAL.*—Section 832 of title 10, United  
9   States Code (article 32 of the Uniform Code of Military Jus-  
10   tice), is amended by striking the section heading and sub-  
11   sections (a), (b), and (c), and inserting the following:

12   **“§ 832. Art. 32. Preliminary hearing required before**  
13                                   **referral to general court-martial**

14           “(a) *IN GENERAL.*—(1)(A) Except as provided in sub-  
15   paragraph (B), a preliminary hearing shall be held before  
16   referral of charges and specifications for trial by general  
17   court-martial. The preliminary hearing shall be conducted  
18   by an impartial hearing officer, detailed by the convening  
19   authority in accordance with subsection (b).

20           “(B) Under regulations prescribed by the President, a  
21   preliminary hearing need not be held if the accused submits  
22   a written waiver to the convening authority and the con-  
23   vening authority determines that a hearing is not required.

24           “(2) The issues for determination at a preliminary  
25   hearing are limited to the following:

1           “(A) Whether or not the specification alleges an  
2 offense under this chapter.

3           “(B) Whether or not there is probable cause to  
4 believe that the accused committed the offense charged.

5           “(C) Whether or not the convening authority has  
6 court-martial jurisdiction over the accused and over  
7 the offense.

8           “(D) A recommendation as to the disposition  
9 that should be made of the case.

10          “(b) HEARING OFFICER.—(1) A preliminary hearing  
11 under this section shall be conducted by an impartial hear-  
12 ing officer, who—

13           “(A) whenever practicable, shall be a judge advo-  
14 cate who is certified under section 827(b)(2) of this  
15 title (article 27(b)(2)); or

16           “(B) in exceptional circumstances, shall be an  
17 impartial hearing officer, who is not a judge advocate  
18 so certified.

19          “(2) In the case of a hearing officer under paragraph  
20 (1)(B), a judge advocate who is certified under section  
21 827(b)(2) of this title (article 27(b)(2)) shall be available  
22 to provide legal advice to the hearing officer.

23          “(3) Whenever practicable, the hearing officer shall be  
24 equal in grade or senior in grade to military counsel who

1 *are detailed to represent the accused or the Government at*  
2 *the preliminary hearing.*

3       “(c) *REPORT TO CONVENING AUTHORITY.—After a*  
4 *preliminary hearing under this section, the hearing officer*  
5 *shall submit to the convening authority a written report*  
6 *(accompanied by a recording of the preliminary hearing*  
7 *under subsection (e)) that includes the following:*

8               “(1) *For each specification, a statement of the*  
9 *reasoning and conclusions of the hearing officer with*  
10 *respect to determinations under subsection (a)(2), in-*  
11 *cluding a summary of relevant witness testimony and*  
12 *documentary evidence presented at the hearing and*  
13 *any observations of the hearing officer concerning the*  
14 *testimony of witnesses and the availability and ad-*  
15 *missibility of evidence at trial.*

16               “(2) *Recommendations for any necessary modi-*  
17 *fications to the form of the charges or specifications.*

18               “(3) *An analysis of any additional information*  
19 *submitted after the hearing by the parties or by a vic-*  
20 *tim of an offense, that, under such rules as the Presi-*  
21 *dent may prescribe, is relevant to disposition under*  
22 *sections 830 and 834 of this title (articles 30 and 34).*

23               “(4) *A statement of action taken on evidence ad-*  
24 *duced with respect to uncharged offenses, as described*  
25 *in subsection (f).”.*

1       (b) *SUNDRY AMENDMENTS.*—Subsection (d) of such  
2 section (article) is amended—

3           (1) in paragraph (1), by striking “subsection  
4 (a)” in the first sentence and inserting “this section”;

5           (2) in paragraph (2), by striking “in defense”  
6 and all that follows through the end and inserting  
7 “that is relevant to the issues for determination under  
8 subsection (a)(2).”;

9           (3) in paragraph (3), by adding at the end the  
10 following new sentence: “A declination under this  
11 paragraph shall not serve as the sole basis for order-  
12 ing a deposition under section 849 of this title (article  
13 49).”; and

14           (4) in paragraph (4), by striking “the limited  
15 purposes of the hearing, as provided in subsection  
16 (a)(2).” and inserting the following: “determinations  
17 under subsection (a)(2).”.

18       (c) *REFERENCE TO MCM.*—Subsection (e) of such sec-  
19 tion (article) is amended by striking “as prescribed by the  
20 Manual for Courts-Martial” in the second sentence and in-  
21 serting “under such rules as the President may prescribe”.

22       (d) *EFFECT OF VIOLATION.*—Subsection (g) of such  
23 section (article) is amended by adding at the end the fol-  
24 lowing new sentence: “A defect in a report under subsection



1 *(c) is not a basis for relief if the report is in substantial*  
2 *compliance with that subsection.”.*

3 **SEC. 6503. DISPOSITION GUIDANCE.**

4 *Section 833 of title 10, United States Code (article 33*  
5 *of the Uniform Code of Military Justice), is amended to*  
6 *read as follows:*

7 **“§ 833. Art 33. Disposition guidance**

8 *“The President shall direct the Secretary of Defense to*  
9 *issue, in consultation with the Secretary of the department*  
10 *in which the Coast Guard is operating when it is not oper-*  
11 *ating as a service in the Navy, non-binding guidance re-*  
12 *garding factors that commanders, convening authorities,*  
13 *staff judge advocates, and judge advocates should take into*  
14 *account when exercising their duties with respect to dispo-*  
15 *sition of charges and specifications in the interest of justice*  
16 *and discipline under sections 830 and 834 of this title (arti-*  
17 *cles 30 and 34). Such guidance shall take into account, with*  
18 *appropriate consideration of military requirements, the*  
19 *principles contained in official guidance of the Attorney*  
20 *General to attorneys for the Government with respect to dis-*  
21 *position of Federal criminal cases in accordance with the*  
22 *principle of fair and evenhanded administration of Federal*  
23 *criminal law.”.*

1 **SEC. 6504. ADVICE TO CONVENING AUTHORITY BEFORE RE-**  
 2 **FERRAL FOR TRIAL.**

3 *Section 834 of title 10, United States Code (article 34*  
 4 *of the Uniform Code of Military Justice), is amended to*  
 5 *read as follows:*

6 **“§834. Art. 34. Advice to convening authority before**  
 7 **referral for trial**

8 **“(a) GENERAL COURT-MARTIAL.—**

9 **“(1) STAFF JUDGE ADVOCATE ADVICE REQUIRED**  
 10 **BEFORE REFERRAL.—***Before referral of charges and*  
 11 *specifications to a general court-martial for trial, the*  
 12 *convening authority shall submit the matter to the*  
 13 *staff judge advocate for advice, which the staff judge*  
 14 *advocate shall provide to the convening authority in*  
 15 *writing. The convening authority may not refer a*  
 16 *specification under a charge to a general court-mar-*  
 17 *tial unless the staff judge advocate advises the con-*  
 18 *vening authority in writing that—*

19 **“(A) the specification alleges an offense**  
 20 **under this chapter;**

21 **“(B) there is probable cause to believe that**  
 22 **the accused committed the offense charged; and**

23 **“(C) a court-martial would have jurisdic-**  
 24 **tion over the accused and the offense.**

25 **“(2) STAFF JUDGE ADVOCATE RECOMMENDATION**  
 26 **AS TO DISPOSITION.—***Together with the written ad-*

1       *vice provided under paragraph (1), the staff judge ad-*  
2       *vocate shall provide a written recommendation to the*  
3       *convening authority as to the disposition that should*  
4       *be made of the specification in the interest of justice*  
5       *and discipline.*

6               “(3) *STAFF JUDGE ADVOCATE ADVICE AND REC-*  
7       *COMMENDATION TO ACCOMPANY REFERRAL.—When a*  
8       *convening authority makes a referral for trial by gen-*  
9       *eral court-martial, the written advice of the staff*  
10       *judge advocate under paragraph (1) and the written*  
11       *recommendation of the staff judge advocate under*  
12       *paragraph (2) with respect to each specification shall*  
13       *accompany the referral.*

14               “(b) *SPECIAL COURT-MARTIAL; CONVENING AUTHOR-*  
15       *ITY CONSULTATION WITH JUDGE ADVOCATE.—Before refer-*  
16       *ral of charges and specifications to a special court-martial*  
17       *for trial, the convening authority shall consult a judge advo-*  
18       *cate on relevant legal issues.*

19               “(c) *GENERAL AND SPECIAL COURTS-MARTIAL; COR-*  
20       *RECTION OF CHARGES AND SPECIFICATIONS BEFORE RE-*  
21       *FERRAL.—Before referral for trial by general court-martial*  
22       *or special court-martial, changes may be made to charges*  
23       *and specifications—*

24               “(1) *to correct errors in form; and*

1           “(2) *when applicable, to conform to the substance*  
 2           *of the evidence contained in a report under section*  
 3           *832(c) of this title (article 32(c)).*

4           “(d) *DEFINITION.—In this section, the term ‘referral’*  
 5           *means the order of a convening authority that charges and*  
 6           *specifications against an accused be tried by a specified*  
 7           *court-martial.”.*

8   **SEC. 6505. SERVICE OF CHARGES AND COMMENCEMENT OF**  
 9                                   **TRIAL.**

10          *Section 835 of title 10, United States Code (article 35*  
 11          *of the Uniform Code of Military Justice), is amended to*  
 12          *read as follows:*

13   **“§ 835. Art. 35. Service of charges; commencement of**  
 14                                   **trial**

15          “(a) *IN GENERAL.—Trial counsel detailed for a court-*  
 16          *martial under section 827 of this title (article 27) shall*  
 17          *cause to be served upon the accused a copy of the charges*  
 18          *and specifications referred for trial.*

19          “(b) *COMMENCEMENT OF TRIAL.—(1) Subject to para-*  
 20          *graphs (2) and (3), no trial or other proceeding of a general*  
 21          *court-martial or a special court-martial (including any ses-*  
 22          *sion under section 839(a) of this title (article 39(a)) may*  
 23          *be held over the objection of the accused—*

1           “(A) *with respect to a general court-martial,*  
2           *from the time of service through the fifth day after the*  
3           *date of service; or*

4           “(B) *with respect to a special court-martial,*  
5           *from the time of service through the third day after*  
6           *the date of service.*

7           “(2) *An objection under paragraph (1) may be raised*  
8           *only at the first session of the trial or other proceeding and*  
9           *only if the first session occurs before the end of the applica-*  
10          *ble period under paragraph (1)(A) or (1)(B). If the first*  
11          *session occurs before the end of the applicable period, the*  
12          *military judge shall, at that session, inquire as to whether*  
13          *the defense objects under this subsection.*

14          “(3) *This subsection shall not apply in time of war.*”.

## 15       **TITLE LXVI—TRIAL PROCEDURE**

### 16       **SEC. 6601. DUTIES OF ASSISTANT DEFENSE COUNSEL.**

17          *Subsection (e) of section 838 of title 10, United States*  
18          *Code (article 38 of the Uniform Code of Military Justice),*  
19          *is amended by striking “, under the direction” and all that*  
20          *follows through “(article 27).”.*

### 21       **SEC. 6602. SESSIONS.**

22          *Section 839 of title 10, United States Code (article 39*  
23          *of the Uniform Code of Military Justice), is amended—*

24                (1) *in subsection (a)—*

1           (A) by redesignating paragraph (4) as  
2           paragraph (5); and

3           (B) by striking paragraph (3) and inserting  
4           the following new paragraphs:

5           “(3) holding the arraignment and receiving the  
6           pleas of the accused;

7           “(4) conducting a sentencing proceeding and  
8           sentencing the accused; and”;

9           (2) in the second sentence of subsection (c), by  
10          striking “, in cases in which a military judge has  
11          been detailed to the court,”.

12 **SEC. 6603. TECHNICAL AMENDMENT RELATING TO CON-**  
13 **TINUANCES.**

14          Section 840 of title 10, United States Code (article 40  
15          of the Uniform Code of Military Justice), is amended by  
16          striking “court-martial without a military judge” and in-  
17          serting “summary court-martial”.

18 **SEC. 6604. CONFORMING AMENDMENTS RELATING TO**  
19 **CHALLENGES.**

20          Section 841 of title 10, United States Code (article 41  
21          of the Uniform Code of Military Justice), is amended—

22          (1) in subsection (a)(1), by striking “, or, if  
23          none, the court,” in the second sentence;

24          (2) in subsection (a)(2) by striking “minimum”  
25          in the first sentence; and

1           (3) *in subsection (b)(2), by striking “minimum”.*

2   **SEC. 6605. STATUTE OF LIMITATIONS.**

3           (a) *INCREASE IN PERIOD FOR CHILD ABUSE OF-*  
4 *FENSES.—Subsection (b)(2)(A) of section 843 of title 10,*  
5 *United States Code (article 43 of the Uniform Code of Mili-*  
6 *tary Justice), is amended by striking “five years” and in-*  
7 *serting “ten years”.*

8           (b) *INCREASE IN PERIOD FOR FRAUDULENT ENLIST-*  
9 *MENT OR APPOINTMENT OFFENSES.—Such section (article)*  
10 *is further amended by adding at the end the following new*  
11 *subsection:*

12           “(h) *FRAUDULENT ENLISTMENT OR APPOINTMENT.—*  
13 *A person charged with fraudulent enlistment or fraudulent*  
14 *appointment under section 904a(1) of this title (article*  
15 *104a(1)) may be tried by court-martial if the sworn charges*  
16 *and specifications are received by an officer exercising sum-*  
17 *mary court-martial jurisdiction with respect to that person,*  
18 *as follows:*

19                   “(1) *In the case of an enlisted member, during*  
20 *the period of the enlistment or five years, whichever*  
21 *provides a longer period.*

22                   “(2) *In the case of an officer, during the period*  
23 *of the appointment or five years, whichever provides*  
24 *a longer period.”.*

1       (c) *DNA EVIDENCE.*—Such section (article), as  
2 amended by subsection (b), is further amended by adding  
3 at the end the following new subsection:

4       “(i) *DNA EVIDENCE.*—If DNA testing implicates an  
5 identified person in the commission of an offense punishable  
6 by confinement for more than one year, no statute of limita-  
7 tions that would otherwise preclude prosecution of the of-  
8 fense shall preclude such prosecution until a period of time  
9 following the implication of the person by DNA testing has  
10 elapsed that is equal to the otherwise applicable limitation  
11 period.”.

12       (d) *CONFORMING AMENDMENTS.*—Such section (arti-  
13 cle) is further amended in subsection (b)(2)(B) by striking  
14 clauses (i) through (v) and inserting the following:

15               “(i) Any offense in violation of section  
16 920, 920a, 920b, 920c, or 930 of this title  
17 (article 120, 120a, 120b, 120c, or 130), un-  
18 less the offense is covered by subsection (a).

19               “(ii) Maiming in violation of section  
20 928a of this title (article 128a).

21               “(iii) Aggravated assault, assault con-  
22 summated by a battery, or assault with in-  
23 tent to commit specified offenses in viola-  
24 tion of section 928 of this title (article 128).



1                   “(iv) *Kidnapping in violation of sec-*  
2                   *tion 925 of this title (article 125).”.*

3           (e) *APPLICATION.—The amendments made by sub-*  
4           *sections (a), (b), (c), and (d) shall apply to the prosecution*  
5           *of any offense committed before, on, or after the date of the*  
6           *enactment of this subsection if the applicable limitation pe-*  
7           *riod has not yet expired.*

8   **SEC. 6606. FORMER JEOPARDY.**

9           *Subsection (c) of section 844 of title 10, United States*  
10          *Code (article 44 of the Uniform Code of Military Justice),*  
11          *is amended to read as follows:*

12           “(c)(1) *A court-martial with a military judge alone*  
13          *is a trial in the sense of this section (article) if, without*  
14          *fault of the accused—*

15                   “(A) *after introduction of evidence; and*

16                   “(B) *before announcement of findings under sec-*  
17          *tion 853 of this title (article 53);*

18          *the case is dismissed or terminated by the convening*  
19          *authority or on motion of the prosecution for failure*  
20          *of available evidence or witnesses.*

21           “(2) *A court-martial with a military judge and*  
22          *members is a trial in the sense of this section (article)*  
23          *if, without fault of the accused—*

24                   “(A) *after the members, having taken an*  
25          *oath as members under section 842 of this title*

1           *(article 42) and after completion of challenges*  
 2           *under section 841 of this title (article 41), are*  
 3           *impaneled; and*

4                   *“(B) before announcement of findings under*  
 5                   *section 853 of this title (article 53);*

6           *the case is dismissed or terminated by the convening*  
 7           *authority or on motion of the prosecution for failure*  
 8           *of available evidence or witnesses.”.*

9   **SEC. 6607. PLEAS OF THE ACCUSED.**

10           *(a) PLEAS OF GUILTY.—Subsection (b) of section 845*  
 11           *of title 10, United States Code (article 45 of the Uniform*  
 12           *Code of Military Justice), is amended—*

13                   *(1) in the first sentence, by striking “may be ad-*  
 14                   *judged” and inserting “is mandatory”; and*

15                   *(2) in the second sentence—*

16                           *(A) by striking “or by a court-martial with-*  
 17                           *out a military judge”; and*

18                           *(B) by striking “, if permitted by regula-*  
 19                           *tions of the Secretary concerned,”.*

20           *(b) HARMLESS ERROR.—Such section (article) is fur-*  
 21           *ther amended by adding at the end the following new sub-*  
 22           *section:*

23                   *“(c) HARMLESS ERROR.—A variance from the require-*  
 24                   *ments of this article is harmless error if the variance does*

1 *not materially prejudice the substantial rights of the ac-*  
2 *cused.”.*

3 **SEC. 6608. CONTEMPT.**

4 *(a) AUTHORITY TO PUNISH.—Subsection (a) of section*  
5 *848 of title 10, United States Code (article 48 of the Uni-*  
6 *form Code of Military Justice), is amended to read as fol-*  
7 *lows:*

8 *“(a) AUTHORITY TO PUNISH.—(1) With respect to any*  
9 *proceeding under this chapter, a judicial officer specified*  
10 *in paragraph (2) may punish for contempt any person*  
11 *who—*

12 *“(A) uses any menacing word, sign, or gesture in*  
13 *the presence of the judicial officer during the pro-*  
14 *ceeding;*

15 *“(B) disturbs the proceeding by any riot or dis-*  
16 *order; or*

17 *“(C) willfully disobeys a lawful writ, process,*  
18 *order, rule, decree, or command issued with respect to*  
19 *the proceeding.*

20 *“(2) A judicial officer referred to in paragraph (1) is*  
21 *any of the following:*

22 *“(A) Any judge of the Court of Appeals for the*  
23 *Armed Forces and any judge of a Court of Criminal*  
24 *Appeals under section 866 of this title (article 66).*

1           “(B) *Any military judge detailed to a court-*  
 2           *martial, a provost court, a military commission, or*  
 3           *any other proceeding under this chapter.*

4           “(C) *Any military magistrate designated to pre-*  
 5           *side under section 819 of this title (article 19).”.*

6           (b) *REVIEW.—Such section (article) is further amend-*  
 7           *ed—*

8           (1) *by redesignating subsection (c) as subsection*  
 9           *(d); and*

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

12          “(c) *REVIEW.—A punishment under this section—*

13               “(1) *if imposed by a military judge or military*  
 14               *magistrate, may be reviewed by the Court of Criminal*  
 15               *Appeals in accordance with the uniform rules of pro-*  
 16               *cedure for the Courts of Criminal Appeals under sec-*  
 17               *tion 866(g) of this title (article 66(g)); and*

18               “(2) *if imposed by a judge of the Court of Ap-*  
 19               *peals for the Armed Forces or a judge of a Court of*  
 20               *Criminal Appeals, shall constitute a judgment of the*  
 21               *court, subject to review under the applicable provi-*  
 22               *sions of section 867 or 867a of this title (article 67*  
 23               *or 67a).”.*

24          (c) *SECTION HEADING.—The heading for such section*  
 25          *(article) is amended to read as follows:*

1 **“§ 848. Art. 48. Contempt”.**

2 **SEC. 6609. DEPOSITIONS.**

3 *Section 849 of title 10, United States Code (article 49*  
4 *of the Uniform Code of Military Justice), is amended to*  
5 *read as follows:*

6 **“§ 849. Art. 49. Depositions**

7 *“(a) IN GENERAL.—(1) Subject to paragraph (2), a*  
8 *convening authority or a military judge may order deposi-*  
9 *tions at the request of any party.*

10 *“(2) A deposition may be ordered under paragraph (1)*  
11 *only if the requesting party demonstrates that, due to excep-*  
12 *tional circumstances, it is in the interest of justice that the*  
13 *testimony of a prospective witness be preserved for use at*  
14 *a court-martial, military commission, court of inquiry, or*  
15 *other military court or board.*

16 *“(3) A party who requests a deposition under this sec-*  
17 *tion shall give to every other party reasonable written notice*  
18 *of the time and place for the deposition.*

19 *“(4) A deposition under this section shall be taken be-*  
20 *fore, and authenticated by, an impartial officer, as follows:*

21 *“(A) Whenever practicable, by an impartial*  
22 *judge advocate certified under section 827(b) of this*  
23 *title (article 27(b)).*

24 *“(B) In exceptional circumstances, by an impar-*  
25 *tial military or civil officer authorized to administer*

1 oaths by (i) the laws of the United States or (ii) the  
2 laws of the place where the deposition is taken.

3 “(b) *REPRESENTATION BY COUNSEL.*—Representation  
4 of the parties with respect to a deposition shall be by counsel  
5 detailed in the same manner as trial counsel and defense  
6 counsel are detailed under section 827 of this title (article  
7 27). In addition, the accused shall have the right to be rep-  
8 resented by civilian or military counsel in the same manner  
9 as such counsel are provided for in section 838(b) of this  
10 title (article 38(b)).

11 “(c) *ADMISSIBILITY AND USE AS EVIDENCE.*—A depo-  
12 sition order under subsection (a) does not control the admis-  
13 sibility of the deposition in a court-martial or other pro-  
14 ceeding under this chapter. Except as provided by sub-  
15 section (d), a party may use all or part of a deposition  
16 as provided by the rules of evidence.

17 “(d) *CAPITAL CASES.*—Testimony by deposition may  
18 be presented in capital cases only by the defense.”

19 **SEC. 6610. ADMISSIBILITY OF SWORN TESTIMONY BY**  
20 **AUDIOTAPE OR VIDEOTAPE FROM RECORDS**  
21 **OF COURTS OF INQUIRY.**

22 (a) *IN GENERAL.*—Section 850 of title 10, United  
23 States Code (article 50 of the Uniform Code of Military Jus-  
24 tice), is amended by adding at the end the following new  
25 subsection:

1       “(d) *AUDIOTAPE OR VIDEOTAPE.*—*Sworn testimony*  
2 *that—*

3               “(1) *is recorded by audiotape, videotape, or*  
4 *similar method; and*

5               “(2) *is contained in the duly authenticated*  
6 *record of proceedings of a court of inquiry;*

7 *is admissible before a court-martial, military commission,*  
8 *court of inquiry, or military board, to the same extent as*  
9 *sworn testimony may be read in evidence before any such*  
10 *body under subsection (a), (b), or (c).”.*

11       (b) *SECTION HEADING.*—*The heading for such section*  
12 *(article) is amended to read as follows:*

13       “**§ 850. Art. 50. Admissibility of sworn testimony from**  
14               ***records of courts of inquiry***”.

15       **SEC. 6611. CONFORMING AMENDMENT RELATING TO DE-**  
16               ***FENSE OF LACK OF MENTAL RESPONSIBILITY.***

17       *Section 850a(c) of title 10, United States Code (article*  
18 *50a(c) of the Uniform Code of Military Justice), is amended*  
19 *by striking “, or the president of a court-martial without*  
20 *a military judge,”.*

21       **SEC. 6612. VOTING AND RULINGS.**

22       *Section 851 of title 10, United States Code (article 51*  
23 *of the Uniform Code of Military Justice), is amended—*

1           (1) *in subsection (a), by striking “, and by mem-*  
 2           *bers of a court-martial without a military judge upon*  
 3           *questions of challenge,” in the first sentence;*

4           (2) *in subsection (b)—*

5                 (A) *by striking “and, except for questions of*  
 6                 *challenge, the president of a court-martial with-*  
 7                 *out a military judge” in the first sentence; and*

8                 (B) *by striking “, or by the president” in*  
 9                 *the second sentence and all that follows through*  
 10                 *the end of the subsection and inserting “is final*  
 11                 *and constitutes the ruling of the court, except*  
 12                 *that the military judge may change a ruling at*  
 13                 *any time during trial.”; and*

14           (3) *in subsection (c), by striking “or the presi-*  
 15           *dent of a court-martial without a military judge” in*  
 16           *the matter before paragraph (1).*

17 **SEC. 6613. VOTES REQUIRED FOR CONVICTION, SEN-**  
 18 **TENCING, AND OTHER MATTERS.**

19           *Section 852 of title 10, United States Code (article 52*  
 20           *of the Uniform Code of Military Justice), is amended to*  
 21           *read as follows:*

22 **“§852. Art. 52. Votes required for conviction, sen-**  
 23 **tencing, and other matters**

24           “(a) *IN GENERAL.—No person may be convicted of an*  
 25           *offense in a general or special court-martial, other than—*



1           “(1) after a plea of guilty under section 845(b)  
2 of this title (article 45(b));

3           “(2) by a military judge in a court-martial with  
4 a military judge alone, under section 816 of this title  
5 (article 16); or

6           “(3) in a court-martial with members under sec-  
7 tion 816 of this title (article 16), by the concurrence  
8 of at least three-fourths of the members present when  
9 the vote is taken.

10          “(b) *LEVEL OF CONCURRENCE REQUIRED.*—

11           “(1) *IN GENERAL.*—Except as provided in sub-  
12 section (a) and in paragraph (2), all matters to be  
13 decided by members of a general or special court-mar-  
14 tial shall be determined by a majority vote, but a re-  
15 consideration of a finding of guilty or reconsideration  
16 of a sentence, with a view toward decreasing the sen-  
17 tence, may be made by any lesser vote which indicates  
18 that the reconsideration is not opposed by the number  
19 of votes required for that finding or sentence.

20           “(2) *SENTENCING.*—A sentence of death requires  
21 (A) a unanimous finding of guilty of an offense in  
22 this chapter expressly made punishable by death and  
23 (B) a unanimous determination by the members that  
24 the sentence for that offense shall include death. All  
25 other sentences imposed by members shall be deter-

1        *mined by the concurrence of at least three-fourths of*  
2        *the members present when the vote is taken.”.*

3        **SEC. 6614. PLEA AGREEMENTS.**

4        *Subchapter VII of chapter 47 of title 10, United States*  
5        *Code, is amended by inserting after section 853 (article 53*  
6        *of the Uniform Code of Military Justice) the following:*

7        **“§ 853a. Art. 53a. Plea agreements**

8            *“(a) IN GENERAL.—(1) At any time before the an-*  
9            *nouncement of findings under section 853 of this title (arti-*  
10           *cle 53), the convening authority and the accused may enter*  
11           *into a plea agreement with respect to such matters as—*

12                    *“(A) the manner in which the convening author-*  
13                    *ity will dispose of one or more charges and specifica-*  
14                    *tions; and*

15                    *“(B) limitations on the sentence that may be ad-*  
16                    *judged for one or more charges and specifications.*

17            *“(2) The military judge of a general or special court-*  
18            *martial may not participate in discussions between the*  
19            *parties concerning prospective terms and conditions of a*  
20            *plea agreement.*

21            *“(b) ACCEPTANCE OF PLEA AGREEMENT.—Subject to*  
22            *subsection (c), the military judge of a general or special*  
23            *court-martial shall accept a plea agreement submitted by*  
24            *the parties, except that the military judge may reject a plea*

1 *agreement that proposes a sentence if the military judge de-*  
2 *termines that the proposed sentence is plainly unreasonable.*

3       “(c) *LIMITATION ON ACCEPTANCE OF PLEA AGREE-*  
4 *MENTS.—The military judge of a general or special court-*  
5 *martial shall reject a plea agreement that—*

6               “(1) *contains a provision that has not been ac-*  
7 *cepted by both parties;*

8               “(2) *contains a provision that is not understood*  
9 *by the accused; or*

10              “(3) *except as provided in subsection (d), con-*  
11 *tains a provision for a sentence that is less than the*  
12 *mandatory minimum sentence applicable to an of-*  
13 *fense referred to in section 856(b)(2) of this title (arti-*  
14 *cle 56(b)(2)).*

15       “(d) *LIMITED CONDITIONS FOR ACCEPTANCE OF PLEA*  
16 *AGREEMENT FOR SENTENCE BELOW MANDATORY MINIMUM*  
17 *FOR CERTAIN OFFENSES.—With respect to an offense re-*  
18 *ferred to in section 856(b)(2) of this title (article*  
19 *56(b)(2))—*

20              “(1) *the military judge may accept a plea agree-*  
21 *ment that provides for a sentence of bad conduct dis-*  
22 *charge; and*

23              “(2) *upon recommendation of the trial counsel,*  
24 *in exchange for substantial assistance by the accused*  
25 *in the investigation or prosecution of another person*

1        *who has committed an offense, the military judge may*  
 2        *accept a plea agreement that provides for a sentence*  
 3        *that is less than the mandatory minimum sentence*  
 4        *for the offense charged.*

5        *“(e) BINDING EFFECT OF PLEA AGREEMENT.—Upon*  
 6        *acceptance by the military judge of a general or special*  
 7        *court-martial, a plea agreement shall bind the parties and*  
 8        *the military judge.”.*

9        **SEC. 6615. RECORD OF TRIAL.**

10        *Section 854 of title 10, United States Code (article 54*  
 11        *of the Uniform Code of Military Justice), is amended—*

12                *(1) by striking subsection (a) and inserting the*  
 13        *following:*

14        *“(a) GENERAL AND SPECIAL COURTS-MARTIAL.—Each*  
 15        *general or special court-martial shall keep a separate record*  
 16        *of the proceedings in each case brought before it. The record*  
 17        *shall be certified by a court-reporter, except that in the case*  
 18        *of death, disability, or absence of a court reporter, the record*  
 19        *shall be certified by an official selected as the President may*  
 20        *prescribe by regulation.”;*

21                *(2) in subsection (b)—*

22                        *(A) by striking “(b) Each special and sum-*  
 23        *mary court-martial” and inserting “(b) SUM-*  
 24        *MARY COURT-MARTIAL.—Each summary*  
 25        *court-martial”;* and

1                   (B) by striking “authenticated” and insert-  
2                   ing “certified”;

3                   (3) by striking subsection (c) and inserting the  
4                   following:

5                   “(c) CONTENTS OF RECORD.—(1) Except as provided  
6                   in paragraph (2), the record shall contain such matters as  
7                   the President may prescribe by regulation.

8                   “(2) In accordance with regulations prescribed by the  
9                   President, a complete record of proceedings and testimony  
10                  shall be prepared in any case of a sentence of death, dis-  
11                  missal, discharge, confinement for more than six months,  
12                  or forfeiture of pay for more than six months.”.

13                  (4) in subsection (d)—

14                         (A) by striking “(d) A copy” and inserting  
15                         “(d) EVIDENCE.—A copy”; and

16                         (B) by striking “authenticated” and insert-  
17                         ing “certified”; and

18                  (5) in subsection (e)—

19                         (A) by striking “involving a sexual assault  
20                         or other offense covered by section 920 of this  
21                         title (article 120)” in the first sentence and in-  
22                         serting “upon request,”; and

23                         (B) by striking “authenticated” in the sec-  
24                         ond sentence and inserting “certified”.

1           **TITLE LXVII—SENTENCES**

2   **SEC. 6701. SENTENCING.**

3           (a) *IN GENERAL.*—Section 856 of title 10, United  
4 States Code (article 56 of the Uniform Code of Military Jus-  
5 tice), is amended to read as follows:

6   **“§ 856. Art. 56. Sentencing**

7           “(a) *SENTENCE MAXIMUMS.*—The punishment which  
8 a court-martial may direct for an offense may not exceed  
9 such limits as the President may prescribe for that offense.

10          “(b) *SENTENCE MINIMUMS FOR CERTAIN OF-*  
11 *FENSES.*—(1) Except as provided in subsection (d) of sec-  
12 tion 853a of this title (article 53a), punishment for any  
13 offense specified in paragraph (2) shall include dismissal  
14 or dishonorable discharge, as applicable.

15          “(2) The offenses referred to in paragraph (1) are as  
16 follows:

17               “(A) Rape under subsection (a) of section 920 of  
18 this title (article 120).

19               “(B) Sexual assault under subsection (b) of such  
20 section (article).

21               “(C) Rape of a child under subsection (a) of sec-  
22 tion 920b of this title (article 120b).

23               “(D) Sexual assault of a child under subsection  
24 (b) of such section (article).

1           “(E) *An attempt to commit an offense specified*  
2 *in subparagraph (A), (B), (C), or (D) that is punish-*  
3 *able under section 880 of this title (article 80).*

4           “(F) *Conspiracy to commit an offense specified*  
5 *in subparagraph (A), (B), (C), or (D) that is punish-*  
6 *able under section 881 of this title (article 81).*

7           “(c) *IMPOSITION OF SENTENCE.—*

8           “(1) *IN GENERAL.—In sentencing an accused*  
9 *under section 853 of this title (article 53), a court-*  
10 *martial shall impose punishment that is sufficient,*  
11 *but not greater than necessary, to promote justice and*  
12 *to maintain good order and discipline in the armed*  
13 *forces, taking into consideration—*

14           “(A) *the nature and circumstances of the of-*  
15 *fense and the history and characteristics of the*  
16 *accused;*

17           “(B) *the impact of the offense on—*

18           “(i) *the financial, social, psychological,*  
19 *or medical well-being of any victim of the*  
20 *offense; and*

21           “(ii) *the mission, discipline, or effi-*  
22 *ciency of the command of the accused and*  
23 *any victim of the offense;*

24           “(C) *the need for the sentence—*

1                   “(i) to reflect the seriousness of the of-  
2                   fense;

3                   “(ii) to promote respect for the law;

4                   “(iii) to provide just punishment for  
5                   the offense;

6                   “(iv) to promote adequate deterrence of  
7                   misconduct;

8                   “(v) to protect others from further  
9                   crimes by the accused;

10                  “(vi) to rehabilitate the accused; and

11                  “(vii) to provide, in appropriate cases,  
12                  the opportunity for retraining and return  
13                  to duty to meet the needs of the service; and

14                  “(D) the sentences available under this  
15                  chapter.

16                  “(2) OFFENSE BASED SENTENCING IN GENERAL  
17                  AND SPECIAL COURTS-MARTIAL.—In announcing the  
18                  sentence under section 853 of this title (article 53) in  
19                  a general or special court-martial, the court-martial  
20                  shall, with respect to each offense of which the accused  
21                  is found guilty, specify the term of confinement, if  
22                  any, and the amount of the fine, if any. If the accused  
23                  is sentenced to confinement for more than one offense,  
24                  the court-martial shall specify whether the terms of  
25                  confinement are to run consecutively or concurrently.



1           “(3) *SENTENCE OF CONFINEMENT FOR LIFE*  
2           *WITHOUT ELIGIBILITY FOR PAROLE.*—(A) *If an of-*  
3           *fense is subject to a sentence of confinement for life,*  
4           *a court-martial may impose a sentence of confine-*  
5           *ment for life without eligibility for parole.*

6           “(B) *An accused who is sentenced to confinement*  
7           *for life without eligibility for parole shall be confined*  
8           *for the remainder of the accused’s life unless—*

9                   “(i) *the sentence is set aside or otherwise*  
10                  *modified as a result of—*

11                           “(I) *action taken by the convening au-*  
12                           *thority or the Secretary concerned; or*

13                           “(II) *any other action taken during*  
14                           *post-trial procedure and review under any*  
15                           *other provision of subchapter IX of this*  
16                           *chapter;*

17                           “(ii) *the sentence is set aside or otherwise*  
18                           *modified as a result of action taken by a Court*  
19                           *of Criminal Appeals, the Court of Appeals for*  
20                           *the Armed Forces, or the Supreme Court; or*

21                           “(iii) *the accused is pardoned.*

22           “(d) *APPEAL OF SENTENCE BY THE UNITED*  
23           *STATES.*—(1) *With the approval of the Judge Advocate*  
24           *General concerned, the Government may appeal a sentence*  
25           *to the Court of Criminal Appeals, on the grounds that—*

1           “(A) *the sentence violates the law; or*

2           “(B) *the sentence is plainly unreasonable.*

3           “(2) *An appeal under this subsection must be filed*  
4 *within 60 days after the date on which the judgment of a*  
5 *court-martial is entered into the record under section 860c*  
6 *of this title (article 60c).”.*

7           (b) *CONFORMING AMENDMENT.—Section 856a of title*  
8 *10, United States Code (article 56a of the Uniform Code*  
9 *of Military Justice), is repealed.*

10 **SEC. 6701A. MINIMUM CONFINEMENT PERIOD REQUIRED**  
11 **FOR CONVICTION OF CERTAIN SEX-RELATED**  
12 **OFFENSES COMMITTED BY MEMBERS OF THE**  
13 **ARMED FORCES.**

14           (a) *MANDATORY PUNISHMENTS.—Subsection (b)(1) of*  
15 *section 856 of title 10, United States Code (article 56 of*  
16 *the Uniform Code of Military Justice), as amended by sec-*  
17 *tion 6701, is further amended by striking “shall include*  
18 *dismissal or dishonorable discharge, as applicable.” and in-*  
19 *serting the following: “shall include, at a minimum—*

20                   “(A) *dismissal or dishonorable discharge, as ap-*  
21 *plicable; and*

22                   “(B) *confinement for two years.”.*

23           (b) *APPLICATION OF AMENDMENT.—Subparagraph*  
24 *(B) of paragraph (1) of section 856(b) of title 10, United*  
25 *States Code (article 56(b) of the Uniform Code of Military*

1 *Justice), as added by subsection (a), shall apply to offenses*  
2 *specified in paragraph (2) of such section committed on or*  
3 *after the date that is 180 days after the date of the enact-*  
4 *ment of this Act.*

5 **SEC. 6702. EFFECTIVE DATE OF SENTENCES.**

6 *(a) IN GENERAL.—Section 857 of title 10, United*  
7 *States Code (article 57 of the Uniform Code of Military Jus-*  
8 *tice), is amended to read as follows:*

9 **“§ 857. Art. 57. Effective date of sentences**

10 *“(a) EXECUTION OF SENTENCES.—A court-martial*  
11 *sentence shall be executed and take effect as follows:*

12 *“(1) FORFEITURE AND REDUCTION.—A forfeiture*  
13 *of pay or allowances shall be applicable to pay and*  
14 *allowances accruing on and after the date on which*  
15 *the sentence takes effect. Any forfeiture of pay or al-*  
16 *lowances or reduction in grade that is included in a*  
17 *sentence of a court-martial takes effect on the earlier*  
18 *of—*

19 *“(A) the date that is 14 days after the date*  
20 *on which the sentence is adjudged; or*

21 *“(B) in the case of a summary court-mar-*  
22 *tial, the date on which the sentence is approved*  
23 *by the convening authority.*

24 *“(2) CONFINEMENT.—Any period of confinement*  
25 *included in a sentence of a court-martial begins to*

1     *run from the date the sentence is adjudged by the*  
2     *court-martial, but periods during which the sentence*  
3     *to confinement is suspended or deferred shall be ex-*  
4     *cluded in computing the service of the term of confine-*  
5     *ment.*

6             “(3) *APPROVAL OF SENTENCE OF DEATH.*—*If the*  
7     *sentence of the court-martial extends to death, that*  
8     *part of the sentence providing for death may not be*  
9     *executed until approved by the President. In such a*  
10    *case, the President may commute, remit, or suspend*  
11    *the sentence, or any part thereof, as the President sees*  
12    *fit. That part of the sentence providing for death may*  
13    *not be suspended.*

14            “(4) *APPROVAL OF DISMISSAL.*—*If in the case of*  
15    *a commissioned officer, cadet, or midshipman, the*  
16    *sentence of a court-martial extends to dismissal, that*  
17    *part of the sentence providing for dismissal may not*  
18    *be executed until approved by the Secretary concerned*  
19    *or such Under Secretary or Assistant Secretary as*  
20    *may be designated by the Secretary concerned. In*  
21    *such a case, the Secretary, Under Secretary, or Assist-*  
22    *ant Secretary, as the case may be, may commute,*  
23    *remit, or suspend the sentence, or any part of the sen-*  
24    *tence, as the Secretary sees fit. In time of war or na-*  
25    *tional emergency he may commute a sentence of dis-*

1        *missal to reduction to any enlisted grade. A person so*  
2        *reduced may be required to serve for the duration of*  
3        *the war or emergency and six months thereafter.*

4                *“(5) COMPLETION OF APPELLATE REVIEW.—If a*  
5        *sentence extends to death, dismissal, or a dishonorable*  
6        *or bad-conduct discharge, that part of the sentence ex-*  
7        *tending to death, dismissal, or a dishonorable or bad-*  
8        *conduct discharge may be executed, in accordance*  
9        *with service regulations, after completion of appellate*  
10       *review (and, with respect to death or dismissal, ap-*  
11       *proval under paragraph (3) or (4), as appropriate).*

12               *“(6) OTHER SENTENCES.—Except as otherwise*  
13       *provided in this subsection, a general or special court-*  
14       *martial sentence is effective upon entry of judgment*  
15       *and a summary court-martial sentence is effective*  
16       *when the convening authority acts on the sentence.*

17               *“(b) DEFERRAL OF SENTENCES.—(1) On application*  
18       *by an accused, the convening authority or, if the accused*  
19       *is no longer under his jurisdiction, the officer exercising*  
20       *general court-martial jurisdiction over the command to*  
21       *which the accused is currently assigned, may, in his or her*  
22       *sole discretion, defer the effective date of a sentence of con-*  
23       *finement, reduction, or forfeiture. The deferment shall ter-*  
24       *minate upon entry of judgment or, in the case of a sum-*  
25       *mary court-martial, when the convening authority acts on*

1 *the sentence. The deferment may be rescinded at any time*  
2 *by the officer who granted it or, if the accused is no longer*  
3 *under his jurisdiction, by the officer exercising general*  
4 *court-martial jurisdiction over the command to which the*  
5 *accused is currently assigned.*

6       “(2) *In any case in which a court-martial sentences*  
7 *a person referred to in paragraph (3) to confinement, the*  
8 *convening authority may defer the service of the sentence*  
9 *to confinement, without the consent of that person, until*  
10 *after the person has been permanently released to the armed*  
11 *forces by a State or foreign country referred to in that para-*  
12 *graph.*

13       “(3) *Paragraph (2) applies to a person subject to this*  
14 *chapter who—*

15               “(A) *while in the custody of a State or foreign*  
16 *country is temporarily returned by that State or for-*  
17 *foreign country to the armed forces for trial by court-*  
18 *martial; and*

19               “(B) *after the court-martial, is returned to that*  
20 *State or foreign country under the authority of a mu-*  
21 *tual agreement or treaty, as the case may be.*

22       “(4) *In this subsection, the term ‘State’ includes the*  
23 *District of Columbia and any Commonwealth, territory, or*  
24 *possession of the United States.*

1       “(5) *In any case in which a court-martial sentences*  
2 *a person to confinement, but in which review of the case*  
3 *under section 867(a)(2) of this title (article 67(a)(2)) is*  
4 *pending, the Secretary concerned may defer further service*  
5 *of the sentence to confinement while that review is pending.*

6       “(c) *APPELLATE REVIEW.—(1) Appellate review is*  
7 *complete under this section when—*

8               “(A) *a review under section 865 of this title (ar-*  
9 *ticle 65) is completed; or*

10              “(B) *a review under section 866 of this title (ar-*  
11 *ticle 66) is completed by a Court of Criminal Appeals*  
12 *and—*

13                      “(i) *the time for the accused to file a peti-*  
14 *tion for review by the Court of Appeals for the*  
15 *Armed Forces has expired and the accused has*  
16 *not filed a timely petition for such review and*  
17 *the case is not otherwise under review by that*  
18 *Court;*

19                      “(ii) *such a petition is rejected by the Court*  
20 *of Appeals for the Armed Forces; or*

21                      “(iii) *review is completed in accordance*  
22 *with the judgment of the Court of Appeals for the*  
23 *Armed Forces and—*

1                   “(I) a petition for a writ of certiorari  
2                   is not filed within the time limits prescribed  
3                   by the Supreme Court;

4                   “(II) such a petition is rejected by the  
5                   Supreme Court; or

6                   “(III) review is otherwise completed in  
7                   accordance with the judgment of the Su-  
8                   preme Court.

9                   “(2) The completion of appellate review shall con-  
10                  stitute a final judgment as to the legality of the pro-  
11                  ceedings.”.

12                  (b) CONFORMING AMENDMENTS.—(1) Subchapter VIII  
13                  of chapter 47 of title 10, United States Code, is amended  
14                  by striking section 857a (article 57a of the Uniform Code  
15                  of Military Justice).

16                  (2) Subchapter IX of chapter 47 of title 10, United  
17                  States Code, is amended by striking section 871 (article 71  
18                  of the Uniform Code of Military Justice).

19                  (3) The second sentence of subsection (a)(1) of section  
20                  858b of title 10, United States Code (article 58b of the Uni-  
21                  form Code of Military Justice), is amended by striking “sec-  
22                  tion 857(a) of this title (article 57(a))” and inserting “sec-  
23                  tion 857 of this title (article 57)”.



1 **SEC. 6703. SENTENCE OF REDUCTION IN ENLISTED GRADE.**

2 *Section 858a of title 10, United States Code (article*  
3 *58a of the Uniform Code of Military Justice), is amended—*

4 *(1) in subsection (a)—*

5 *(A) by striking “Unless otherwise provided*  
6 *in regulations to be prescribed by the Secretary*  
7 *concerned, a” and inserting “A”;*

8 *(B) by striking “as approved by the con-*  
9 *vening authority” and inserting “as set forth in*  
10 *the judgment of the court-martial entered into*  
11 *the record under section 860c of this title (article*  
12 *60c)”;* and

13 *(C) in the matter after paragraph (3), by*  
14 *striking “of that approval” and inserting “on*  
15 *which the judgment is so entered”;* and

16 *(2) in subsection (b), by striking “disapproved,*  
17 *or, as finally approved” and inserting “reduced, or,*  
18 *as finally affirmed”.*

19 **TITLE LXVIII—POST-TRIAL PRO-**  
20 **CEDURE AND REVIEW OF**  
21 **COURTS-MARTIAL**

22 **SEC. 6801. POST-TRIAL PROCESSING IN GENERAL AND SPE-**  
23 **CIAL COURTS-MARTIAL.**

24 *Section 860 of title 10, United States Code (article 60*  
25 *of the Uniform Code of Military Justice), is amended to*  
26 *read as follows:*

1 **“§ 860. Art. 60. Post-trial processing in general and**  
 2 **special courts-martial**

3 “(a) *STATEMENT OF TRIAL RESULTS.*—(1) *The mili-*  
 4 *tary judge of a general or special court-martial shall enter*  
 5 *into the record of trial a document entitled ‘Statement of*  
 6 *Trial Results’, which shall set forth—*

7 “(A) *each plea and finding;*

8 “(B) *the sentence, if any; and*

9 “(C) *such other information as the President*  
 10 *may prescribe by regulation.*

11 “(2) *Copies of the Statement of Trial Results shall be*  
 12 *provided promptly to the convening authority, the accused,*  
 13 *and any victim of the offense.*

14 “(b) *POST-TRIAL MOTIONS.*—*In accordance with regu-*  
 15 *lations prescribed by the President, the military judge in*  
 16 *a general or special court-martial shall address all post-*  
 17 *trial motions and other post-trial matters that—*

18 “(1) *may affect a plea, a finding, the sentence,*  
 19 *the Statement of Trial Results, the record of trial, or*  
 20 *any post-trial action by the convening authority; and*

21 “(2) *are subject to resolution by the military*  
 22 *judge before entry of judgment.”.*

23 **SEC. 6802. LIMITED AUTHORITY TO ACT ON SENTENCE IN**  
 24 **SPECIFIED POST-TRIAL CIRCUMSTANCES.**

25 *Subchapter IX of chapter 47 of title 10, United States*  
 26 *Code, is amended by inserting after section 860 (article 60*

1 *of the Uniform Code of Military Justice), as amended by*  
2 *section 6801, the following new section (article):*

3 **“§ 860a. Art. 60a. Limited authority to act on sentence**  
4 ***in specified post-trial circumstances***

5 “(a) *IN GENERAL.—(1) The convening authority of a*  
6 *general or special court-martial described in paragraph*  
7 *(2)—*

8 “(A) *may act on the sentence of the court-mar-*  
9 *tial only as provided in subsection (b), (c), or (d);*  
10 *and*

11 “(B) *may not act on the findings of the court-*  
12 *martial.*

13 “(2) *The courts-martial referred to in paragraph (1)*  
14 *are the following:*

15 “(A) *A general or special court-martial in which*  
16 *the maximum sentence of confinement established*  
17 *under subsection (a) of section 856 of this title (arti-*  
18 *cle 56) for any offense of which the accused is found*  
19 *guilty is more than two years.*

20 “(B) *A general or special court-martial in which*  
21 *the total of the sentences of confinement imposed, run-*  
22 *ning consecutively, is more than six months.*

23 “(C) *A general or special court-martial in which*  
24 *the sentence imposed includes a dismissal, dishonor-*  
25 *able discharge, or bad-conduct discharge.*

1           “(D) *A general or special court-martial in which*  
2           *the accused is found guilty of a violation of subsection*  
3           *(a) or (b) of section 920 of this title (article 120), sec-*  
4           *tion 920b of this title (article 120b), or such other of-*  
5           *fense as the Secretary of Defense may specify by regu-*  
6           *lation.*

7           “(3) *Except as provided in subsection (d), the con-*  
8           *vening authority may act under this section only before*  
9           *entry of judgment.*

10          “(4) *Under regulations prescribed by the Secretary*  
11          *concerned, a commissioned officer commanding for the time*  
12          *being, a successor in command, or any person exercising*  
13          *general court-martial jurisdiction may act under this sec-*  
14          *tion in place of the convening authority.*

15          “(b) *REDUCTION, COMMUTATION, AND SUSPENSION OF*  
16          *SENTENCES GENERALLY.—(1) Except as provided in sub-*  
17          *section (c) or (d), the convening authority may not reduce,*  
18          *commute, or suspend any of the following sentences:*

19                 “(A) *A sentence of confinement, if the total pe-*  
20                 *riod of confinement imposed for all offenses involved,*  
21                 *running consecutively, is greater than six months.*

22                 “(B) *A sentence of dismissal, dishonorable dis-*  
23                 *charge, or bad-conduct discharge.*

24                 “(C) *A sentence of death.*

1       “(2) *The convening authority may reduce, commute,*  
2 *or suspend any sentence not specified in paragraph (1).*

3       “(c) *SUSPENSION OF CERTAIN SENTENCES UPON REC-*  
4 *COMMENDATION OF MILITARY JUDGE.—(1) Upon rec-*  
5 *ommendation of the military judge, as included in the*  
6 *Statement of Trial Results, together with an explanation*  
7 *of the facts supporting the recommendation, the convening*  
8 *authority may suspend—*

9           “(A) *a sentence of confinement, in whole or in*  
10 *part; or*

11           “(B) *a sentence of dismissal, dishonorable dis-*  
12 *charge, or bad-conduct discharge.*

13       “(2) *The convening authority may not, under para-*  
14 *graph (1)—*

15           “(A) *suspend a mandatory minimum sentence;*  
16 *or*

17           “(B) *suspend a sentence to an extent in excess of*  
18 *the suspension recommended by the military judge.*

19       “(d) *REDUCTION OF SENTENCE FOR SUBSTANTIAL AS-*  
20 *SISTANCE BY ACCUSED.—(1) Upon a recommendation by*  
21 *the trial counsel, if the accused, after sentencing and before*  
22 *entry of judgment, provides substantial assistance in the in-*  
23 *vestigation or prosecution of another person, the convening*  
24 *authority may reduce, commute, or suspend a sentence, in*

1 *whole or in part, including any mandatory minimum sen-*  
2 *tence.*

3       “(2) *Upon a recommendation by a trial counsel, des-*  
4 *ignated in accordance with rules prescribed by the Presi-*  
5 *dent, if the accused, after entry of judgment, provides sub-*  
6 *stantial assistance in the investigation or prosecution of an-*  
7 *other person, a convening authority, designated under such*  
8 *regulations, may reduce, commute, or suspend a sentence,*  
9 *in whole or in part, including any mandatory minimum*  
10 *sentence.*

11       “(3) *In evaluating whether the accused has provided*  
12 *substantial assistance under this subsection, the convening*  
13 *authority may consider the presentence assistance of the ac-*  
14 *cused.*

15       “(e) *SUBMISSIONS BY ACCUSED AND VICTIM.—(1) In*  
16 *accordance with rules prescribed by the President, in deter-*  
17 *mining whether to act under this section, the convening au-*  
18 *thority shall consider matters submitted in writing by the*  
19 *accused or any victim of an offense. Such rules shall in-*  
20 *clude—*

21               “(A) *procedures for notice of the opportunity to*  
22               *make such submissions;*

23               “(B) *the deadlines for such submissions; and*

24               “(C) *procedures for providing the accused and*  
25               *any victim of an offense with a copy of the recording*

1        *of any open sessions of the court-martial and copies*  
 2        *of, or access to, any admitted, unsealed exhibits.*

3        *“(2) The convening authority shall not consider under*  
 4 *this section any submitted matters that relate to the char-*  
 5 *acter of a victim unless such matters were presented as evi-*  
 6 *dence at trial and not excluded at trial.*

7        *“(f) DECISION OF CONVENING AUTHORITY.—(1) The*  
 8 *decision of the convening authority under this section shall*  
 9 *be forwarded to the military judge, with copies provided*  
 10 *to the accused and to any victim of the offense.*

11        *“(2) If, under this section, the convening authority re-*  
 12 *duces, commutes, or suspends the sentence, the decision of*  
 13 *the convening authority shall include a written explanation*  
 14 *of the reasons for such action.*

15        *“(3) If, under subsection (d)(2), the convening author-*  
 16 *ity reduces, commutes, or suspends the sentence, the decision*  
 17 *of the convening authority shall be forwarded to the chief*  
 18 *trial judge for appropriate modification of the entry of*  
 19 *judgment, which shall be transmitted to the Judge Advocate*  
 20 *General for appropriate action.”.*

21 **SEC. 6803. POST-TRIAL ACTIONS IN SUMMARY COURTS-MAR-**  
 22 **TIAL AND CERTAIN GENERAL AND SPECIAL**  
 23 **COURTS-MARTIAL.**

24        *Subchapter IX of chapter 47 of title 10, United States*  
 25 *Code, is amended by inserting after section 860a (article*

1 60a of the Uniform Code of Military Justice), as amended  
2 by section 6802, the following new section (article):

3 **“§860b. Art. 60b. Post-trial actions in summary**  
4 **courts-martial and certain general and**  
5 **special courts-martial**

6 “(a) *IN GENERAL.*—(1) *In a court-martial not speci-*  
7 *fied in subsection (a)(2) of section 860a of this title (article*  
8 *60a), the convening authority may—*

9 “(A) *dismiss any charge or specification by set-*  
10 *ting aside the finding of guilty;*

11 “(B) *change a finding of guilty to a charge or*  
12 *specification to a finding of guilty to a lesser included*  
13 *offense;*

14 “(C) *disapprove the findings and the sentence*  
15 *and dismiss the charges and specifications;*

16 “(D) *disapprove the findings and the sentence*  
17 *and order a rehearing as to the findings and the sen-*  
18 *tence;*

19 “(E) *disapprove, commute, or suspend the sen-*  
20 *tence, in whole or in part; or*

21 “(F) *disapprove the sentence and order a rehear-*  
22 *ing as to the sentence.*

23 “(2) *In a summary court-martial, the convening au-*  
24 *thority shall approve the sentence or take other action on*  
25 *the sentence under paragraph (1).*



1       “(3) *Except as provided in paragraph (4), the con-*  
2 *vening authority may act under this section only before*  
3 *entry of judgment.*

4       “(4) *The convening authority may act under this sec-*  
5 *tion after entry of judgment in a general or special court-*  
6 *martial in the same manner as the convening authority*  
7 *may act under subsection (d)(2) of section 860a of this title*  
8 *(article 60a). Such action shall be forwarded to the chief*  
9 *trial judge, who shall ensure appropriate modification to*  
10 *the entry of judgment and shall transmit the entry of judg-*  
11 *ment to the Judge Advocate General for appropriate action.*

12       “(5) *Under regulations prescribed by the Secretary*  
13 *concerned, a commissioned officer commanding for the time*  
14 *being, a successor in command, or any person exercising*  
15 *general court-martial jurisdiction may act under this sec-*  
16 *tion in place of the convening authority.*

17       “(b) *LIMITATIONS ON REHEARINGS.—The convening*  
18 *authority may not order a rehearing under this section—*

19               “(1) *as to the findings, if there is insufficient*  
20 *evidence in the record to support the findings;*

21               “(2) *to reconsider a finding of not guilty of any*  
22 *specification or a ruling which amounts to a finding*  
23 *of not guilty; or*

24               “(3) *to reconsider a finding of not guilty of any*  
25 *charge, unless there has been a finding of guilty under*

1        *a specification laid under that charge, which suffi-*  
2        *ciently alleges a violation of some article of this chap-*  
3        *ter.*

4        “(c) *SUBMISSIONS BY ACCUSED AND VICTIM.*—*In ac-*  
5        *cordance with rules prescribed by the President, in deter-*  
6        *mining whether to act under this section, the convening au-*  
7        *thority shall consider matters submitted in writing by the*  
8        *accused or any victim of the offense. Such rules shall in-*  
9        *clude the matter required by subsection (e) of section 860a*  
10       *of this title (article 60a).*

11       “(d) *DECISION OF CONVENING AUTHORITY.*—(1) *In a*  
12       *general or special court-martial, the decision of the con-*  
13       *vening authority under this section shall be forwarded to*  
14       *the military judge, with copies provided to the accused and*  
15       *to any victim of the offense.*

16       “(2) *If the convening authority acts on the findings*  
17       *or the sentence under subsection (a)(1), the decision of the*  
18       *convening authority shall include a written explanation of*  
19       *the reasons for such action.”.*

20       **SEC. 6804. ENTRY OF JUDGMENT.**

21       *Subchapter IX of chapter 47 of title 10, United States*  
22       *Code, is amended by inserting after section 860b (article*  
23       *60b of the Uniform Code of Military Justice), as added by*  
24       *section 903, the following new section (article):*

1 **“§ 860c. Art. 60c. Entry of judgment**

2       “(a) *ENTRY OF JUDGMENT OF GENERAL OR SPECIAL*  
 3 *COURT-MARTIAL.—(1) In accordance with rules prescribed*  
 4 *by the President, in a general or special court-martial, the*  
 5 *military judge shall enter into the record of trial the judg-*  
 6 *ment of the court. The judgment of the court shall consist*  
 7 *of the following:*

8               “(A) *The Statement of Trial Results under sec-*  
 9 *tion 860 of this title (article 60).*

10              “(B) *Any modifications of, or supplements to,*  
 11 *the Statement of Trial Results by reason of—*

12                   “(i) *any post-trial action by the convening*  
 13 *authority; or*

14                   “(ii) *any ruling, order, or other determina-*  
 15 *tion of the military judge that affects a plea, a*  
 16 *finding, or the sentence.*

17       “(2) *Under rules prescribed by the President, the judg-*  
 18 *ment under paragraph (1) shall be—*

19               “(A) *provided to the accused and to any victim*  
 20 *of the offense; and*

21               “(B) *made available to the public.*

22       “(b) *SUMMARY COURT-MARTIAL JUDGMENT.—The*  
 23 *findings and sentence of a summary court-martial, as*  
 24 *modified by any post-trial action by the convening author-*  
 25 *ity under section 860b of this title (article 60b), constitutes*

1 *the judgment of the court-martial and shall be recorded and*  
2 *distributed under rules prescribed by the President.”.*

3 **SEC. 6805. WAIVER OF RIGHT TO APPEAL AND WITHDRAWAL**  
4 **OF APPEAL.**

5 *Section 861 of title 10, United States Code (article 61*  
6 *of the Uniform Code of Military Justice), is amended to*  
7 *read as follows:*

8 **“§ 861. Art. 61. Waiver of right to appeal; withdrawal**  
9 **of appeal**

10 *“(a) WAIVER OF RIGHT TO APPEAL.—After entry of*  
11 *judgment in a general or special court-martial, under pro-*  
12 *cedures prescribed by the Secretary concerned, the accused*  
13 *may waive the right to appellate review in each case subject*  
14 *to such review under section 866 (article 66). Such a waiver*  
15 *shall be—*

16 *“(1) signed by the accused and by defense coun-*  
17 *sel; and*

18 *“(2) attached to the record of trial.*

19 *“(b) WITHDRAWAL OF APPEAL.—In a general or spe-*  
20 *cial court-martial, the accused may withdraw an appeal*  
21 *at any time.*

22 *“(c) DEATH PENALTY CASE EXCEPTION.—Notwith-*  
23 *standing subsections (a) and (b), an accused may not waive*  
24 *the right to appeal or withdraw an appeal with respect to*  
25 *a judgment that includes a sentence of death.*

1       “(d) *WAIVER OR WITHDRAWAL AS BAR.*—*A waiver or*  
2 *withdrawal under this section bars review under section*  
3 *866 of this title (article 66).”.*

4 **SEC. 6806. APPEAL BY THE UNITED STATES.**

5       *Section 862 of title 10, United States Code (article 62*  
6 *of the Uniform Code of Military Justice), is amended—*

7           (1) *in paragraph (1) of subsection (a)—*

8               (A) *in the matter before subparagraph (A),*  
9 *by striking “court-martial” and all that follows*  
10 *through the colon at the end and inserting “gen-*  
11 *eral or special court-martial, the United States*  
12 *may appeal the following:”;* and

13               (B) *by adding at the end the following new*  
14 *subparagraph:*

15                   “(G) *An order or ruling of the military*  
16 *judge entering a finding of not guilty with re-*  
17 *spect to a charge or specification following the*  
18 *return of a finding of guilty by the members.”;*

19           (2) *in paragraph (2) of subsection (a)—*

20               (A) *by striking “(2)” and inserting*  
21 *“(2)(A)”;* and

22               (B) *by adding at the end the following new*  
23 *subparagraph:*

1           “(B) An appeal of an order or ruling may  
2           not be taken when prohibited by section 844 of  
3           this title (article 44).”; and

4           (3) by adding at the end the following:

5           “(d) The United States may appeal a ruling or order  
6 of a military magistrate in the same manner as had the  
7 ruling or order been made by a military judge, except that  
8 the issue shall first be presented to the military judge who  
9 designated the military magistrate or to a military judge  
10 detailed to hear the issue.

11          “(e) The provisions of this article shall be liberally con-  
12 strued to effect its purposes.”.

13 **SEC. 6807. REHEARINGS.**

14          Section 863 of title 10, United States Code (article 63  
15 of the Uniform Code of Military Justice), is amended—

16           (1) by inserting “(a)” before “Each rehearing”;

17           (2) in the second sentence, by striking “may be  
18 approved” and inserting “may be adjudged”;

19           (3) by striking the third sentence; and

20           (4) by adding at the end the following new sub-  
21 sections:

22          “(b) If the sentence adjudged by the first court-martial  
23 was in accordance with a plea agreement under section  
24 853a of this title (article 53a) and the accused at the rehear-  
25 ing does not comply with the agreement, or if a plea of

1 *guilty was entered for an offense at the first court-martial*  
2 *and a plea of not guilty was entered at the rehearing, the*  
3 *sentence as to those charges or specifications may include*  
4 *any punishment not in excess of that which could have been*  
5 *adjudged at the first court-martial.*

6       “(c) *If, after appeal by the Government under section*  
7 *856(d) of this title (article 56(d)), the sentence adjudged is*  
8 *set aside and a rehearing on sentence is ordered by the*  
9 *Court of Criminal Appeals or Court of Appeals for the*  
10 *Armed Forces, the court-martial may impose any sentence*  
11 *that is in accordance with the order or ruling setting aside*  
12 *the adjudged sentence.”.*

13 **SEC. 6808. JUDGE ADVOCATE REVIEW OF FINDING OF**  
14 **GUILTY IN SUMMARY COURT-MARTIAL.**

15       “(a) *IN GENERAL.*—Subsection (a) of section 864 of title  
16 10, *United States Code (article 64 of the Uniform Code of*  
17 *Military Justice), is amended by striking the first two sen-*  
18 *tences and inserting the following:*

19       “(a) *IN GENERAL.*—Under regulations prescribed by  
20 *the Secretary concerned, each summary court-martial in*  
21 *which there is a finding of guilty shall be reviewed by a*  
22 *judge advocate. A judge advocate may not review a case*  
23 *under this subsection if the judge advocate has acted in the*  
24 *same case as an accuser, preliminary hearing officer, mem-*

1 *ber of the court, military judge, or counsel or has otherwise*  
 2 *acted on behalf of the prosecution or defense.”.*

3 (b) *TECHNICAL AND CONFORMING AMENDMENTS.—(1)*  
 4 *The heading for such section (article) is amended to read*  
 5 *as follows:*

6 **“§ 864. Art. 64. Judge advocate review of finding of**  
 7 ***guilty in summary court-martial”.***

8 (2) *Subsection (b) of such section is amended—*

9 (A) *by striking “(b) The record” and inserting*  
 10 *“RECORD.—The record”;*

11 (B) *by inserting “or” at the end of paragraph*  
 12 *(1);*

13 (C) *by striking paragraph (2); and*

14 (D) *by redesignating paragraph (3) as para-*  
 15 *graph (2).*

16 (3) *Subsection (c)(3) of such section (article) is amend-*  
 17 *ed by striking “section 869(b) of this title (article 69(b)).”*  
 18 *and inserting “section 869 of this title (article 69).”.*

19 **SEC. 6809. TRANSMITTAL AND REVIEW OF RECORDS.**

20 *Section 865 of title 10, United States Code (article 65*  
 21 *of the Uniform Code of Military Justice), is amended to*  
 22 *read as follows:*

23 **“§ 865. Art. 65. Transmittal and review of records**

24 *“(a) TRANSMITTAL OF RECORDS.—(1) If the judgment*  
 25 *of a general or special court-martial entered under section*



1 860c of this title (article 60c) includes a finding of guilty,  
2 the record shall be transmitted to the Judge Advocate Gen-  
3 eral.

4 “(2) In all other cases, records of trial by court-martial  
5 and related documents shall be transmitted and disposed  
6 of as the Secretary concerned may prescribe by regulation.

7 “(b) REVIEW BY JUDGE ADVOCATE GENERAL.—

8 “(1) BY WHOM.—A review conducted under this  
9 subsection may be conducted by an attorney within  
10 the Office of the Judge Advocate General or another  
11 attorney designated under regulations prescribed by  
12 the Secretary concerned.

13 “(2) REVIEW OF CASES NOT ELIGIBLE FOR AP-  
14 PELLATE REVIEW BY A COURT OF CRIMINAL AP-  
15 PEALS.—

16 “(A) A review under subparagraph (B)  
17 shall be completed in each general and special  
18 court-martial that is not eligible for appellate re-  
19 view under paragraph (1) or (2) of section  
20 866(b) of this title (article 66(b)).

21 “(B) A review referred to in subparagraph  
22 (A) shall include a written decision providing  
23 each of the following:

1           “(i) A conclusion as to whether the  
2           court had jurisdiction over the accused and  
3           the offense.

4           “(ii) A conclusion as to whether the  
5           charge and specification stated an offense.

6           “(iii) A conclusion as to whether the  
7           sentence was within the limits prescribed as  
8           a matter of law.

9           “(iv) A response to each allegation of  
10          error made in writing by the accused.

11          “(3) REVIEW WHEN APPELLATE REVIEW BY A  
12          COURT OF CRIMINAL APPEALS IS WAIVED OR WITH-  
13          DRAWN.—

14               “(A) A review under subparagraph (B)  
15               shall be completed in each general and special  
16               court-martial if the accused waives the right to  
17               appellate review or withdraws appeal under sec-  
18               tion 861 of this title (article 61).

19               “(B) A review referred to in subparagraph  
20               (A) shall include a written decision limited to  
21               providing conclusions on the matters specified in  
22               clauses (i), (ii), and (iii) of paragraph (2)(B).

23          “(c) REMEDY.—(1) If after a review of a record under  
24          subsection (b), the attorney conducting the review believes  
25          corrective action may be required, the record shall be for-

1 *warded to the Judge Advocate General, who may set aside*  
2 *the findings or sentence, in whole or in part.*

3       “(2) *In setting aside findings or sentence, the Judge*  
4 *Advocate General may order a rehearing, except that a re-*  
5 *hearing may not be ordered in violation of section 844 of*  
6 *this title (article 44).*

7       “(3)(A) *If the Judge Advocate General sets aside find-*  
8 *ings and sentence and does not order a rehearing, the Judge*  
9 *Advocate General shall dismiss the charges.*

10       “(B) *If the Judge Advocate General sets aside findings*  
11 *and orders a rehearing and the convening authority deter-*  
12 *mines that a rehearing would be impractical, the convening*  
13 *authority shall dismiss the charges.”.*

14 **SEC. 6810. COURTS OF CRIMINAL APPEALS.**

15       (a) *APPELLATE MILITARY JUDGES.*—Subsection (a) of  
16 *section 866 of chapter 47 of title 10, United States Code*  
17 *(article 66 of the Uniform Code of Military Justice), is*  
18 *amended—*

19           (1) *in the second sentence, by striking “sub-*  
20 *section (f)” and inserting “subsection (g)”;*

21           (2) *in the fourth sentence, by inserting after*  
22 *“highest court of a State” the following: “and must*  
23 *be certified by the Judge Advocate General as quali-*  
24 *fied, by reason of education, training, experience, and*

1 *judicial temperament, for duty as an appellate mili-*  
 2 *tary judge”; and*

3 *(3) by adding at the end the following new sen-*  
 4 *tence: “In accordance with regulations prescribed by*  
 5 *the President, assignments of appellate military*  
 6 *judges under this section (article) shall be for appro-*  
 7 *prate minimum periods, subject to such exceptions as*  
 8 *may be authorized in the regulations.”.*

9 *(b) REVISION OF APPELLATE PROCEDURES.—Such*  
 10 *section (article) is further amended—*

11 *(1) by redesignating subsections (e), (f), (g), and*  
 12 *(h) as subsections (f), (g), (h), and (i), respectively;*  
 13 *and*

14 *(2) by striking subsections (b), (c), and (d) and*  
 15 *inserting the following new subsections:*

16 *“(b) REVIEW.—(1) The Judge Advocate General shall*  
 17 *refer to a Court of Criminal Appeals the record in any of*  
 18 *the following cases of trial by court-martial:*

19 *“(A) A case in which the judgment entered into*  
 20 *the record under section 860c of this title (article 60c)*  
 21 *includes a sentence of death, dismissal of a commis-*  
 22 *sioned officer, cadet, or midshipman, dishonorable or*  
 23 *bad-conduct discharge, or confinement for more than*  
 24 *six months.*

1           “(B) *A case in which the Government previously*  
2           *filed an appeal under sections 856(d) or 862 of this*  
3           *title (articles 56(d) or 62).*

4           “(C) *A case in which the right to appellate re-*  
5           *view has not been waived or an appeal has not been*  
6           *withdrawn under section 861 of this title (article 61),*  
7           *except in the case of a sentence extending to death.*

8           “(2) *A Court of Criminal Appeals shall have jurisdic-*  
9           *tion to review the judgment of a court-martial, entered into*  
10          *the record under section 860c of this title (article 60c), in*  
11          *a case in which the accused filed an application for review*  
12          *with the Court under section 869(d)(1)(B) of this title (arti-*  
13          *cle 69(d)(1)(B)) and the application has been granted by*  
14          *the Court.*

15          “(c) *DUTIES.—(1) In a case referred to it, the Court*  
16          *of Criminal Appeals may act only with respect to the find-*  
17          *ings and sentence as entered into the record under section*  
18          *860c of this title (article 60c). It may affirm only such find-*  
19          *ings of guilty, and the sentence or such part or amount*  
20          *of the sentence, as it finds correct in law and fact and deter-*  
21          *mines, on the basis of the entire record, should be approved.*  
22          *In considering the record, it may weigh the evidence, judge*  
23          *the credibility of witnesses, and determine controverted*  
24          *questions of fact, recognizing that the trial court saw and*  
25          *heard the witnesses.*

1       “(2) *In any case before the Court of Criminal Appeals*  
2 *under paragraph (1) or (2) of subsection (b), the Court may*  
3 *provide appropriate relief if the accused demonstrates error*  
4 *or excessive delay in the processing of the court-martial*  
5 *after the judgment was entered into the record under section*  
6 *860c of this title (article 60c).*

7       “(3) *In review of a sentence to death or to life in prison*  
8 *without eligibility for parole determined by the members*  
9 *in a capital case under section 853 of this title (article 53),*  
10 *the Court of Criminal Appeals must consider whether the*  
11 *sentence is otherwise appropriate, under rules prescribed by*  
12 *the President.*

13       “(4) *If the Court of Criminal Appeals sets aside the*  
14 *findings and sentence, it may, except where the setting aside*  
15 *is based on lack of sufficient evidence in the record to sup-*  
16 *port the findings, order a rehearing. If it sets aside the find-*  
17 *ings and sentence and does not order a rehearing, it shall*  
18 *order that the charges be dismissed.*

19       “(d) *CONSIDERATION OF APPEAL OF SENTENCE BY*  
20 *THE UNITED STATES.—(1) In considering a sentence on*  
21 *appeal, other than as provided in section 856(d) of this title*  
22 *(article 56(d)), the Court of Criminal Appeals may con-*  
23 *sider—*

24               “(A) *whether the sentence violates the law; and*

1           “(B) whether the sentence is plainly unreason-  
2           able.

3           “(2) In an appeal under section 856(d) of this title  
4 (article 56(d)), the record on appeal shall consist of—

5           “(A) any portion of the record in the case that  
6           is designated as pertinent by either of the parties;

7           “(B) the information submitted during the sen-  
8           tencing proceeding; and

9           “(C) any information required by rule or order  
10          of the Court of Criminal Appeals.

11          “(e) LIMITS OF AUTHORITY.—(1)(A) If the Court of  
12 Criminal Appeals sets aside the findings, the Court—

13           “(i) may affirm any lesser included offense;  
14           and

15           “(ii) may, except when prohibited by sec-  
16           tion 844 of this title (article 44), order a rehear-  
17           ing.

18          “(B) If the Court of Criminal Appeals orders a rehear-  
19          ing on a charge and the convening authority finds a rehear-  
20          ing impracticable, the convening authority may dismiss the  
21          charge.

22          “(C) If the Court of Criminal Appeals sets aside the  
23          findings and does not order a rehearing, the Court shall  
24          order that the charges be dismissed.

1       “(2) *If the Court of Criminal Appeals sets aside the*  
2 *sentence, the Court may—*

3             “(A) *modify the sentence to a lesser sentence; or*

4             “(B) *order a rehearing.*

5       “(3) *If the Court determines that additional pro-*  
6 *ceedings are warranted, the Court may order a hearing as*  
7 *may be necessary to address a substantial issue, subject to*  
8 *such limitations as the Court may direct and under such*  
9 *regulations as the President may prescribe.”.*

10       (c) *ACTION WHEN REHEARING IMPRACTICABLE AFTER*  
11 *REHEARING ORDER.—Subsection (f) of such section (arti-*  
12 *cle), as redesignated by subsection (b)(1), is amended—*

13             (1) *in the first sentence, by striking “convening*  
14 *authority” and inserting “appropriate authority”;*  
15 *and*

16             (2) *by striking the last sentence.*

17       (d) *ELIGIBILITY TO REVIEW THE RECORD.—Sub-*  
18 *section (i) of such section (article), as redesignated by sub-*  
19 *section (b)(1), is amended by striking “an investigating of-*  
20 *ficer” and inserting “an investigating or a preliminary*  
21 *hearing officer”.*

22       (e) *SECTION HEADING.—The heading for such section*  
23 *(article) is amended to read as follows:*



1 **“§ 866. Art. 66. Courts of Criminal Appeals”.**2 **SEC. 6811. REVIEW BY COURT OF APPEALS FOR THE ARMED**  
3 **FORCES.**

4 (a) *JAG NOTIFICATION.*—Subsection (a)(2) of section  
5 867 of title 10, United States Code (article 67 of the Uni-  
6 form Code of Military Justice), is amended by inserting  
7 after “the Judge Advocate General” the following: “, after  
8 appropriate notification to the other Judge Advocates Gen-  
9 eral and to the Staff Judge Advocate to the Commandant  
10 of the Marine Corps,”.

11 (b) *BASIS FOR REVIEW.*—Subsection (c) of such section  
12 (article) is amended—

13 (1) by inserting “(1)” after “(c)”;

14 (2) by designating the second sentence as para-  
15 graph (2);

16 (3) by designating the third sentence as para-  
17 graph (3);

18 (4) by designating the fourth sentence as para-  
19 graph (4); and

20 (5) in paragraph (1), as designated by para-  
21 graph (1) of this subsection, by striking “only with  
22 respect to” and all that follows through the end of the  
23 sentence and inserting the following:

24 “(1) “only with respect to—

25 “(A) the findings and sentence set forth in  
26 the entry of judgment, as affirmed or set aside

1           *as incorrect in law by the Court of Criminal Ap-*  
2           *peals; or*

3           *“(B) a decision, judgment, or order by a*  
4           *military judge, as affirmed or set aside as incor-*  
5           *rect in law by the Court of Criminal Appeals.”.*

6 **SEC. 6812. SUPREME COURT REVIEW.**

7           *The second sentence of subsection (a) of section 867a*  
8           *of title 10, United States Code (article 67a of the Uniform*  
9           *Code of Military Justice), is amended by inserting before*  
10          *“Court of Appeals” the following: “United States”.*

11 **SEC. 6813. REVIEW BY JUDGE ADVOCATE GENERAL.**

12          *Section 869 of title 10, United States Code (article 69*  
13          *of the Uniform Code of Military Justice), is amended to*  
14          *read as follows:*

15 **“§ 869. Art. 69. Review by Judge Advocate General**

16          *“(a) IN GENERAL.—Upon application by the accused*  
17          *and subject to subsections (b), (c), and (d), the Judge Advo-*  
18          *cate General may modify or set aside, in whole or in part,*  
19          *the findings and sentence in a court-martial that is not*  
20          *reviewed under section 866 of this title (article 66).*

21          *“(b) TIMING.—To qualify for consideration, an appli-*  
22          *cation under subsection (a) must be submitted to the Judge*  
23          *Advocate General not later than one year after the date of*  
24          *completion of review under section 864 or 865 of this title*  
25          *(article 64 or 65), as the case may be. The Judge Advocate*

1 *General may, for good cause shown, extend the period for*  
2 *submission of an application, but may not consider an ap-*  
3 *plication submitted more than three years after such com-*  
4 *pletion date.*

5       “(c) *SCOPE.—(1)(A) In a case reviewed under section*  
6 *864 or section 865(b) of this title (article 64 or 65(b)), the*  
7 *Judge Advocate General may set aside the findings or sen-*  
8 *tence, in whole or in part on the grounds of newly discov-*  
9 *ered evidence, fraud on the court, lack of jurisdiction over*  
10 *the accused or the offense, error prejudicial to the substan-*  
11 *tial rights of the accused, or the appropriateness of the sen-*  
12 *tence.*

13       “(B) *In setting aside findings or sentence, the Judge*  
14 *Advocate General may order a rehearing, except that a re-*  
15 *hearing may not be ordered in violation of section 844 of*  
16 *this title (Article 44).*

17       “(C) *If the Judge Advocate General sets aside findings*  
18 *and sentence and does not order a rehearing, the Judge Ad-*  
19 *vocate General shall dismiss the charges.*

20       “(D) *If the Judge Advocate General sets aside findings*  
21 *and orders a rehearing and the convening authority deter-*  
22 *mines that a rehearing would be impractical, the convening*  
23 *authority shall dismiss the charges.*

24       “(2) *In a case reviewed under section 865(b) of this*  
25 *title (article 65(b)), review under this section is limited to*

1 *the issue of whether the waiver or withdrawal of an appeal*  
2 *was invalid under the law. If the Judge Advocate General*  
3 *determines that the waiver or withdrawal of an appeal was*  
4 *invalid, the Judge Advocate General shall order appropriate*  
5 *corrective action under rules prescribed by the President.*

6       “(d) COURT OF CRIMINAL APPEALS.—(1) *A Court of*  
7 *Criminal Appeals may review the action taken by the Judge*  
8 *Advocate General under subsection (c)—*

9               “(A) *in a case sent to the Court of Criminal Ap-*  
10 *peals by order of the Judge Advocate General; or*

11               “(B) *in a case submitted to the Court of Crimi-*  
12 *nal Appeals by the accused in an application for re-*  
13 *view.*

14       “(2) *The Court of Criminal Appeals may grant an ap-*  
15 *plication under paragraph (1)(B) only if—*

16               “(A) *the application demonstrates a substantial*  
17 *basis for concluding that the action on review under*  
18 *subsection (c) constituted prejudicial error; and*

19               “(B) *the application is filed not later than the*  
20 *earlier of—*

21                       “(i) *60 days after the date on which the ac-*  
22 *cusced is notified of the decision of the Judge Ad-*  
23 *vocate General; or*

24                       “(ii) *60 days after the date on which a copy*  
25 *of the decision of the Judge Advocate General is*

1           *deposited in the United States mails for delivery*  
2           *by first-class certified mail to the accused at an*  
3           *address provided by the accused or, if no such*  
4           *address has been provided by the accused, at the*  
5           *latest address listed for the accused in his official*  
6           *service record.*

7           “(3) *The submission of an application for review*  
8           *under this subsection does not constitute a proceeding before*  
9           *the Court of Criminal Appeals for purposes of section*  
10          *870(c)(1) of this title (article 70(c)(1)).*

11          “(e) *Notwithstanding section 866 of this title (article*  
12          *66), in any case reviewed by a Court of Criminal Appeals*  
13          *under subsection (d), the Court may take action only with*  
14          *respect to matters of law.”.*

15          **SEC. 6814. APPELLATE DEFENSE COUNSEL IN DEATH PEN-**  
16                           **ALTY CASES.**

17          *Section 870 of title 10, United States Code (article 70*  
18          *of the Uniform Code of Military Justice), is amended by*  
19          *adding at the end the following new subsection:*

20          “(f) *To the greatest extent practicable, in any capital*  
21          *case, at least one defense counsel under subsection (c) shall,*  
22          *as determined by the Judge Advocate General, be learned*  
23          *in the law applicable to such cases. If necessary, this counsel*  
24          *may be a civilian and, if so, may be compensated in accord-*

1 *ance with regulations prescribed by the Secretary of De-*  
 2 *fense.”.*

3 **SEC. 6815. AUTHORITY FOR HEARING ON VACATION OF SUS-**  
 4 **PENSION OF SENTENCE TO BE CONDUCTED**  
 5 **BY QUALIFIED JUDGE ADVOCATE.**

6 (a) *IN GENERAL.*—Subsection (a) of section 872 of title  
 7 10, United States Code (article 72) of the Uniform Code  
 8 of Military Justice), is amended by inserting after the first  
 9 sentence the following new sentence: “The special court-mar-  
 10 tial convening authority may detail a judge advocate, who  
 11 is certified under section 827(b) of this title (article 27(b)),  
 12 to conduct the hearing.”.

13 (b) *TECHNICAL AMENDMENTS.*—Such section (article)  
 14 is further amended—

15 (1) *in the last sentence of subsection (a), by*  
 16 *striking “if he so desires” and inserting “if the proba-*  
 17 *tioner so desires”;* and

18 (2) *in the second sentence of subsection (b)—*

19 (A) *by striking “If he” and inserting “If the*  
 20 *officer exercising general court-martial jurisdic-*  
 21 *tion”;* and

22 (B) *by striking “section 871(c) of this title*  
 23 *(article 71(c)).” and inserting “section 857 of*  
 24 *this title (article 57)).”.*

1 **SEC. 6816. EXTENSION OF TIME FOR PETITION FOR NEW**  
2 **TRIAL.**

3 *The first sentence of section 873 of title 10, United*  
4 *States Code (article 73 of the Uniform Code of Military Jus-*  
5 *tice), is amended by striking “two years after approval by*  
6 *the convening authority of a court-martial sentence,” and*  
7 *inserting “three years after the date of the entry of judgment*  
8 *under section 860c of this title (article 60c).”*

9 **SEC. 6817. RESTORATION.**

10 *Section 875 of title 10, United States Code (article 75*  
11 *of the Uniform Code of Military Justice), is amended by*  
12 *adding at the end the following new subsection:*

13 *“(d) The President shall prescribe regulations, with*  
14 *such limitations as the President considers appropriate,*  
15 *governing eligibility for pay and allowances for the period*  
16 *after the date on which an executed part of a court-martial*  
17 *sentence is set aside.”*

18 **SEC. 6818. LEAVE REQUIREMENTS PENDING REVIEW OF**  
19 **CERTAIN COURT-MARTIAL CONVICTIONS.**

20 *Section 876a of title 10, United States Code (article*  
21 *76a of the Uniform Code of Military Justice), is amended—*

22 *(1) in the first sentence, by striking “, as ap-*  
23 *proved under section 860 of this title (article 60),”;*  
24 *and*

25 *(2) in the second sentence, by striking “on which*  
26 *the sentence is approved under section 860 of this title*

1        *(article 60)” and inserting “of the entry of judgment*  
 2        *under section 860c of this title (article 60c)”.*

3                    **TITLE LXIX—PUNITIVE**  
 4                    **ARTICLES**

5    **SEC. 6901. REORGANIZATION OF PUNITIVE ARTICLES.**

6        *Sections of subchapter X of chapter 47 of title 10,*  
 7        *United States Code (articles of the Uniform Code of Mili-*  
 8        *tary Justice), are transferred within subchapter X and re-*  
 9        *designated as follows:*

10            (1) *ENLISTMENT AND SEPARATION.—Sections*  
 11            *883 and 884 (articles 83 and 84) are transferred so*  
 12            *as to appear (in that order) after section 904 (article*  
 13            *104) and are redesignated as sections 904a and 904b*  
 14            *(articles 104a and 104b), respectively.*

15            (2) *RESISTANCE, FLIGHT, BREACH OF ARREST,*  
 16            *AND ESCAPE.—Section 895 (article 95) is transferred*  
 17            *so as to appear after section 887 (article 87) and is*  
 18            *redesignated as section 887a (article 87a).*

19            (3) *NONCOMPLIANCE WITH PROCEDURAL*  
 20            *RULES.—Section 898 (article 98) is transferred so as*  
 21            *to appear after section 931 (article 131) and is red-*  
 22            *esignated as section 931f (article 131f).*

23            (4) *CAPTURED OR ABANDONED PROPERTY.—Sec-*  
 24            *tion 903 (article 103) is transferred so as to appear*



1       *after section 908 (article 108) and is redesignated as*  
2       *section 908a (article 108a).*

3               (5) *AIDING THE ENEMY.*—Section 904 (article  
4       104) is redesignated as section 903b (article 103b).

5               (6) *MISCONDUCT AS PRISONER.*—Section 905  
6       (article 105) is transferred so as to appear after sec-  
7       tion 897 (article 97) and is redesignated as section  
8       898 (article 98).

9               (7) *SPIES; ESPIONAGE.*—Sections 906 and 906a  
10       (articles 106 and 106a) are transferred so as to ap-  
11       pear (in that order) after section 902 (article 102)  
12       and are redesignated as sections 903 and 903a (arti-  
13       cles 103 and 103a), respectively.

14              (8) *MISBEHAVIOR OF SENTINEL.*—Section 913  
15       (article 113) is transferred so as to appear after sec-  
16       tion 894 (article 94) and is redesignated as section  
17       895 (article 95).

18              (9) *DRUNKEN OR RECKLESS OPERATION OF A*  
19       *VEHICLE, AIRCRAFT, OR VESSEL.*—Section 911 (arti-  
20       cle 111) is transferred so as to appear after section  
21       912a (article 912a) and is redesignated as section 913  
22       (article 113).

23              (10) *HOUSEBREAKING.*—Section 930 (article  
24       130) is redesignated as section 929a (article 129a).

1           (11) *STALKING*.—Section 920a (article 120a) is  
 2           transferred so as to appear after section 929a (article  
 3           129a), as redesignated by paragraph (10), and is re-  
 4           designated as section 930 (article 130).

5           (12) *FORGERY*.—Section 923 (article 123) is  
 6           transferred so as to appear after section 904b (article  
 7           104b), as transferred and redesignated by paragraph  
 8           (1), and is redesignated as section 905 (article 105).

9           (13) *MAIMING*.—Section 924 (article 124) is  
 10          transferred so as to appear after section 928 (article  
 11          128) and is redesignated as section 928a (article  
 12          128a).

13          (14) *FRAUDS AGAINST THE UNITED STATES*.—  
 14          Section 932 of (article 132) is transferred so as to ap-  
 15          pear after section 923a (article 123a) and is redesi-  
 16          gnated as section 924 (article 124).

17 **SEC. 6902. CONVICTION OF OFFENSE CHARGED, LESSER IN-**  
 18 **CLUDED OFFENSES, AND ATTEMPTS.**

19          Section 879 of title 10, United States Code (article 79  
 20          of the Uniform Code of Military Justice), is amended to  
 21          read as follows:

22 **“§ 879. Art. 79. Conviction of offense charged, lesser**  
 23 **included offenses, and attempts**

24          “(a) *IN GENERAL*.—An accused may be found guilty  
 25          of any of the following:

1           “(1) *The offense charged.*

2           “(2) *A lesser included offense.*

3           “(3) *An attempt to commit the offense charged.*

4           “(4) *An attempt to commit a lesser included of-*  
5 *fense, if the attempt is an offense in its own right.*

6           “(b) *DEFINITION.—In this section (article), the term*  
7 *‘lesser included offense’ means—*

8                 “(1) *an offense that is necessarily included in the*  
9 *offense charged; and*

10                “(2) *any lesser included offense so designated by*  
11 *regulation prescribed by the President.*

12           “(c) *REGULATORY AUTHORITY.—Any designation of a*  
13 *lesser included offense in a regulation referred to in sub-*  
14 *section (b) shall be reasonably included in the greater of-*  
15 *fense.”.*

16 **SEC. 6903. SOLICITING COMMISSION OF OFFENSES.**

17           *Section 882 of title 10, United States Code (article 82*  
18 *of the Uniform Code of Military Justice), is amended to*  
19 *read as follows:*

20 **“§ 882. Art. 82. Soliciting commission of offenses**

21           “(a) *SOLICITING COMMISSION OF OFFENSES GEN-*  
22 *ERALLY.—Any person subject to this chapter who solicits*  
23 *or advises another to commit an offense under this chapter*  
24 *(other than an offense specified in subsection (b)) shall be*  
25 *punished as a court-martial may direct.*

1       “(b) *SOLICITING DESERTION, MUTINY, SEDITION, OR*  
 2 *MISBEHAVIOR BEFORE THE ENEMY.*—Any person subject  
 3 to this chapter who solicits or advises another to violate sec-  
 4 tion 885 of this title (article 85), section 894 of this title  
 5 (article 94), or section 899 of this title (article 99)—

6               “(1) if the offense solicited or advised is at-  
 7 tempted or is committed, shall be punished with the  
 8 punishment provided for the commission of the of-  
 9 fense; and

10              “(2) if the offense solicited or advised is not at-  
 11 tempted or committed, shall be punished as a court-  
 12 martial may direct.”.

13 **SEC. 6904. MALINGERING.**

14       Subchapter X of chapter 47 of title 10, United States  
 15 Code, is amended by inserting after section 882 (article 82  
 16 of the Uniform Code of Military Justice), as amended by  
 17 section 6903, the following new section (article):

18 **“§ 883. Art. 83. Malingering**

19       “Any person subject to this chapter who, with the in-  
 20 tent to avoid work, duty, or service—

21               “(1) feigns illness, physical disablement, mental  
 22 lapse, or mental derangement; or

23               “(2) intentionally inflicts self-injury;  
 24 shall be punished as a court-martial may direct.”.

1 **SEC. 6905. BREACH OF MEDICAL QUARANTINE.**

2 *Subchapter X of chapter 47 of title 10, United States*  
 3 *Code, is amended by inserting after section 883 (article 83*  
 4 *of the Uniform Code of Military Justice), as added by sec-*  
 5 *tion 6904, the following new section (article):*

6 **“§ 884. Art. 84. Breach of medical quarantine**

7 *“Any person subject to this chapter—*

8 *“(1) who is ordered into medical quarantine by*  
 9 *a person authorized to issue such order; and*

10 *“(2) who, with knowledge of the quarantine and*  
 11 *the limits of the quarantine, goes beyond those limits*  
 12 *before being released from the quarantine by proper*  
 13 *authority;*

14 *shall be punished as a court-martial may direct.”.*

15 **SEC. 6906. MISSING MOVEMENT; JUMPING FROM VESSEL.**

16 *Section 887 of title 10, United States Code (article 87*  
 17 *of the Uniform Code of Military Justice), is amended to*  
 18 *read as follows:*

19 **“§ 887. Art. 87. Missing movement; jumping from ves-**  
 20 **sel**

21 *“(a) MISSING MOVEMENT.—Any person subject to this*  
 22 *chapter who, through neglect or design, misses the movement*  
 23 *of a ship, aircraft, or unit with which the person is required*  
 24 *in the course of duty to move shall be punished as a court-*  
 25 *martial may direct.*

1       “(b) *JUMPING FROM VESSEL INTO THE WATER.*—Any  
 2 person subject to this chapter who wrongfully and inten-  
 3 tionally jumps into the water from a vessel in use by the  
 4 armed forces shall be punished as a court-martial may di-  
 5 rect.”.

6 **SEC. 6907. OFFENSES AGAINST CORRECTIONAL CUSTODY**  
 7                                   **AND RESTRICTION.**

8       Subchapter X of chapter 47 of title 10, United States  
 9 Code, is amended by inserting after section 887a (article  
 10 87a of the Uniform Code of Military Justice), as transferred  
 11 and redesignated by section 6901(2), the following new sec-  
 12 tion (article):

13 **“§887b. Art. 87b. Offenses against correctional cus-**  
 14                                   **tody and restriction**

15       “(a) *ESCAPE FROM CORRECTIONAL CUSTODY.*—Any  
 16 person subject to this chapter—

17               “(1) who is placed in correctional custody by a  
 18 person authorized to do so;

19               “(2) who, while in correctional custody, is under  
 20 physical restraint; and

21               “(3) who escapes from the physical restraint be-  
 22 fore being released from the physical restraint by  
 23 proper authority;

24 shall be punished as a court-martial may direct.

1       “(b) *BREACH OF CORRECTIONAL CUSTODY.*—Any per-  
2 son subject to this chapter—

3               “(1) *who is placed in correctional custody by a*  
4 *person authorized to do so;*

5               “(2) *who, while in correctional custody, is under*  
6 *restraint other than physical restraint; and*

7               “(3) *who goes beyond the limits of the restraint*  
8 *before being released from the correctional custody or*  
9 *relieved of the restraint by proper authority;*  
10 *shall be punished as a court-martial may direct.*

11       “(c) *BREACH OF RESTRICTION.*—Any person subject  
12 to this chapter—

13               “(1) *who is ordered to be restricted to certain*  
14 *limits by a person authorized to do so; and*

15               “(2) *who, with knowledge of the limits of the re-*  
16 *striction, goes beyond those limits before being re-*  
17 *leased by proper authority;*

18 *shall be punished as a court-martial may direct.”.*

19 **SEC. 6908. DISRESPECT TOWARD SUPERIOR COMMISSIONED**  
20 **OFFICER; ASSAULT OF SUPERIOR COMMIS-**  
21 **SIONED OFFICER.**

22       *Section 889 of title 10, United States Code (article 89*  
23 *of the Uniform Code of Military Justice), is amended to*  
24 *read as follows:*

1 **“§ 889. Art. 89. Disrespect toward superior commis-**  
 2 **sioned officer; assault of superior commis-**  
 3 **sioned officer**

4 “(a) *DISRESPECT.*—Any person subject to this chapter  
 5 who behaves with disrespect toward that person’s superior  
 6 commissioned officer shall be punished as a court-martial  
 7 may direct.

8 “(b) *ASSAULT.*—Any person subject to this chapter  
 9 who strikes that person’s superior commissioned officer or  
 10 draws or lifts up any weapon or offers any violence against  
 11 that officer while the officer is in the execution of the offi-  
 12 cer’s office shall be punished—

13 “(1) if the offense is committed in time of war,  
 14 by death or such other punishment as a court-martial  
 15 may direct; and

16 “(2) if the offense is committed at any other  
 17 time, by such punishment, other than death, as a  
 18 court-martial may direct.”.

19 **SEC. 6909. WILLFULLY DISOBEYING SUPERIOR COMMIS-**  
 20 **SIONED OFFICER.**

21 *Section 890 of title 10, United States Code (article 90*  
 22 *of the Uniform Code of Military Justice), is amended to*  
 23 *read as follows:*



1 **“§ 890. Art. 90. Willfully disobeying superior commis-**  
 2 **sioned officer**

3 *“Any person subject to this chapter who willfully dis-*  
 4 *obeys a lawful command of that person’s superior commis-*  
 5 *sioned officer shall be punished—*

6 *“(1) if the offense is committed in time of war,*  
 7 *by death or such other punishment as a court-martial*  
 8 *may direct; and*

9 *“(2) if the offense is committed at any other*  
 10 *time, by such punishment, other than death, as a*  
 11 *court-martial may direct.”.*

12 **SEC. 6910. PROHIBITED ACTIVITIES WITH MILITARY RE-**  
 13 **CRUIT OR TRAINEE BY PERSON IN POSITION**  
 14 **OF SPECIAL TRUST.**

15 *Subchapter X of chapter 47 of title 10, United States*  
 16 *Code, is amended by inserting after section 893 (article 93*  
 17 *of the Uniform Code of Military Justice), the following new*  
 18 *section (article):*

19 **“§ 893a. Art. 93a. Prohibited activities with military**  
 20 **recruit or trainee by person in position of**  
 21 **special trust**

22 *“(a) ABUSE OF TRAINING LEADERSHIP POSITION.—*  
 23 *Any person subject to this chapter—*

24 *“(1) who is an officer, a noncommissioned offi-*  
 25 *cer, or a petty officer;*

1           “(2) *who is in a training leadership position*  
2           *with respect to a specially protected junior member of*  
3           *the armed forces; and*

4           “(3) *who engages in prohibited sexual activity*  
5           *with such specially protected junior member of the*  
6           *armed forces;*

7           *shall be punished as a court-martial may direct.*

8           “(b) *ABUSE OF POSITION AS MILITARY RECRUITER.—*  
9           *Any person subject to this chapter—*

10           “(1) *who is a military recruiter and engages in*  
11           *prohibited sexual activity with an applicant for mili-*  
12           *tary service; or*

13           “(2) *who is a military recruiter and engages in*  
14           *prohibited sexual activity with a specially protected*  
15           *junior member of the armed forces who is enlisted*  
16           *under a delayed entry program;*

17           *shall be punished as a court-martial may direct.*

18           “(c) *CONSENT.—Consent is not a defense for any con-*  
19           *duct at issue in a prosecution under this section (article).*

20           “(d) *DEFINITIONS.—In this section (article):*

21           “(1) *SPECIALLY PROTECTED JUNIOR MEMBER OF*  
22           *THE ARMED FORCES.—The term ‘specially protected*  
23           *junior member of the armed forces’ means—*

24           “(A) *a member of the armed forces who is*  
25           *assigned to, or is awaiting assignment to, basic*

1           *training or other initial active duty for training,*  
2           *including a member who is enlisted under a de-*  
3           *layed entry program;*

4           “(B) *a member of the armed forces who is*  
5           *a cadet, a midshipman, an officer candidate, or*  
6           *a student in any other officer qualification pro-*  
7           *gram; and*

8           “(C) *a member of the armed forces in any*  
9           *program that, by regulation prescribed by the*  
10          *Secretary concerned, is identified as a training*  
11          *program for initial career qualification.*

12          “(2) *TRAINING LEADERSHIP POSITION.—The*  
13          *term ‘training leadership position’ means, with re-*  
14          *spect to a specially protected junior member of the*  
15          *armed forces, any of the following:*

16                 “(A) *Any drill instructor position or other*  
17                 *leadership position in a basic training program,*  
18                 *an officer candidate school, a reserve officers’*  
19                 *training corps unit, a training program for*  
20                 *entry into the armed forces, or any program*  
21                 *that, by regulation prescribed by the Secretary*  
22                 *concerned, is identified as a training program*  
23                 *for initial career qualification.*

24                 “(B) *Faculty and staff of the United States*  
25                 *Military Academy, the United States Naval*

1           *Academy, the United States Air Force Academy,*  
 2           *and the United States Coast Guard Academy.*

3           “(3) *APPLICANT FOR MILITARY SERVICE.*—*The*  
 4           *term ‘applicant for military service’ means a person*  
 5           *who, under regulations prescribed by the Secretary*  
 6           *concerned, is an applicant for original enlistment or*  
 7           *appointment in the armed forces.*

8           “(4) *MILITARY RECRUITER.*—*The term ‘military*  
 9           *recruiter’ means a person who, under regulations pre-*  
 10          *scribed by the Secretary concerned, has the primary*  
 11          *duty to recruit persons for military service.*

12          “(5) *PROHIBITED SEXUAL ACTIVITY.*—*The term*  
 13          *‘prohibited sexual activity’ means, as specified in reg-*  
 14          *ulations prescribed by the Secretary concerned, inap-*  
 15          *propriate physical intimacy under circumstances de-*  
 16          *scribed in such regulations.”.*

17 **SEC. 6911. OFFENSES BY SENTINEL OR LOOKOUT.**

18          *Section 895 of title 10, United States Code (article 95*  
 19          *of the Uniform Code of Military Justice), as transferred and*  
 20          *redesignated by section 6901(8), is amended to read as fol-*  
 21          *lows:*

22 **“§ 895. Art. 95. Offenses by sentinel or lookout**

23          “(a) *DRUNK OR SLEEPING ON POST, OR LEAVING*  
 24          *POST BEFORE BEING RELIEVED.*—*Any sentinel or lookout*

1 *who is drunk on post, who sleeps on post, or who leaves*  
 2 *post before being regularly relieved, shall be punished—*

3           “(1) *if the offense is committed in time of war,*  
 4           *by death or such other punishment as a court-martial*  
 5           *may direct; and*

6           “(2) *if the offense is committed other than in*  
 7           *time of war, by such punishment, other than death,*  
 8           *as a court-martial may direct.*

9           “(b) *LOITERING OR WRONGFULLY SITTING ON*  
 10 *POST.—Any sentinel or lookout who loiters or wrongfully*  
 11 *sits down on post shall be punished as a court-martial may*  
 12 *direct.”.*

13 **SEC. 6912. DISRESPECT TOWARD SENTINEL OR LOOKOUT.**

14           *Subchapter X of chapter 47 of title 10, United States*  
 15 *Code, is amended by inserting after section 895 (article 95*  
 16 *of the Uniform Code of Military Justice), as amended by*  
 17 *section 6911, the following new section (article):*

18 **“§895a. Art. 95a. Disrespect toward sentinel or look-**  
 19   **out**

20           “(a) *DISRESPECTFUL LANGUAGE TOWARD SENTINEL*  
 21 *OR LOOKOUT.—Any person subject to this chapter who,*  
 22 *knowing that another person is a sentinel or lookout, uses*  
 23 *wrongful and disrespectful language that is directed toward*  
 24 *and within the hearing of the sentinel or lookout, who is*

1 *in the execution of duties as a sentinel or lookout, shall be*  
 2 *punished as a court-martial may direct.*

3       “(b) *DISRESPECTFUL BEHAVIOR TOWARD SENTINEL*  
 4 *OR LOOKOUT.*—Any person subject to this chapter who,  
 5 knowing that another person is a sentinel or lookout, be-  
 6 haves in a wrongful and disrespectful manner that is di-  
 7 rected toward and within the sight of the sentinel or lookout,  
 8 who is in the execution of duties as a sentinel or lookout,  
 9 shall be punished as a court-martial may direct.”.

10 **SEC. 6913. RELEASE OF PRISONER WITHOUT AUTHORITY;**  
 11                                   **DRINKING WITH PRISONER.**

12       Section 896 of title 10, United States Code (article 96  
 13 of the Uniform Code of Military Justice), is amended to  
 14 read as follows:

15 **“§ 896. Art. 96. Release of prisoner without authority;**  
 16                                   **drinking with prisoner**

17       “(a) *RELEASE OF PRISONER WITHOUT AUTHORITY.*—  
 18 Any person subject to this chapter—

19               “(1) who, without authority to do so, releases a  
 20               prisoner; or

21               “(2) who, through neglect or design, allows a  
 22               prisoner to escape;

23 shall be punished as a court-martial may direct, whether  
 24 or not the prisoner was committed in strict compliance with  
 25 the law.

1       “(b) *DRINKING WITH PRISONER.*—Any person subject  
 2 to this chapter who unlawfully drinks any alcoholic bev-  
 3 erage with a prisoner shall be punished as a court-martial  
 4 may direct.”.

5 **SEC. 6914. PENALTY FOR ACTING AS A SPY.**

6       Section 903 of title 10, United States Code (article 103  
 7 of the Uniform Code of Military Justice), as transferred and  
 8 redesignated by section 6901(7), is amended by inserting  
 9 before the period at the end of the first sentence the fol-  
 10 lowing: “or such other punishment as a court-martial or  
 11 a military commission may direct”.

12 **SEC. 6915. PUBLIC RECORDS OFFENSES.**

13       Subchapter X of chapter 47 of title 10, United States  
 14 Code, is amended by inserting after section 903b (article  
 15 103b of the Uniform Code of Military Justice), as redesign-  
 16 ated by section 6901(5), the following new section (article):

17 **“§904. Art. 104. Public records offenses**

18       “Any person subject to this chapter who, willfully and  
 19 unlawfully—

20               “(1) alters, conceals, removes, mutilates, obliterate,  
 21 or destroys a public record; or

22               “(2) takes a public record with the intent to  
 23 alter, conceal, remove, mutilate, obliterate, or destroy  
 24 the public record;

25 shall be punished as a court-martial may direct.”.

1 **SEC. 6916. FALSE OR UNAUTHORIZED PASS OFFENSES.**

2 *Subchapter X of chapter 47 of title 10, United States*  
 3 *Code, is amended by inserting after section 905 (article 105*  
 4 *of the Uniform Code of Military Justice), as transferred and*  
 5 *redesignated by section 6901(12), the following new section*  
 6 *(article):*

7 **“§905a. Art. 105a. False or unauthorized pass offenses**

8 *“(a) WRONGFUL MAKING, ALTERING, ETC.—Any per-*  
 9 *son subject to this chapter who, wrongfully and falsely,*  
 10 *makes, alters, counterfeits, or tampers with a military or*  
 11 *official pass, permit, discharge certificate, or identification*  
 12 *card shall be punished as a court-martial may direct.*

13 *“(b) WRONGFUL SALE, ETC.—Any person subject to*  
 14 *this chapter who wrongfully sells, gives, lends, or disposes*  
 15 *of a false or unauthorized military or official pass, permit,*  
 16 *discharge certificate, or identification card, knowing that*  
 17 *the pass, permit, discharge certificate, or identification card*  
 18 *is false or unauthorized, shall be punished as a court-mar-*  
 19 *tial may direct.*

20 *“(c) WRONGFUL USE OR POSSESSION.—Any person*  
 21 *subject to this chapter who wrongfully uses or possesses a*  
 22 *false or unauthorized military or official pass, permit, dis-*  
 23 *charge certificate, or identification card, knowing that the*  
 24 *pass, permit, discharge certificate, or identification card is*  
 25 *false or unauthorized, shall be punished as a court-martial*  
 26 *may direct.”.*



1 **SEC. 6917. IMPERSONATION OFFENSES.**

2 *Subchapter X of chapter 47 of title 10, United States*  
3 *Code, is amended by inserting after section 905a (article*  
4 *105a of the Uniform Code of Military Justice), as added*  
5 *by section 6916, the following new section (article):*

6 **“§906. Art. 106. Impersonation of officer, noncommis-**  
7 **sioned or petty officer, or agent or official**

8 *“(a) IN GENERAL.—Any person subject to this chapter*  
9 *who, wrongfully and willfully, impersonates—*

10 *“(1) an officer, a noncommissioned officer, or a*  
11 *petty officer;*

12 *“(2) an agent of superior authority of one of the*  
13 *armed forces; or*

14 *“(3) an official of a government;*

15 *shall be punished as a court-martial may direct.*

16 *“(b) IMPERSONATION WITH INTENT TO DEFRAUD.—*  
17 *Any person subject to this chapter who, wrongfully, will-*  
18 *fully, and with intent to defraud, impersonates any person*  
19 *referred to in paragraph (1), (2), or (3) of subsection (a)*  
20 *shall be punished as a court-martial may direct.*

21 *“(c) IMPERSONATION OF GOVERNMENT OFFICIAL*  
22 *WITHOUT INTENT TO DEFRAUD.—Any person subject to*  
23 *this chapter who, wrongfully, willfully, and without intent*  
24 *to defraud, impersonates an official of a government by*  
25 *committing an act that exercises or asserts the authority*

1 *of the office that the person claims to have shall be punished*  
 2 *as a court-martial may direct.”.*

3 **SEC. 6918. INSIGNIA OFFENSES.**

4 *Subchapter X of chapter 47 of title 10, United States*  
 5 *Code, is amended by inserting after section 906 (article 106*  
 6 *of the Uniform Code of Military Justice), as added by sec-*  
 7 *tion 6917, the following new section (article):*

8 **“§906a. Art. 106a. Wearing unauthorized insignia,**  
 9 **decoration, badge, ribbon, device, or lapel**  
 10 **button**

11 *“Any person subject to this chapter—*

12 *“(1) who is not authorized to wear an insignia,*  
 13 *decoration, badge, ribbon, device, or lapel button; and*

14 *“(2) who wrongfully wears such insignia, decora-*  
 15 *tion, badge, ribbon, device, or lapel button upon the*  
 16 *person’s uniform or civilian clothing;*

17 *shall be punished as a court-martial may direct.”.*

18 **SEC. 6919. FALSE OFFICIAL STATEMENTS; FALSE SWEAR-**

19 **ING.**

20 *Section 907 of title 10, United States Code (article 107*  
 21 *of the Uniform Code of Military Justice), is amended to*  
 22 *read as follows:*

1 **“§ 907. Art. 107. False official statements; false swear-**  
 2 **ing**

3 “(a) *FALSE OFFICIAL STATEMENTS.*—Any person sub-  
 4 ject to this chapter who, with intent to deceive—

5 “(1) signs any false record, return, regulation,  
 6 order, or other official document, knowing it to be  
 7 false; or

8 “(2) makes any other false official statement  
 9 knowing it to be false;

10 shall be punished as a court-martial may direct.

11 “(b) *FALSE SWEARING.*—Any person subject to this  
 12 chapter—

13 “(1) who takes an oath that—

14 “(A) is administered in a matter in which  
 15 such oath is required or authorized by law; and

16 “(B) is administered by a person with au-  
 17 thority to do so; and

18 “(2) who, upon such oath, makes or subscribes to  
 19 a statement;

20 if the statement is false and at the time of taking the oath,  
 21 the person does not believe the statement to be true, shall  
 22 be punished as a court-martial may direct.”.

23 **SEC. 6920. PAROLE VIOLATION.**

24 Subchapter X of chapter 47 of title 10, United States  
 25 Code, is amended by inserting after section 907 (article 107

1 *of the Uniform Code of Military Justice), as amended by*  
 2 *section 6919, the following new section (article):*

3 **“§907a. Art. 107a. Parole violation**

4 *“Any person subject to this chapter—*

5 *“(1) who, having been a prisoner as the result of*  
 6 *a court-martial conviction or other criminal pro-*  
 7 *ceeding, is on parole with conditions; and*

8 *“(2) who violates the conditions of parole;*  
 9 *shall be punished as a court-martial may direct.”.*

10 **SEC. 6921. WRONGFUL TAKING, OPENING, ETC. OF MAIL**  
 11 **MATTER.**

12 *Subchapter X of chapter 47 of title 10, United States*  
 13 *Code, is amended by inserting after section 909 (article 109*  
 14 *of the Uniform Code of Military Justice), the following new*  
 15 *section (article):*

16 **“§909a. Art. 109a. Mail matter: wrongful taking,**  
 17 **opening, etc.**

18 *“(a) TAKING.—Any person subject to this chapter who,*  
 19 *with the intent to obstruct the correspondence of, or to pry*  
 20 *into the business or secrets of, any person or organization,*  
 21 *wrongfully takes mail matter before the mail matter is de-*  
 22 *livered to or received by the addressee shall be punished as*  
 23 *a court-martial may direct.*

24 *“(b) OPENING, SECRETING, DESTROYING, STEAL-*  
 25 *ING.—Any person subject to this chapter who wrongfully*

1 *opens, secretes, destroys, or steals mail matter before the*  
 2 *mail matter is delivered to or received by the addressee shall*  
 3 *be punished as a court-martial may direct.”.*

4 **SEC. 6922. IMPROPER HAZARDING OF VESSEL OR AIR-**  
 5 **CRAFT.**

6 *Section 910 of title 10, United States Code (article 110*  
 7 *of the Uniform Code of Military Justice), is amended to*  
 8 *read as follows:*

9 **“§910. Art. 110. Improper hazarding of vessel or air-**  
 10 **craft**

11 *“(a) WILLFUL AND WRONGFUL HAZARDING.—Any*  
 12 *person subject to this chapter who, willfully and wrongfully,*  
 13 *hazards or suffers to be hazarded any vessel or aircraft of*  
 14 *the armed forces shall be punished by death or such other*  
 15 *punishment as a court-martial may direct.*

16 *“(b) NEGLIGENT HAZARDING.—Any person subject to*  
 17 *this chapter who negligently hazards or suffers to be haz-*  
 18 *arded any vessel or aircraft of the armed forces shall be*  
 19 *punished as a court-martial may direct.”.*

20 **SEC. 6923. LEAVING SCENE OF VEHICLE ACCIDENT.**

21 *Subchapter X of chapter 47 of title 10, United States*  
 22 *Code, is amended by inserting after section 910 (article 110*  
 23 *of the Uniform Code of Military Justice), as amended by*  
 24 *section 6922, the following new section (article):*

1 **“§911. Art. 111. Leaving scene of vehicle accident**

2 “(a) *DRIVER.*—Any person subject to this chapter—

3 “(1) *who is the driver of a vehicle that is in-*  
4 *involved in an accident that results in personal injury*  
5 *or property damage; and*

6 “(2) *who wrongfully leaves the scene of the acci-*  
7 *dent—*

8 “(A) *without providing assistance to an in-*  
9 *jured person; or*

10 “(B) *without providing personal identifica-*  
11 *tion to others involved in the accident or to ap-*  
12 *propriate authorities;*

13 *shall be punished as a court-martial may direct.*

14 “(b) *SENIOR PASSENGER.*—Any person subject to this  
15 *chapter—*

16 “(1) *who is a passenger in a vehicle that is in-*  
17 *involved in an accident that results in personal injury*  
18 *or property damage;*

19 “(2) *who is the superior commissioned or non-*  
20 *commissioned officer of the driver of the vehicle or is*  
21 *the commander of the vehicle; and*

22 “(3) *who wrongfully and unlawfully orders,*  
23 *causes, or permits the driver to leave the scene of the*  
24 *accident—*

25 “(A) *without providing assistance to an in-*  
26 *jured person; or*

1                   “(B) without providing personal identifica-  
2                   tion to others involved in the accident or to ap-  
3                   propriate authorities;  
4                   shall be punished as a court-martial may direct.”.

5 **SEC. 6924. DRUNKENNESS AND OTHER INCAPACITATION**  
6                   **OFFENSES.**

7                   Section 912 of title 10, United States Code (article 112  
8 of the Uniform Code of Military Justice), is amended to  
9 read as follows:

10 **“§912. Art. 112. Drunkenness and other incapacita-**  
11                   **tion offenses**

12                   “(a) *DRUNK ON DUTY.*—Any person subject to this  
13 chapter who is drunk on duty shall be punished as a court-  
14 martial may direct.

15                   “(b) *INCAPACITATION FOR DUTY FROM DRUNKENNESS*  
16 *OR DRUG USE.*—Any person subject to this chapter who,  
17 as a result of indulgence in any alcoholic beverage or any  
18 drug, is incapacitated for the proper performance of duty  
19 shall be punished as a court-martial may direct.

20                   “(c) *DRUNK PRISONER.*—Any person subject to this  
21 chapter who is a prisoner and, while in such status, is  
22 drunk shall be punished as a court-martial may direct.”.

1 **SEC. 6925. LOWER BLOOD ALCOHOL CONTENT LIMITS FOR**  
 2 **CONVICTION OF DRUNKEN OR RECKLESS OP-**  
 3 **ERATION OF VEHICLE, AIRCRAFT, OR VESSEL.**

4 *Subsection (b)(3) of section 913 of title 10, United*  
 5 *States Code (article 113 of the Uniform Code of Military*  
 6 *Justice), as transferred and redesignated by section*  
 7 *6901(9), is amended—*

8 *(1) by striking “0.10 grams” both places it ap-*  
 9 *pears and inserting “0.08 grams”; and*

10 *(2) by adding at the end the following new sen-*  
 11 *tence: “The Secretary may by regulation prescribe*  
 12 *limits that are lower than the limits specified in the*  
 13 *preceding sentence, if such lower limits are based on*  
 14 *scientific developments, as reflected in Federal law of*  
 15 *general applicability.”.*

16 **SEC. 6926. ENDANGERMENT OFFENSES.**

17 *Section 914 of title 10, United States Code (article 114*  
 18 *of the Uniform Code of Military Justice), is amended to*  
 19 *read as follows:*

20 **“§914. Art. 114. Endangerment offenses**

21 *“(a) RECKLESS ENDANGERMENT.—Any person subject*  
 22 *to this chapter who engages in conduct that—*

23 *“(1) is wrongful and reckless or is wanton; and*

24 *“(2) is likely to produce death or grievous bodily*  
 25 *harm to another person;*

26 *shall be punished as a court-martial may direct.*



1       “(b) *DUELING.*—Any person subject to this chapter—

2               “(1) *who fights or promotes, or is concerned in*  
3       *or connives at fighting a duel; or*

4               “(2) *who, having knowledge of a challenge sent*  
5       *or about to be sent, fails to report the facts promptly*  
6       *to the proper authority;*

7       *shall be punished as a court-martial may direct.*

8       “(c) *FIREARM DISCHARGE, ENDANGERING HUMAN*  
9       *LIFE.*—Any person subject to this chapter who, willfully  
10       *and wrongly, discharges a firearm, under circumstances*  
11       *such as to endanger human life shall be punished as a court-*  
12       *martial may direct.*

13       “(d) *CARRYING CONCEALED WEAPON.*—Any person  
14       *subject to this chapter who unlawfully carries a dangerous*  
15       *weapon concealed on or about his person shall be punished*  
16       *as a court-martial may direct.”.*

17       **SEC. 6927. COMMUNICATING THREATS.**

18       *Section 915 of title 10, United States Code (article 115*  
19       *of the Uniform Code of Military Justice), is amended to*  
20       *read as follows:*

21       **“§915. Art. 115. Communicating threats**

22               “(a) *COMMUNICATING THREATS GENERALLY.*—Any  
23       *person subject to this chapter who wrongfully communicates*  
24       *a threat to injure the person, property, or reputation of an-*  
25       *other shall be punished as a court-martial may direct.*

1       “(b) *COMMUNICATING THREAT TO USE EXPLOSIVE,*  
2 *ETC.—Any person subject to this chapter who wrongfully*  
3 *communicates a threat to injure the person or property of*  
4 *another by use of (1) an explosive, (2) a weapon of mass*  
5 *destruction, (3) a biological or chemical agent, substance,*  
6 *or weapon, or (4) a hazardous material, shall be punished*  
7 *as a court-martial may direct.*

8       “(c) *COMMUNICATING FALSE THREAT CONCERNING*  
9 *USE OF EXPLOSIVE, ETC.—Any person subject to this chap-*  
10 *ter who maliciously communicates a false threat concerning*  
11 *injury to the person or property of another by use of (1)*  
12 *an explosive, (2) a weapon of mass destruction, (3) a bio-*  
13 *logical or chemical agent, substance, or weapon, or (4) a*  
14 *hazardous material, shall be punished as a court-martial*  
15 *may direct. As used in the preceding sentence, the term*  
16 *‘false threat’ means a threat that, at the time the threat*  
17 *is communicated, is known to be false by the person commu-*  
18 *nicating the threat.’.*

19 **SEC. 6928. TECHNICAL AMENDMENT RELATING TO MURDER.**

20       *Section 918(4) of title 10, United States Code (article*  
21 *118(4) of the Uniform Code of Military Justice), is amend-*  
22 *ed by striking “forcible sodomy.”.*

23 **SEC. 6929. CHILD ENDANGERMENT.**

24       *Subchapter X of chapter 47 of title 10, United States*  
25 *Code, is amended by inserting after section 919a (article*

1 119a of the Uniform Code of Military Justice), the following  
 2 new section (article):

3 **“§919b. Art. 119b. Child endangerment**

4 “Any person subject to this chapter—

5 “(1) who has a duty for the care of a child under  
 6 the age of 16 years; and

7 “(2) who, through design or culpable negligence,  
 8 endangers the child’s mental or physical health, safe-  
 9 ty, or welfare;

10 shall be punished as a court-martial may direct.”.

11 **SEC. 6930. DEPOSIT OF OBSCENE MATTER IN THE MAIL.**

12 Subchapter X of chapter 47 of title 10, United States  
 13 Code, is amended by inserting after section 920 (article 120  
 14 of the Uniform Code of Military Justice), the following new  
 15 section (article):

16 **“§920a. Art. 120a. Mails: deposit of obscene matter**

17 “Any person subject to this chapter who, wrongfully  
 18 and knowingly, deposits obscene matter for mailing and de-  
 19 livery shall be punished as a court-martial may direct.”.

20 **SEC. 6931. FRAUDULENT USE OF CREDIT CARDS, DEBIT**  
 21 **CARDS, AND OTHER ACCESS DEVICES.**

22 Subchapter X of chapter 47 of title 10, United States  
 23 Code, is amended by inserting after section 921 (article 121  
 24 of the Uniform Code of Military Justice), the following new  
 25 section (article):

1 **“§921a. Art. 121a. Fraudulent use of credit cards,**  
 2 **debit cards, and other access devices**

3 “(a) *IN GENERAL.*—Any person subject to this chapter  
 4 who, with intent to defraud, uses—

5 “(1) a stolen credit card, debit card, or other ac-  
 6 cess device;

7 “(2) a revoked, cancelled, or otherwise invalid  
 8 credit card, debit card, or other access device; or

9 “(3) a credit card, debit card, or other access de-  
 10 vice without the authorization of a person whose au-  
 11 thorization is required for such use;

12 to obtain money, property, services, or anything else of  
 13 value shall be punished as a court-martial may direct.

14 “(b) *DEFINITION.*—In this section (article), the term  
 15 ‘access device’ has the meaning given that term in section  
 16 1029 of title 18.”.

17 **SEC. 6932. FALSE PRETENSES TO OBTAIN SERVICES.**

18 *Subchapter X of chapter 47 of title 10, United States*  
 19 *Code, is amended by inserting after section 921a (article*  
 20 *121a of the Uniform Code of Military Justice), as added*  
 21 *by section 6931, the following new section (article):*

22 **“§921b. Art. 121b. False pretenses to obtain services**

23 “Any person subject to this chapter who, with intent  
 24 to defraud, knowingly uses false pretenses to obtain services  
 25 shall be punished as a court-martial may direct.”.

1 **SEC. 6933. ROBBERY.**

2 *Section 922 of title 10, United States Code (article 122*  
3 *of the Uniform Code of Military Justice), is amended to*  
4 *read as follows:*

5 **“§ 922. Art. 122. Robbery**

6 *“Any person subject to this chapter who takes anything*  
7 *of value from the person or in the presence of another,*  
8 *against his will, by means of force or violence or fear of*  
9 *immediate or future injury to his person or property or*  
10 *to the person or property of a relative or member of his*  
11 *family or of anyone in his company at the time of the rob-*  
12 *bery, is guilty of robbery and shall be punished as a court-*  
13 *martial may direct.”.*

14 **SEC. 6934. RECEIVING STOLEN PROPERTY.**

15 *Subchapter X of chapter 47 of title 10, United States*  
16 *Code, is amended by inserting after section 922 (article 122*  
17 *of the Uniform Code of Military Justice), as amended by*  
18 *section 6933, the following new section (article):*

19 **“§ 922a. Art. 122a. Receiving stolen property**

20 *“Any person subject to this chapter who wrongfully re-*  
21 *ceives, buys, or conceals stolen property, knowing the prop-*  
22 *erty to be stolen property, shall be punished as a court-*  
23 *martial may direct.”.*

1 **SEC. 6935. OFFENSES CONCERNING GOVERNMENT COM-**  
2 **PUTERS.**

3 *Subchapter X of chapter 47 of title 10, United States*  
4 *Code, is amended by inserting after section 922a (article*  
5 *122a of the Uniform Code of Military Justice), as added*  
6 *by section 6934, the following new section (article):*

7 **“§923. Art. 123. Offenses concerning government com-**  
8 **puters**

9 *“(a) IN GENERAL.—Any person subject to this chapter*  
10 *who—*

11 *“(1) knowingly accesses a Government computer,*  
12 *with an unauthorized purpose, and by doing so ob-*  
13 *tains classified information, with reason to believe*  
14 *such information could be used to the injury of the*  
15 *United States, or to the advantage of any foreign na-*  
16 *tion, and intentionally communicates, delivers, trans-*  
17 *mits, or causes to be communicated, delivered, or*  
18 *transmitted such information to any person not enti-*  
19 *tled to receive it;*

20 *“(2) intentionally accesses a Government com-*  
21 *puter, with an unauthorized purpose, and thereby ob-*  
22 *tains classified or other protected information from*  
23 *any such Government computer; or*

24 *“(3) knowingly causes the transmission of a pro-*  
25 *gram, information, code, or command, and as a result*

1       *of such conduct, intentionally causes damage without*  
 2       *authorization, to a Government computer;*  
 3       *shall be punished as a court-martial may direct.*

4       “(b) *DEFINITIONS.—In this section:*

5               “(1) *The term ‘computer’ has the meaning given*  
 6       *that term in section 1030 of title 18.*

7               “(2) *The term ‘Government computer’ means a*  
 8       *computer owned or operated by or on behalf of the*  
 9       *United States Government.*

10              “(3) *The term ‘damage’ has the meaning given*  
 11       *that term in section 1030 of title 18.”.*

12       **SEC. 6936. BRIBERY.**

13       *Subchapter X of chapter 47 of title 10, United States*  
 14       *Code, is amended by inserting after section 924 (article 124*  
 15       *of the Uniform Code of Military Justice), as transferred and*  
 16       *redesignated by section 6901(14), the following new section*  
 17       *(article):*

18       **“§ 924a. Art. 124a. Bribery**

19              “(a) *ASKING, ACCEPTING, OR RECEIVING THING OF*  
 20       *VALUE.—Any person subject to this chapter—*

21                   “(1) *who occupies an official position or who has*  
 22       *official duties; and*

23                   “(2) *who wrongfully asks, accepts, or receives a*  
 24       *thing of value with the intent to have the person’s de-*

1        *cision or action influenced with respect to an official*  
 2        *matter in which the United States is interested;*  
 3        *shall be punished as a court-martial may direct.*

4        “(b) *PROMISING, OFFERING, OR GIVING THING OF*  
 5        *VALUE.—Any person subject to this chapter who wrongfully*  
 6        *promises, offers, or gives a thing of value to another person,*  
 7        *who occupies an official position or who has official duties,*  
 8        *with the intent to influence the decision or action of the*  
 9        *other person with respect to an official matter in which the*  
 10       *United States is interested, shall be punished as a court-*  
 11       *martial may direct.”.*

12       **SEC. 6937. GRAFT.**

13       *Subchapter X of chapter 47 of title 10, United States*  
 14       *Code, is amended by inserting after section 924a (article*  
 15       *124a of the Uniform Code of Military Justice), as added*  
 16       *by section 6936, the following new section (article):*

17       **“§924b. Art. 124b. Graft**

18       “(a) *ASKING, ACCEPTING, OR RECEIVING THING OF*  
 19       *VALUE.—Any person subject to this chapter—*

20                *“(1) who occupies an official position or who has*  
 21                *official duties; and*

22                *“(2) who wrongfully asks, accepts, or receives a*  
 23                *thing of value as compensation for or in recognition*  
 24                *of services rendered or to be rendered by the person*



1       *with respect to an official matter in which the United*  
2       *States is interested;*  
3       *shall be punished as a court-martial may direct.*

4       “(b) *PROMISING, OFFERING, OR GIVING THING OF*  
5       *VALUE.—Any person subject to this chapter who wrongfully*  
6       *promises, offers, or gives a thing of value to another person,*  
7       *who occupies an official position or who has official duties,*  
8       *as compensation for or in recognition of services rendered*  
9       *or to be rendered by the other person with respect to an*  
10       *official matter in which the United States is interested,*  
11       *shall be punished as a court-martial may direct.”.*

12       **SEC. 6938. KIDNAPPING.**

13       *Section 925 of title 10, United States Code (article 125*  
14       *of the Uniform Code of Military Justice), is amended to*  
15       *read as follows:*

16       **“§925. Art. 125. Kidnapping**

17       *“Any person subject to this chapter who wrongfully—*

18               *“(1) seizes, confines, inveigles, decoys, or carries*  
19       *away another person; and*

20               *“(2) holds the other person against that person’s*  
21       *will;*

22       *shall be punished as a court-martial may direct.”.*

1 **SEC. 6939. ARSON; BURNING PROPERTY WITH INTENT TO**  
2 **DEFRAUD.**

3 *Section 926 of title 10, United States Code (article 126*  
4 *of the Uniform Code of Military Justice), is amended to*  
5 *read as follows:*

6 **“§926. Art. 126. Arson; burning property with intent**  
7 **to defraud**

8 *“(a) AGGRAVATED ARSON.—Any person subject to this*  
9 *chapter who, willfully and maliciously, burns or sets on fire*  
10 *an inhabited dwelling, or any other structure, movable or*  
11 *immovable, wherein, to the knowledge of that person, there*  
12 *is at the time a human being, is guilty of aggravated arson*  
13 *and shall be punished as a court-martial may direct.*

14 *“(b) SIMPLE ARSON.—Any person subject to this chap-*  
15 *ter who, willfully and maliciously, burns or sets fire to the*  
16 *property of another is guilty of simple arson and shall be*  
17 *punished as a court-martial may direct.*

18 *“(c) BURNING PROPERTY WITH INTENT TO DE-*  
19 *FRAUD.—Any person subject to this chapter who, willfully,*  
20 *maliciously, and with intent to defraud, burns or sets fire*  
21 *to any property shall be punished as a court-martial may*  
22 *direct.”.*

23 **SEC. 6940. ASSAULT.**

24 *Section 928 of title 10, United States Code (article 128*  
25 *of the Uniform Code of Military Justice), is amended to*  
26 *read as follows:*

1 **“§ 928. Art. 128. Assault**

2       “(a) *ASSAULT.*—Any person subject to this chapter  
3 who, unlawfully and with force or violence—

4               “(1) attempts to do bodily harm to another per-  
5 son;

6               “(2) offers to do bodily harm to another person;

7       or

8               “(3) does bodily harm to another person;

9 is guilty of assault and shall be punished as a court-martial  
10 may direct.

11       “(b) *AGGRAVATED ASSAULT.*—Any person subject to  
12 this chapter—

13               “(1) who, with the intent to do bodily harm, of-  
14 fers to do bodily harm with a dangerous weapon; or

15               “(2) who, in committing an assault, inflicts sub-  
16 stantial bodily harm, or grievous bodily harm on an-  
17 other person;

18 is guilty of aggravated assault and shall be punished as  
19 a court-martial may direct.

20       “(c) *ASSAULT WITH INTENT TO COMMIT SPECIFIED*  
21 *OFFENSES.*—

22               “(1) *IN GENERAL.*—Any person subject to this  
23 chapter who commits assault with intent to commit  
24 an offense specified in paragraph (2) shall be pun-  
25 ished as a court-martial may direct.

1           “(2) *OFFENSES SPECIFIED.*—*The offenses re-*  
 2           *ferred to in paragraph (1) are murder, voluntary*  
 3           *manslaughter, rape, sexual assault, rape of a child,*  
 4           *sexual assault of a child, robbery, arson, burglary,*  
 5           *and kidnapping.*”.

6   **SEC. 6941. BURGLARY AND UNLAWFUL ENTRY.**

7           *Section 929 of title 10, United States Code (article 129*  
 8           *of the Uniform Code of Military Justice), and section 929a*  
 9           *of such title (article 129a), as redesignated by section*  
 10          *6901(10), are amended to read as follows:*

11   **“§ 929. Art. 129. Burglary; unlawful entry**

12          “(a) *BURGLARY.*—*Any person subject to this chapter*  
 13          *who, with intent to commit an offense under this chapter,*  
 14          *breaks and enters the building or structure of another shall*  
 15          *be punished as a court-martial may direct.*

16          “(b) *UNLAWFUL ENTRY.*—*Any person subject to this*  
 17          *chapter who unlawfully enters—*

18                 “(1) *the real property of another; or*

19                 “(2) *the personal property of another which*  
 20                 *amounts to a structure usually used for habitation or*  
 21                 *storage;*

22          *shall be punished as a court-martial may direct.*”.

23   **SEC. 6942. STALKING.**

24          *Section 930 of title 10, United States Code (article 130*  
 25          *of the Uniform Code of Military Justice), as transferred and*

1 *redesignated by section 6901(11), is amended to read as fol-*  
2 *lows:*

3 **“§930. Art. 130. Stalking**

4       “(a) *IN GENERAL.*—*Any person subject to this chap-*  
5 *ter—*

6               “(1) *who wrongfully engages in a course of con-*  
7 *duct directed at a specific person that would cause a*  
8 *reasonable person to fear death or bodily harm, in-*  
9 *cluding sexual assault, to himself or herself, to a*  
10 *member of his or her immediate family, or to his or*  
11 *her intimate partner;*

12               “(2) *who has knowledge, or should have knowl-*  
13 *edge, that the specific person will be placed in reason-*  
14 *able fear of death or bodily harm, including sexual*  
15 *assault, to himself or herself, to a member of his or*  
16 *her immediate family, or to his or her intimate part-*  
17 *ner; and*

18               “(3) *whose conduct induces reasonable fear in*  
19 *the specific person of death or bodily harm, including*  
20 *sexual assault, to himself or herself, to a member of*  
21 *his or her immediate family, or to his or her intimate*  
22 *partner;*

23 *is guilty of stalking and shall be punished as a court-mar-*  
24 *tial may direct.*

25       “(b) *DEFINITIONS.*—*In this section:*

1           “(1) *The term ‘conduct’ means conduct of any*  
2 *kind, including use of surveillance, the mails, an*  
3 *interactive computer service, an electronic commu-*  
4 *nication service, or an electronic communication sys-*  
5 *tem.*

6           “(2) *The term ‘course of conduct’ means—*

7                 “(A) *a repeated maintenance of visual or*  
8 *physical proximity to a specific person;*

9                 “(B) *a repeated conveyance of verbal threat,*  
10 *written threats, or threats implied by conduct, or*  
11 *a combination of such threats, directed at or to-*  
12 *ward a specific person; or*

13                 “(C) *a pattern of conduct composed of re-*  
14 *peated acts evidencing a continuity of purpose.*

15           “(3) *The term ‘repeated’, with respect to conduct,*  
16 *means two or more occasions of such conduct.*

17           “(4) *The term ‘immediate family’, in the case of*  
18 *a specific person, means—*

19                 “(A) *that person’s spouse, parent, brother or*  
20 *sister, child, or other person to whom he or she*  
21 *stands in loco parentis; or*

22                 “(B) *any other person living in his or her*  
23 *household and related to him or her by blood or*  
24 *marriage.*

1           “(5) *The term ‘intimate partner’ in the case of*  
2           *a specific person, means—*

3                   “(A) *a former spouse of the specific person,*  
4                   *a person who shares a child in common with the*  
5                   *specific person, or a person who cohabits with or*  
6                   *has cohabited as a spouse with the specific per-*  
7                   *son; or*

8                   “(B) *a person who has been in a social rela-*  
9                   *tionship of a romantic or intimate nature with*  
10                   *the specific person, as determined by the length*  
11                   *of the relationship, the type of relationship, and*  
12                   *the frequency of interaction between the persons*  
13                   *involved in the relationship.”.*

14   **SEC. 6943. SUBORNATION OF PERJURY.**

15           *Subchapter X of chapter 47 of title 10, United States*  
16           *Code, is amended by inserting after section 931 (article 131*  
17           *of the Uniform Code of Military Justice), the following new*  
18           *section (article):*

19   **“§931a. Art. 131a. Subornation of perjury**

20           “(a) *IN GENERAL.—Any person subject to this chapter*  
21           *who induces and procures another person—*

22                   “(1) *to take an oath; and*

23                   “(2) *to falsely testify, depose, or state upon such*  
24           *oath;*

1 *shall, if the conditions specified in subsection (b) are satis-*  
 2 *fied, be punished as a court-martial may direct.*

3 “(b) *CONDITIONS.—The conditions referred to in sub-*  
 4 *section (a) are the following:*

5 “(1) *The oath is administered with respect to a*  
 6 *matter for which such oath is required or authorized*  
 7 *by law.*

8 “(2) *The oath is administered by a person hav-*  
 9 *ing authority to do so.*

10 “(3) *Upon the oath, the other person willfully*  
 11 *makes or subscribes a statement.*

12 “(4) *The statement is material.*

13 “(5) *The statement is false.*

14 “(6) *When the statement is made or subscribed,*  
 15 *the person subject to this chapter and the other person*  
 16 *do not believe that the statement is true.”*

17 **SEC. 6944. OBSTRUCTING JUSTICE.**

18 *Subchapter X of chapter 47 of title 10, United States*  
 19 *Code, is amended by inserting after section 931a (article*  
 20 *131a of the Uniform Code of Military Justice), as added*  
 21 *by section 6943, the following new section (article):*

22 **“§931b. Art. 131b. Obstructing justice**

23 *“Any person subject to this chapter who engages in*  
 24 *conduct in the case of a certain person against whom the*  
 25 *accused had reason to believe there were or would be crimi-*



1 *nal or disciplinary proceedings pending, with intent to in-*  
 2 *fluence, impede, or otherwise obstruct the due administra-*  
 3 *tion of justice shall be punished as a court-martial may*  
 4 *direct.”.*

5 **SEC. 6945. MISPRISION OF SERIOUS OFFENSE.**

6 *Subchapter X of chapter 47 of title 10, United States*  
 7 *Code, is amended by inserting after section 931b (article*  
 8 *131b of the Uniform Code of Military Justice), as added*  
 9 *by section 6944, the following new section (article):*

10 **“§931c. Art. 131c. Misprision of serious offense**

11 *“Any person subject to this chapter—*

12 *“(1) who knows that another person has com-*  
 13 *mitted a serious offense; and*

14 *“(2) wrongfully conceals the commission of the*  
 15 *offense and fails to make the commission of the offense*  
 16 *known to civilian or military authorities as soon as*  
 17 *possible;*

18 *shall be punished as a court-martial may direct.”.*

19 **SEC. 6946. WRONGFUL REFUSAL TO TESTIFY.**

20 *Subchapter X of chapter 47 of title 10, United States*  
 21 *Code, is amended by inserting after section 931c (article*  
 22 *131c of the Uniform Code of Military Justice), as added*  
 23 *by section 6945, the following new section (article):*

1 **“§931d. Art. 131d. Wrongful refusal to testify**

2       *“Any person subject to this chapter who, in the pres-*  
 3 *ence of a court-martial, a board of officers, a military com-*  
 4 *mission, a court of inquiry, preliminary hearing, or an offi-*  
 5 *cer taking a deposition, of or for the United States, wrong-*  
 6 *fully refuses to qualify as a witness or to answer a question*  
 7 *after having been directed to do so by the person presiding*  
 8 *shall be punished as a court-martial may direct.”.*

9 **SEC. 6947. PREVENTION OF AUTHORIZED SEIZURE OF**  
 10 **PROPERTY.**

11       *Subchapter X of chapter 47 of title 10, United States*  
 12 *Code, is amended by inserting after section 931d (article*  
 13 *131d of the Uniform Code of Military Justice), as added*  
 14 *by section 6946, the following new section (article):*

15 **“§931e. Art. 131e. Prevention of authorized seizure of**  
 16 **property**

17       *“Any person subject to this chapter who, knowing that*  
 18 *one or more persons authorized to make searches and sei-*  
 19 *zures are seizing, are about to seize, or are endeavoring to*  
 20 *seize property, destroys, removes, or otherwise disposes of*  
 21 *the property with intent to prevent the seizure thereof shall*  
 22 *be punished as a court-martial may direct.”.*

23 **SEC. 6948. WRONGFUL INTERFERENCE WITH ADVERSE AD-**  
 24 **MINISTRATIVE PROCEEDING.**

25       *Subchapter X of chapter 47 of title 10, United States*  
 26 *Code, is amended by inserting after section 931f (article*

1 131f of the Uniform Code of Military Justice), as trans-  
 2 ferred and redesignated by section 6901(3), the following  
 3 new section (article):

4 **“§931g. Art. 131g. Wrongful interference with adverse**  
 5 **administrative proceeding**

6 “Any person subject to this chapter who, having reason  
 7 to believe that an adverse administrative proceeding is  
 8 pending against any person subject to this chapter, wrong-  
 9 fully acts with the intent—

10 “(1) to influence, impede, or obstruct the conduct  
 11 of the proceeding; or

12 “(2) otherwise to obstruct the due administration  
 13 of justice;

14 shall be punished as a court-martial may direct.”.

15 **SEC. 6949. RETALIATION.**

16 Subchapter X of chapter 47 of title 10, United States  
 17 Code, is amended by inserting after section 931g (article  
 18 131g of the Uniform Code of Military Justice), as added  
 19 by section 6948, the following new section (article):

20 **“§932. Art. 132. Retaliation**

21 “Any person subject to this chapter who, with the in-  
 22 tent to retaliate against any person for reporting or plan-  
 23 ning to report a criminal offense, or with the intent to dis-  
 24 courage any person from reporting a criminal offense—

1           “(1) wrongfully takes or threatens to take an ad-  
2           verse personnel action against any person; or

3           “(2) wrongfully withholds or threatens to with-  
4           hold a favorable personnel action with respect to any  
5           person;  
6 shall be punished as a court-martial may direct.”.

7 **SEC. 6950. EXTRATERRITORIAL APPLICATION OF CERTAIN**  
8                                   **OFFENSES.**

9           Section 934 of title 10, United States Code (article 134  
10 of the Uniform Code of Military Justice), is amended by  
11 adding at the end the following new sentence: “As used in  
12 the preceding sentence, the term ‘crimes and offenses not  
13 capital’ includes any conduct engaged in outside the United  
14 States, as defined in section 5 of title 18, that would con-  
15 stitute a crime or offense not capital if the conduct had  
16 been engaged in within the special maritime and territorial  
17 jurisdiction of the United States, as defined in section 7  
18 of title 18.”.

19 **SEC. 6951. TABLE OF SECTIONS.**

20           The table of sections at the beginning of subchapter X  
21 of chapter 47 of title 10, United States Code, is amended  
22 to read as follows:

“Sec. Art.

“877. 77. Principals.

“878. 78. Accessory after the fact.

“879. 79. Conviction of offense charged, lesser included offenses, and attempts.

“880. 80. Attempts.

“881. 81. Conspiracy.

“882. 82. Soliciting commission of offenses.

- “883. 83. *Malingering.*
- “884. 84. *Breach of medical quarantine.*
- “885. 85. *Desertion.*
- “886. 86. *Absence without leave.*
- “887. 87. *Missing movement; jumping from vessel.*
- “887a. 87a. *Resistance, flight, breach of arrest, and escape.*
- “887b. 87b. *Offenses against correctional custody and restriction.*
- “888. 88. *Contempt toward officials.*
- “889. 89. *Disrespect toward superior commissioned officer; assault of superior commissioned officer.*
- “890. 90. *Willfully disobeying superior commissioned officer.*
- “891. 91. *Insubordinate conduct toward warrant officer, noncommissioned officer, or petty officer.*
- “892. 92. *Failure to obey order or regulation.*
- “893. 93. *Cruelty and maltreatment.*
- “893a. 93a. *Prohibited activities with military recruit or trainee by person in position of special trust.*
- “894. 94. *Mutiny or sedition.*
- “895. 95. *Offenses by sentinel or lookout.*
- “895a. 95a. *Disrespect toward sentinel or lookout.*
- “896. 96. *Release of prisoner without authority; drinking with prisoner.*
- “897. 97. *Unlawful detention.*
- “898. 98. *Misconduct as prisoner.*
- “899. 99. *Misbehavior before the enemy.*
- “900. 100. *Subordinate compelling surrender.*
- “901. 101. *Improper use of countersign.*
- “902. 102. *Forcing a safeguard.*
- “903. 103. *Spies.*
- “903a. 103a. *Espionage.*
- “903b. 103b. *Aiding the enemy.*
- “904. 104. *Public records offenses.*
- “904a. 104a. *Fraudulent enlistment, appointment, or separation.*
- “904b. 104b. *Unlawful enlistment, appointment, or separation.*
- “905. 105. *Forgery.*
- “905a. 105a. *False or unauthorized pass offenses.*
- “906. 106. *Impersonation of officer, noncommissioned or petty officer, or agent of official.*
- “906a. 106a. *Wearing unauthorized insignia, decoration, badge, ribbon, device, or lapel button.*
- “907. 107. *False official statements; false swearing.*
- “907a. 107a. *Parole violation.*
- “908. 108. *Military property of United States—Loss, damage, destruction, or wrongful, disposition.*
- “908a. 108a. *Captured or abandoned property.*
- “909. 109. *Property other than military property of United States—Waste, spoilage, or destruction.*
- “909a. 109a. *Mail matter: wrongful taking, opening, etc.*
- “910. 110. *Improper hazarding of vessel or aircraft.*
- “911. 111. *Leaving scene of vehicle accident.*
- “912. 112. *Drunkenness and other incapacitation offenses.*
- “912a. 112a. *Wrongful use, possession, etc., of controlled substances.*
- “913. 113. *Drunken or reckless operation of vehicle, aircraft, or vessel.*
- “914. 114. *Endangerment offenses.*
- “915. 115. *Communicating threats.*
- “916. 116. *Riot or breach of peace.*

- “917. 117. *Provoking speeches or gestures.*  
 “918. 118. *Murder.*  
 “919. 119. *Manslaughter.*  
 “919a. 119a. *Death or injury of an unborn child.*  
 “919b. 119b. *Child endangerment.*  
 “920. 120. *Rape and sexual assault generally.*  
 “920a. 120a. *Mails; deposit of obscene matter.*  
 “920b. 120b. *Rape and sexual assault of a child.*  
 “920c. 120c. *Other sexual misconduct.*  
 “921. 121. *Larceny and wrong appropriation.*  
 “921a. 121a. *Fraudulent use of credit cards, debit cards, and other access devices.*  
 “921b. 121b. *False pretenses to obtain services.*  
 “922. 122. *Robbery.*  
 “922a. 122a. *Receiving stolen property.*  
 “923. 213. *Offenses concerning Government computers.*  
 “923a. 123a. *Making, drawing, or uttering check, draft, or order without sufficient funds.*  
 “924. 124. *Frauds against the United States.*  
 “924a. 124. *Bribery.*  
 “924b. 124b. *Graft.*  
 “925. 125. *Kidnapping.*  
 “926. 126. *Arson; burning property with intent to defraud.*  
 “927. 127. *Extortion.*  
 “928. 128. *Assault.*  
 “928a. 128a. *Maiming.*  
 “929. 129. *Burglary; unlawful entry.*  
 “930. 130 *Stalking.*  
 “931. 131. *Perjury.*  
 “931a. 131a. *Subornation of perjury.*  
 “931b. 131b. *Obstruction justice.*  
 “931c. 131c. *Misprision of serious offense.*  
 “931d. 131d. *Wrongful refusal to testify.*  
 “931e. 131e. *Prevention of authorized seizure of property.*  
 “931f. 131f. *Noncompliance with procedural rules.*  
 “931g. 131g. *Wrongful interference with adverse administrative proceeding.*  
 “932. 132. *Retaliation.*  
 “933. 133. *Conduct unbecoming an officer and a gentleman.*  
 “934. 134. *General article.”.*

1       **TITLE LXX—MISCELLANEOUS**  
 2                               **PROVISIONS**

3       **SEC. 7001. TECHNICAL AMENDMENT RELATING TO COURTS**  
 4                               **OF INQUIRY.**

5       *Section 935(c) of title 10, United States Code (article*  
 6 *135(c) of the Uniform Code of Military Justice), is amend-*  
 7 *ed—*

1           (1) *by striking “(c) Any person” and inserting*  
 2           *“(c)(1) Any person”;*

3           (2) *by designating the second and third sentences*  
 4           *as paragraphs (2) and (3), respectively; and*

5           (3) *in paragraph (2), as so designated, by strik-*  
 6           *ing “subject to this chapter or employed by the De-*  
 7           *partment of Defense” and inserting “who is (A) sub-*  
 8           *ject to this chapter, (B) employed by the Department*  
 9           *of Defense, or (C) with respect to the Coast Guard,*  
 10          *employed by the department in which the Coast*  
 11          *Guard is operating when it is not operating as a*  
 12          *service in the Navy, and”.*

13 **SEC. 7002. TECHNICAL AMENDMENT TO ARTICLE 136.**

14          *Section 936 of title 10, United States Code (article 136*  
 15          *of the Uniform Code of Military Justice), is amended by*  
 16          *striking the last five words in the section heading.*

17 **SEC. 7003. ARTICLES OF UNIFORM CODE OF MILITARY JUS-**

18                                   **TICE TO BE EXPLAINED TO OFFICERS UPON**

19                                   **COMMISSIONING.**

20          *Section 937 of title 10, United States Code (article 137*  
 21          *of the Uniform Code of Military Justice), is amended—*

22           (1) *in subsection (a), by striking “(a)(1) The sec-*  
 23           *tions of this title (articles of the Uniform Code of*  
 24           *Military Justice)” and inserting “(a) ENLISTED*

1       *MEMBERS.—(1) The sections (articles) of this chapter*  
2       *(the Uniform Code of Military Justice)’;*

3               *(2) by striking subsection (b); and*

4               *(3) by inserting after subsection (a) the following*  
5       *new subsections:*

6       “(b) *OFFICERS.—(1) The sections (articles) of this*  
7       *chapter (the Uniform Code of Military Justice) specified in*  
8       *paragraph (2) shall be carefully explained to each officer*  
9       *at the time of (or within six months after)—*

10              “(A) *the initial entrance of the officer on active*  
11       *duty as an officer; or*

12              “(B) *the initial commissioning of the officer in*  
13       *a reserve component.*

14       “(2) *This subsection applies with respect to the sections*  
15       *(articles) specified in subsection (a)(3) and such other sec-*  
16       *tions (articles) as the Secretary concerned may prescribe*  
17       *by regulation.*

18       “(c) *TRAINING FOR CERTAIN OFFICERS.—Under regu-*  
19       *lations prescribed by the Secretary concerned, officers with*  
20       *the authority to convene courts-martial or to impose non-*  
21       *judicial punishment shall receive periodic training regard-*  
22       *ing the purposes and administration of this chapter. Under*  
23       *regulations prescribed by the Secretary of Defense, officers*  
24       *assigned to duty in a combatant command, who have such*



1 *authority, shall receive additional specialized training re-*  
 2 *garding the purposes and administration of this chapter.*

3       “(d) *AVAILABILITY AND MAINTENANCE OF TEXT.—The*  
 4 *text of this chapter (the Uniform Code of Military Justice)*  
 5 *and the text of the regulations prescribed by the President*  
 6 *under this chapter shall be—*

7               “(1) *made available to a member on active duty*  
 8 *or to a member of a reserve component, upon request*  
 9 *by the member, for the member’s personal examina-*  
 10 *tion; and*

11               “(2) *maintained by the Secretary of Defense in*  
 12 *electronic formats that are updated periodically and*  
 13 *made available on the Internet.”.*

14 **SEC. 7004. MILITARY JUSTICE CASE MANAGEMENT; DATA**  
 15 **COLLECTION AND ACCESSIBILITY.**

16       (a) *IN GENERAL.—Subchapter XI of chapter 47 of title*  
 17 *10, United States Code (the Uniform Code of Military Jus-*  
 18 *tice), is amended by adding at the end the following new*  
 19 *section (article):*

20 **“§940a. Art. 140a. Case management; data collection**  
 21 **and accessibility**

22       *“The Secretary of Defense shall prescribe uniform*  
 23 *standards and criteria for conduct of each of the following*  
 24 *functions at all stages of the military justice system, includ-*  
 25 *ing pretrial, trial, post-trial, and appellate processes, using,*

1 *insofar as practicable, the best practices of Federal and*  
2 *State courts:*

3           “(1) *Collection and analysis of data concerning*  
4 *substantive offenses and procedural matters in a*  
5 *manner that facilitates case management and deci-*  
6 *sion making within the military justice system, and*  
7 *that enhances the quality of periodic reviews under*  
8 *section 946 of this title (article 146).*

9           “(2) *Case processing and management.*

10           “(3) *Timely, efficient, and accurate production*  
11 *and distribution of records of trial within the mili-*  
12 *tary justice system.*

13           “(4) *Facilitation of access to docket information,*  
14 *filings, and records, taking into consideration restric-*  
15 *tions appropriate to judicial proceedings and mili-*  
16 *tary records.”.*

17           **(b) EFFECTIVE DATES.**—(1) *Not later than 2 years*  
18 *after the date of the enactment of this Act, the Secretary*  
19 *of Defense shall carry out section 940a of title 10, United*  
20 *States Code (article 140a of the Uniform Code of Military*  
21 *Justice), as added by subsection (a).*

22           (2) *Not later than 4 years after the date of the enact-*  
23 *ment of this Act, the standards and criteria under section*  
24 *940a of title 10, United States Code (article 140a of the*

1 *Uniform Code of Military Justice*), as added by subsection  
2 (a), shall take effect.

3 **SEC. 7005. RETURN OF CERTAIN LANDS AT FORT WINGATE**  
4 **TO THE ORIGINAL INHABITANTS ACT.**

5 (a) *SHORT TITLE.*—*This section may be cited as the*  
6 *“Return of Certain Lands At Fort Wingate to The Original*  
7 *Inhabitants Act”.*

8 (b) *DIVISION AND TREATMENT OF LANDS OF FORMER*  
9 *FORT WINGATE DEPOT ACTIVITY, NEW MEXICO, TO BEN-*  
10 *EFIT THE ZUNI TRIBE AND NAVAJO NATION.*—

11 (1) *IMMEDIATE TRUST ON BEHALF OF ZUNI*  
12 *TRIBE; EXCEPTION.*—*Subject to valid existing rights*  
13 *and to easements reserved pursuant to subsection (c),*  
14 *all right, title, and interest of the United States in*  
15 *and to the lands of Former Fort Wingate Depot Ac-*  
16 *tivity depicted in dark blue on the map titled “The*  
17 *Fort Wingate Depot Activity Negotiated Property Di-*  
18 *vision April 2016” (in this section referred to as the*  
19 *“Map”) and transferred to the Secretary of the Inte-*  
20 *rior are to be held in trust by the Secretary of the In-*  
21 *terior for the Zuni Tribe as part of the Zuni Reserva-*  
22 *tion, unless the Zuni Tribe otherwise elects under*  
23 *clause (ii) of paragraph (3)(C) to have the parcel con-*  
24 *veyed to it in Restricted Fee Status.*

1           (2) *IMMEDIATE TRUST ON BEHALF OF THE NAV-*  
2 *AJO NATION; EXCEPTION.*—*Subject to valid existing*  
3 *rights and to easements reserved pursuant to sub-*  
4 *section (c), all right, title, and interest of the United*  
5 *States in and to the lands of Former Fort Wingate*  
6 *Depot Activity depicted in dark green on the Map*  
7 *and transferred to the Secretary of the Interior are to*  
8 *be held in trust by the Secretary of the Interior for*  
9 *the Navajo Nation as part of the Navajo Reservation,*  
10 *unless the Navajo Nation otherwise elects under clause*  
11 *(ii) of paragraph (3)(C) to have the parcel conveyed*  
12 *to it in Restricted Fee Status.*

13           (3) *SUBSEQUENT TRANSFER AND TRUST; RE-*  
14 *STRICTED FEE STATUS ALTERNATIVE.*—

15           (A) *TRANSFER UPON COMPLETION OF RE-*  
16 *MEDIATION.*—*Not later than 60 days after the*  
17 *date on which the Secretary of the Army, with*  
18 *the concurrence of the New Mexico Environment*  
19 *Department, notifies the Secretary of the Interior*  
20 *that remediation of a parcel of land of Former*  
21 *Fort Wingate Depot Activity has been completed*  
22 *consistent with subsection (d), the Secretary of*  
23 *the Army shall transfer administrative jurisdic-*  
24 *tion over the parcel to the Secretary of the Inte-*  
25 *rior.*

1           (B) *NOTIFICATION OF TRANSFER.*—Not  
2           later than 30 days after the date on which the  
3           Secretary of the Army transfers administrative  
4           jurisdiction over a parcel of land of Former Fort  
5           Wingate Depot Activity under subparagraph (A),  
6           the Secretary of the Interior shall notify the  
7           Zuni Tribe and Navajo Nation of the transfer of  
8           administrative jurisdiction over the parcel.

9           (C) *TRUST OR RESTRICTED FEE STATUS.*—

10           (i) *TRUST.*—Except as provided in  
11           clause (ii), the Secretary of the Interior  
12           shall hold each parcel of land of Former  
13           Fort Wingate Depot Activity transferred  
14           under subparagraph (A) in trust—

15                   (I) for the Zuni Tribe, in the case  
16                   of land depicted in blue on the Map; or

17                   (II) for the Navajo Nation, in the  
18                   case of land depicted in green on the  
19                   Map.

20           (ii) *RESTRICTED FEE STATUS.*—In  
21           lieu of having a parcel of land held in trust  
22           under clause (i), the Zuni Tribe, with re-  
23           spect to land depicted in blue on the Map,  
24           and the Navajo Nation, with respect to land  
25           depicted in green on the Map, may elect to

1           *have the Secretary of the Interior convey the*  
2           *parcel or any portion of the parcel to it in*  
3           *restricted fee status.*

4           *(iii) NOTIFICATION OF ELECTION.—Not*  
5           *later than 45 days after the date on which*  
6           *the Zuni Tribe or the Navajo Nation re-*  
7           *ceives notice under subparagraph (B) of the*  
8           *transfer of administrative jurisdiction over*  
9           *a parcel of land of Former Fort Wingate*  
10          *Depot Activity, the Zuni Tribe or the Nav-*  
11          *ajo Nation shall notify the Secretary of the*  
12          *Interior of an election under clause (ii) for*  
13          *conveyance of the parcel or any portion of*  
14          *the parcel in restricted fee status.*

15          *(iv) CONVEYANCE.—As soon as prac-*  
16          *ticable after receipt of a notice from the*  
17          *Zuni Tribe or the Navajo Nation under*  
18          *clause (iii), but in no case later than 6*  
19          *months after receipt of the notice, the Sec-*  
20          *retary of the Interior shall convey, in re-*  
21          *stricted fee status, the parcel of land of*  
22          *Former Fort Wingate Depot Activity cov-*  
23          *ered by the notice to the Zuni Tribe or the*  
24          *Navajo Nation, as the case may be.*

1                   (v) *RESTRICTED FEE STATUS DE-*  
2                   *FINED.—For purposes of this section only,*  
3                   *the term “restricted fee status”, with respect*  
4                   *to land conveyed under clause (iv), means*  
5                   *that the land so conveyed—*

6                   (I) *shall be owned in fee by the*  
7                   *Indian tribe to whom the land is con-*  
8                   *veyed;*

9                   (II) *shall be part of the Indian*  
10                  *tribe’s Reservation and expressly made*  
11                  *subject to the jurisdiction of the Indian*  
12                  *Tribe;*

13                  (III) *shall not be sold by the In-*  
14                  *Indian tribe without the consent of Con-*  
15                  *gress;*

16                  (IV) *shall not be subject to tax-*  
17                  *ation by a State or local government*  
18                  *other than the government of the In-*  
19                  *Indian tribe; and*

20                  (V) *shall not be subject to any*  
21                  *provision of law providing for the re-*  
22                  *view or approval by the Secretary of*  
23                  *the Interior before an Indian tribe may*  
24                  *use the land for any purpose, directly*

1                    *or through agreement with another*  
2                    *party.*

3                    (4) *SURVEY AND BOUNDARY REQUIREMENTS.—*

4                    (A) *IN GENERAL.—The Secretary of the In-*  
5                    *terior shall—*

6                    (i) *provide for the survey of lands of*  
7                    *Former Fort Wingate Depot Activity taken*  
8                    *into trust for the Zuni Tribe or the Navajo*  
9                    *Nation or conveyed in restricted fee status*  
10                   *for the Zuni Tribe or the Navajo Nation*  
11                   *under paragraph (1), (2), or (3); and*

12                   (ii) *establish legal boundaries based on*  
13                   *the Map as parcels are taken into trust or*  
14                   *conveyed in restricted fee status.*

15                   (B) *CONSULTATION.—Not later than 90*  
16                   *days after the date of the enactment of this sec-*  
17                   *tion, the Secretary of the Interior shall consult*  
18                   *with the Zuni Tribe and the Navajo Nation to*  
19                   *determine their priorities regarding the order in*  
20                   *which parcels should be surveyed and, to the*  
21                   *greatest extent feasible, the Secretary shall follow*  
22                   *these priorities.*

23                   (5) *RELATION TO CERTAIN REGULATIONS.—Part*  
24                   *151 of title 25, Code of Federal Regulations, shall not*



1       *apply to taking lands of Former Fort Wingate Depot*  
2       *Activity into trust under paragraph (1), (2), or (3).*

3               (6) *FORT WINGATE LAUNCH COMPLEX LAND STA-*  
4       *TUS.—Upon certification by the Secretary of Defense*  
5       *that the area generally depicted as “Fort Wingate*  
6       *Launch Complex” on the Map is no longer required*  
7       *for military purposes and can be transferred to the*  
8       *Secretary of the Interior—*

9               (A) *the areas generally depicted as “FWLC*  
10       *A” and “FWLC B” on the Map shall be held in*  
11       *trust by the Secretary of the Interior for the*  
12       *Zuni Tribe in accordance with this subsection;*  
13       *and*

14              (B) *the areas generally depicted as “FWLC*  
15       *C” and “FWLC D” on the Map shall be held in*  
16       *trust by the Secretary of the Interior for the*  
17       *Navajo Nation in accordance with this sub-*  
18       *section.*

19       (c) *RETENTION OF NECESSARY EASEMENTS AND AC-*  
20       *CESS.—*

21              (1) *TREATMENT OF EXISTING EASEMENTS, PER-*  
22       *MIT RIGHTS, AND RIGHTS-OF-WAY.—*

23              (A) *IN GENERAL.—The lands of Former*  
24       *Fort Wingate Depot Activity held in trust or*  
25       *conveyed in restricted fee status pursuant to sub-*

1           *section (b) shall be held in trust with easements,*  
2           *permit rights, and rights-of-way, and access as-*  
3           *sociated with such easements, permit rights, and*  
4           *rights-of-way, of any applicable utility service*  
5           *provider in existence or for which an application*  
6           *is pending for existing facilities at the time of*  
7           *the conveyance or change to trust status, includ-*  
8           *ing the right to upgrade applicable utility serv-*  
9           *ices recognized and preserved, in perpetuity and*  
10           *without the right of revocation (except as pro-*  
11           *vided in subparagraph (B)).*

12           *(B) TERMINATION.—An easement, permit*  
13           *right, or right-of-way recognized and preserved*  
14           *under subparagraph (A) shall terminate only—*

15                   *(i) on the relocation of an applicable*  
16                   *utility service referred to in subparagraph*  
17                   *(A), but only with respect to that portion of*  
18                   *the utility facilities that are relocated; or*

19                   *(ii) with the consent of the holder of*  
20                   *the easement, permit right, or right-of-way.*

21           *(C) ADDITIONAL EASEMENTS.—The Sec-*  
22           *retary of the Interior shall grant to a utility*  
23           *service provider, without consideration, such ad-*  
24           *ditional easements across lands held in trust or*  
25           *conveyed in restricted fee status pursuant to sub-*

1           *section (b) as the Secretary considers necessary*  
2           *to accommodate the relocation or reconnection of*  
3           *a utility service existing on the date of enact-*  
4           *ment of this section.*

5           (2) *ACCESS FOR ENVIRONMENTAL RESPONSE AC-*  
6           *TIONS.—The lands of Former Fort Wingate Depot Ac-*  
7           *tivity held in trust or conveyed in restricted fee status*  
8           *pursuant to subsection (b) shall be subject to reserved*  
9           *access by the United States as the Secretary of the*  
10          *Army and the Secretary of the Interior determine are*  
11          *reasonably required to permit access to lands of*  
12          *Former Fort Wingate Depot Activity for administra-*  
13          *tive and environmental response purposes. The Sec-*  
14          *retary of the Army shall provide to the governments*  
15          *of the Zuni Tribe and the Navajo Nation written cop-*  
16          *ies of all access reservations under this subsection.*

17          (3) *SHARED ACCESS.—*

18                 (A) *PARCEL 1 SHARED CULTURAL AND RE-*  
19                 *LIGIOUS ACCESS.—In the case of the lands of*  
20                 *Former Fort Wingate Depot Activity depicted as*  
21                 *Parcel 1 on the Map, the lands shall be held in*  
22                 *trust subject to a shared easement for cultural*  
23                 *and religious purposes only. Both the Zuni Tribe*  
24                 *and the Navajo Nation shall have unhindered ac-*  
25                 *cess to their respective cultural and religious*

1           *sites within Parcel 1. Within 1 year after the*  
2           *date of the enactment of this section, the Zuni*  
3           *Tribe and the Navajo Nation shall exchange de-*  
4           *tailed information to document the existence of*  
5           *cultural and religious sites within Parcel 1 for*  
6           *the purpose of carrying out this subparagraph.*  
7           *The information shall also be provided to the*  
8           *Secretary of the Interior.*

9           (B) *OTHER SHARED ACCESS.*—*Subject to*  
10          *the written consent of both the Zuni Tribe and*  
11          *the Navajo Nation, the Secretary of the Interior*  
12          *may facilitate shared access to other lands held*  
13          *in trust or restricted fee status pursuant to sub-*  
14          *section (b), including, but not limited to, reli-*  
15          *gious and cultural sites.*

16          (4) *I-40 FRONTAGE ROAD ENTRANCE.*—*The ac-*  
17          *cess road for the Former Fort Wingate Depot Activ-*  
18          *ity, which originates at the frontage road for Inter-*  
19          *state 40 and leads to the parcel of the Former Fort*  
20          *Wingate Depot Activity depicted as “administration*  
21          *area” on the Map, shall be held in common by the*  
22          *Zuni Tribe and Navajo Nation to provide for equal*  
23          *access to Former Fort Wingate Depot Activity.*

24          (5) *COMPATIBILITY WITH DEFENSE ACTIVI-*  
25          *TIES.*—*The lands of Former Fort Wingate Depot Ac-*

1        *tivity held in trust or conveyed in restricted fee status*  
2        *pursuant to subsection (b) shall be subject to reserva-*  
3        *tions by the United States as the Secretary of Defense*  
4        *determines are reasonably required to permit access to*  
5        *lands of the Fort Wingate launch complex for admin-*  
6        *istrative, test operations, and launch operations pur-*  
7        *poses. The Secretary of Defense shall provide the gov-*  
8        *ernments of the Zuni Tribe and the Navajo Nation*  
9        *written copies of all reservations under this para-*  
10       *graph.*

11       *(d) ENVIRONMENTAL REMEDIATION.—Nothing in this*  
12       *section shall be construed as alleviating, altering, or affect-*  
13       *ing the responsibility of the United States for cleanup and*  
14       *remediation of Former Fort Wingate Depot Activity in ac-*  
15       *cordance with the Comprehensive Environmental Response,*  
16       *Compensation, and Liability Act of 1980.*

17       *(e) PROHIBITION ON GAMING.—Any real property of*  
18       *the Former Fort Wingate Depot Activity and all other real*  
19       *property subject to this section shall not be eligible, or used,*  
20       *for any gaming activity carried out under the Indian Gam-*  
21       *ing Regulatory Act (25 U.S.C. 2701 et seq.).*

1 **TITLE LXXI—MILITARY JUSTICE**  
2 **REVIEW PANEL AND ANNUAL**  
3 **REPORTS**

4 **SEC. 7101. MILITARY JUSTICE REVIEW PANEL.**

5 *Section 946 of title 10, United States Code (article 146*  
6 *of the Uniform Code of Military Justice), is amended to*  
7 *read as follows:*

8 **“§946. Art. 146. Military Justice Review Panel**

9 *“(a) ESTABLISHMENT.—The Secretary of Defense shall*  
10 *establish a panel to conduct independent periodic reviews*  
11 *and assessments of the operation of this chapter. The panel*  
12 *shall be known as the ‘Military Justice Review Panel’, in*  
13 *this section referred to as the ‘Panel’.*

14 *“(b) MEMBERS.—(1) The Panel shall be composed of*  
15 *thirteen members.*

16 *“(2) Each of the following shall select one member of*  
17 *the Panel:*

18 *“(A) The Secretary of Defense (in consultation*  
19 *with the Secretary of the department in which the*  
20 *Coast Guard is operating when it is not operating as*  
21 *a service in the Navy).*

22 *“(B) The Attorney General.*

23 *“(C) The Judge Advocates General of the Army,*  
24 *Navy, Air Force, and Coast Guard, and the Staff*

1       *Judge Advocate to the Commandant of the Marine*  
2       *Corps.*

3       “(3) *The Secretary of Defense shall select the remain-*  
4 *ing members of the Panel, taking into consideration rec-*  
5 *ommendations made by each of the following:*

6               “(A) *The chairman and ranking minority mem-*  
7 *ber of the Committee on Armed Services of the Senate*  
8 *and the Committee on Armed Services of the House*  
9 *of Representatives.*

10              “(B) *The Chief Justice of the United States.*

11              “(C) *The Chief Judge of the United States Court*  
12 *of Appeals for the Armed Forces.*

13              “(c) *QUALIFICATIONS OF MEMBERS.—The members of*  
14 *the Panel shall be appointed from among private United*  
15 *States citizens with expertise in criminal law, as well as*  
16 *appropriate and diverse experience in investigation, pros-*  
17 *ecution, defense, victim representation, or adjudication with*  
18 *respect to courts-martial, Federal civilian courts, or State*  
19 *courts.*

20              “(d) *CHAIR.—The Secretary of Defense shall select the*  
21 *chair of the Panel from among the members.*

22              “(e) *TERM; VACANCIES.—Each member shall be ap-*  
23 *pointed for a term of eight years, and no member may serve*  
24 *more than one term. Any vacancy shall be filled in the same*  
25 *manner as the original appointment.*

1       “(f) *REVIEWS AND REPORTS.*—

2               “(1) *INITIAL REVIEW OF RECENT AMENDMENTS*  
3 *TO UCMJ.*—During fiscal year 2020, the Panel shall  
4 conduct an initial review and assessment of the im-  
5 plementation of the amendments made to this chapter  
6 during the preceding five years. In conducting the  
7 initial review and assessment, the Panel may review  
8 such other aspects of the operation of this chapter as  
9 the Panel considers appropriate.

10              “(2) *PERIODIC COMPREHENSIVE REVIEWS.*—  
11 During fiscal year 2024 and every eight years there-  
12 after, the Panel shall conduct a comprehensive review  
13 and assessment of the operation of this chapter.

14              “(3) *PERIODIC INTERIM REVIEWS.*—During fis-  
15 cal year 2028 and every eight years thereafter, the  
16 Panel shall conduct an interim review and assessment  
17 of such other aspects of the operation of this chapter  
18 as the Panel considers appropriate. In addition, at  
19 the request of the Secretary of Defense, the Panel may,  
20 at any time, review and assess other specific matters  
21 relating to the operation of this chapter.

22              “(4) *REPORTS.*—Not later than December 31 of  
23 each year during which the Panel conducts a review  
24 and assessment under this subsection, the Panel shall  
25 submit a report on the results, including the Panel’s



1        *findings and recommendations, through the Secretary*  
2        *of Defense to the Committees on Armed Services of the*  
3        *Senate and the House of Representatives.*

4        “(g) *HEARINGS.—The Panel may hold such hearings,*  
5        *sit and act at such times and places, take such testimony,*  
6        *and receive such evidence as the Panel considers appro-*  
7        *priate to carry out its duties under this section.*

8        “(h) *INFORMATION FROM FEDERAL AGENCIES.—Upon*  
9        *request of the chair of the Panel, a department or agency*  
10       *of the Federal Government shall provide information that*  
11       *the Panel considers necessary to carry out its duties under*  
12       *this section.*

13       “(i) *ADMINISTRATIVE MATTERS.—*

14                “(1) *MEMBERS TO SERVE WITHOUT PAY.—Mem-*  
15        *bers of the Panel shall serve without pay, but shall be*  
16        *allowed travel expenses, including per diem in lieu of*  
17        *subsistence, at rates authorized for employees of agen-*  
18        *cies under subchapter I of chapter 57 of title 5, while*  
19        *away from their homes or regular places of business*  
20        *in the performance of services for the Panel.*

21                “(2) *STAFFING AND RESOURCES.—The Secretary*  
22        *of Defense shall provide staffing and resources to sup-*  
23        *port the Panel.*

24        “(j) *NO TERMINATION.—The authority of the Panel*  
25        *under this section does not terminate.”.*

1 **SEC. 7102. ANNUAL REPORTS.**

2 *Subchapter XII of chapter 47 of title 10, United States*  
3 *Code (the Uniform Code of Military Justice), is amended*  
4 *by adding at the end the following new section (article):*

5 **“§ 946a. Art. 146a. Annual reports**

6 *“(a) COURT OF APPEALS FOR THE ARMED FORCES.—*  
7 *Not later than December 31 of each year, the Court of Ap-*  
8 *peals for the Armed Forces shall submit a report that, with*  
9 *respect to the previous fiscal year, provides information on*  
10 *the number and status of pending cases and such other mat-*  
11 *ters as the Court considers appropriate regarding the oper-*  
12 *ation of this chapter.*

13 *“(b) SERVICE REPORTS.—Not later than December 31*  
14 *of each year, the Judge Advocates General and the Staff*  
15 *Judge Advocate to the Commandant of the Marine Corps*  
16 *shall each submit a report, with respect to the preceding*  
17 *fiscal year, containing the following:*

18 *“(1) Data on the number and status of pending*  
19 *cases.*

20 *“(2) Information on the appellate review process,*  
21 *including—*

22 *“(A) information on compliance with proc-*  
23 *essing time goals;*

24 *“(B) descriptions of the circumstances sur-*  
25 *rounding cases in which general or special court-*  
26 *martial convictions were (i) reversed because of*

1           *command influence or denial of the right to*  
2           *speedy review or (ii) otherwise remitted because*  
3           *of loss of records of trial or other administrative*  
4           *deficiencies; and*

5           “(C) *an analysis of each case in which a*  
6           *provision of this chapter was held unconstitu-*  
7           *tional.*

8           “(3)(A) *An explanation of measures implemented*  
9           *by the armed force involved to ensure the ability of*  
10          *judge advocates—*

11                   “(i) *to participate competently as trial*  
12                   *counsel and defense counsel in cases under*  
13                   *this chapter;*

14                   “(ii) *to preside as military judges in*  
15                   *cases under this chapter; and*

16                   “(iii) *to perform the duties of Special*  
17                   *Victims’ Counsel, when so designated under*  
18                   *section 1044e of this title.*

19           “(B) *The explanation under subparagraph*  
20           *(A) shall specifically identify the measures that*  
21           *focus on capital cases, national security cases,*  
22           *sexual assault cases, and proceedings of military*  
23           *commissions.*

24           “(4) *The independent views of each Judge Advo-*  
25           *cate General and of the Staff Judge Advocate to the*

1        *Commandant of the Marine Corps as to the suffi-*  
 2        *ciency of resources available within the respective*  
 3        *armed forces, including total workforce, funding,*  
 4        *training, and officer and enlisted grade structure, to*  
 5        *capably perform military justice functions.*

6                *“(5) Such other matters regarding the operation*  
 7        *of this chapter as may be appropriate.*

8                *“(c) SUBMISSION.—Each report under this section*  
 9        *shall be submitted—*

10                *“(1) to the Committee on Armed Services of the*  
 11        *Senate and the Committee on Armed Services of the*  
 12        *House of Representatives; and*

13                *“(2) to the Secretary of Defense, the Secretaries*  
 14        *of the military departments, and the Secretary of the*  
 15        *department in which the Coast Guard is operating*  
 16        *when it is not operating as a service in the Navy.”.*

17        **TITLE                    LXXII—CONFORMING**  
 18        **AMENDMENTS    AND    EFFEC-**  
 19        **TIVE DATES**

20        **SEC. 7201. AMENDMENTS TO UCMJ SUBCHAPTER TABLES**  
 21                                **OF SECTIONS.**

22                *The tables of sections for the specified subchapters of*  
 23        *chapter 47 of title 10, United States Code (the Uniform*  
 24        *Code of Military Justice), are amended as follows:*

1           (1) *The table of sections at the beginning of sub-*  
2           *chapter II is amended by striking the item relating*  
3           *to section 810 and inserting the following new item:*

“810. 10. *Restraint of persons charged.*”.

4           (2) *The table of sections at the beginning of sub-*  
5           *chapter II, as amended by paragraph (1), is amended*  
6           *by striking the item relating to section 812 and in-*  
7           *serting the following new item:*

“812. 12. *Prohibition of confinement of armed forces members with enemy pris-*  
*oners and certain others.*”.

8           (3) *The table of sections at the beginning of sub-*  
9           *chapter V is amended by striking the item relating to*  
10          *section 825a and inserting the following new item:*

“825. 25a. *Number of court-martial members in capital cases.*”.

11          (4) *The table of sections at the beginning of sub-*  
12          *chapter V, as amended by paragraph (3), is amended*  
13          *by inserting after the item relating to section 826 the*  
14          *following new item:*

“826a. 26a. *Military magistrates.*”.

15          (5) *The table of sections at the beginning of sub-*  
16          *chapter V, as amended by paragraphs (3) and (4), is*  
17          *amended by striking the item relating to section 829*  
18          *and inserting the following new item:*

“829. 29. *Assembly and impaneling of members; detail of new members and mili-*  
*tary judges.*”.

1           (6) *The table of sections at the beginning of sub-*  
2           *chapter VI is amended by inserting after the item re-*  
3           *lating to section 830 the following new item:*

“830. 30a. *Proceedings conducted before referral.*”.

4           (7) *The table of sections at the beginning of sub-*  
5           *chapter VI, as amended by paragraph (6), is amended*  
6           *by striking the item relating to section 832 and in-*  
7           *serting the following new item:*

“832. 32. *Preliminary hearing required before referral to general court-martial.*”.

8           (8) *The table of sections at the beginning of sub-*  
9           *chapter VI, as amended by paragraphs (6) and (7),*  
10          *is amended by striking the item relating to section*  
11          *833 and inserting the following new item:*

“833. 33. *Disposition guidance.*”.

12          (9) *The table of sections at the beginning of sub-*  
13          *chapter VI, as amended by paragraphs (6), (7), and*  
14          *(8), is amended by striking the item relating to sec-*  
15          *tion 834 and inserting the following new item:*

“834. 34. *Advice to convening authority before referral for trial.*”.

16          (10) *The table of sections at the beginning of sub-*  
17          *chapter VI, as amended by paragraphs (6), (7), (8),*  
18          *and (9), is amended by striking the item relating to*  
19          *section 835 and inserting the following new item:*

“835. 35. *Service of charges; commencement of trial.*”.

1           (11) *The table of sections at the beginning of sub-*  
2           *chapter VII is amended by striking the item relating*  
3           *to section 847 and inserting the following new item:*

          “8470. 47. *Refusal of person not subject to chapter to appear, testify, or produce evidence.*”.

4           (12) *The table of sections at the beginning of sub-*  
5           *chapter VII, as amended by paragraph (11), is*  
6           *amended by striking the item relating to section 848*  
7           *and inserting the following new item:*

          “848. 48. *Contempt.*”.

8           (13) *The table of sections at the beginning of sub-*  
9           *chapter VII, as amended by paragraphs (11) and*  
10          *(12), is amended by striking the item relating to sec-*  
11          *tion 850 and inserting the following new item:*

          “850. 50. *Admissibility of sworn testimony from records of courts of inquiry.*”.

12          (14) *The table of sections at the beginning of sub-*  
13          *chapter VII, as amended by paragraphs (11), (12),*  
14          *and (13), is amended by striking the item relating to*  
15          *section 852 and inserting the following new item:*

          “852. 52. *Votes required for conviction, sentencing, and other matters.*”.

16          (15) *The table of sections at the beginning of sub-*  
17          *chapter VII, as amended by paragraphs (11), (12),*  
18          *(13), and (14), is amended by striking the item relat-*  
19          *ing to section 853 and inserting the following new*  
20          *item:*

          “853. 53. *Findings and sentencing.*”.

1           (16) *The table of sections at the beginning of sub-*  
2           *chapter VIII is amended by striking the item relating*  
3           *to section 856 and inserting the following new item:*

*“856. 56. Sentencing.”.*

4           (17) *The table of sections at the beginning of sub-*  
5           *chapter VIII, as amended by paragraph (16), is*  
6           *amended by striking the items relating to section*  
7           *856a and 857a.*

8           (18) *The table of sections at the beginning of sub-*  
9           *chapter IX is amended by striking the item relating*  
10          *to section 860 and inserting the following new item:*

*“860. 60. Post-trial processing in general and special courts-martial.”.*

11          (19) *The table of sections at the beginning of sub-*  
12          *chapter IX is amended by inserting after the item re-*  
13          *lating to section 860, as amended by paragraph (18),*  
14          *the following new items:*

*“860a. 60a. Limited authority to act on sentence in specified post-trial cir-*  
*cumstances.*

*“860b. 60b. Post-trial actions in summary courts-martial and certain general and*  
*special courts-martial.*

*“860c. 60c. Entry of judgment.”.*

15          (20) *The table of sections at the beginning of sub-*  
16          *chapter IX, as amended by paragraphs (18) and (19),*  
17          *is amended by striking the item relating to section*  
18          *861 and inserting the following new item:*

*“861. 61. Waiver of right to appeal; withdrawal of appeal.”.*

19          (21) *The table of sections at the beginning of sub-*  
20          *chapter IX, as amended by paragraphs (18), (19),*



1        *and (20), is amended by striking the item relating to*  
2        *section 864 and inserting the following new item:*

“864. 64. *Judge advocate review of finding of guilty in summary court-martial.*”.

3            *(22) The table of sections at the beginning of sub-*  
4        *chapter IX, as amended by paragraphs (18), (19),*  
5        *(20), and (21), is amended by striking the item relat-*  
6        *ing to section 865 and inserting the following new*  
7        *item:*

“865. 65. *Transmittal and review of records.*”.

8            *(23) The table of sections at the beginning of sub-*  
9        *chapter IX, as amended by paragraphs (18), (19),*  
10       *(20), (21), and (22), is amended by striking the item*  
11       *relating to section 866 and inserting the following*  
12       *new item:*

“866. 66. *Courts of Criminal Appeals.*”.

13           *(24) The table of sections at the beginning of sub-*  
14       *chapter IX, as amended by paragraphs (18), (19),*  
15       *(20), and (21), (22), and (23), is amended by striking*  
16       *the item relating to section 869 and inserting the fol-*  
17       *lowing new item:*

“869. 69. *Review by Judge Advocate General.*”.

18           *(25) The table of sections at the beginning of sub-*  
19       *chapter IX, as amended by paragraphs (18), (19),*  
20       *(20), (21), (22), (23), and (24), is amended by strik-*

1        *ing the item relating to section 871 and inserting the*  
2        *following new item:*

      “871. 71. [Repealed.]”.

3            (26) *The table of sections at the beginning of sub-*  
4        *chapter XI is amended by striking the item relating*  
5        *to section 936 and inserting the following new item:*

      “936. 136. *Authority to administer oaths.*”.

6            (27) *The table of sections at the beginning of sub-*  
7        *chapter XI, as amended by paragraph (26), is amend-*  
8        *ed by inserting after the item relating to section 940*  
9        *the following new item:*

      “940a. 140a. *Case management; data collection and accessibility.*”.

10           (28) *The table of sections at the beginning of sub-*  
11        *chapter XII is amended by striking the item relating*  
12        *to section 946 and inserting the following new items:*

      “946. 146. *Military Justice Review Panel.*

      “946a. 146a. *Annual reports.*”.

13    **SEC. 7202. EFFECTIVE DATES.**

14        (a) *Except as otherwise provided in this division, the*  
15        *amendments made by this division shall take effect on the*  
16        *first day of the first calendar month that begins two years*  
17        *after the date of the enactment of this Act.*

18        (b) *The amendments made by this division shall not*  
19        *apply to any case in which charges are referred to trial*  
20        *by court-martial before the effective date of such amend-*  
21        *ments. Proceedings in any such case shall be held in the*

1 *same manner and with the same effect as if such amend-*  
 2 *ments had not been enacted.*

3 (c)(1)(A) *The amendments made by title LX shall not*  
 4 *apply to any offense committed before the effective date of*  
 5 *such amendments.*

6 (B) *Nothing in subparagraph (A) shall be construed*  
 7 *to invalidate the prosecution of any offense committed be-*  
 8 *fore the effective date of such amendments.*

9 (2) *The regulations prescribing the authorized punish-*  
 10 *ments for any offense committed before the effective date of*  
 11 *the amendments made by title LVIII shall apply the author-*  
 12 *ized punishments for the offense, as in effect at the time*  
 13 *the offense is committed.*

14 **TITLE LXXIII—GUAM WORLD**  
 15 **WAR II LOYALTY RECOGNI-**  
 16 **TION ACT**

17 **SEC. 7301. SHORT TITLE.**

18 *This title may be cited as the “Guam World War II*  
 19 *Loyalty Recognition Act”.*

20 **SEC. 7302. RECOGNITION OF THE SUFFERING AND LOYALTY**  
 21 **OF THE RESIDENTS OF GUAM.**

22 (a) **RECOGNITION OF THE SUFFERING OF THE RESI-**  
 23 **DENTS OF GUAM.**—*The United States recognizes that, as*  
 24 *described by the Guam War Claims Review Commission,*  
 25 *the residents of Guam, on account of their United States*

1 *nationality, suffered unspeakable harm as a result of the*  
2 *occupation of Guam by Imperial Japanese military forces*  
3 *during World War II, by being subjected to death, rape,*  
4 *severe personal injury, personal injury, forced labor, forced*  
5 *march, or internment.*

6       (b) *RECOGNITION OF THE LOYALTY OF THE RESI-*  
7 *DENTS OF GUAM.—The United States forever will be grate-*  
8 *ful to the residents of Guam for their steadfast loyalty to*  
9 *the United States, as demonstrated by the countless acts of*  
10 *courage they performed despite the threat of death or great*  
11 *bodily harm they faced at the hands of the Imperial Japa-*  
12 *nese military forces that occupied Guam during World War*  
13 *II.*

14 **SEC. 7303. GUAM WORLD WAR II CLAIMS FUND.**

15       (a) *ESTABLISHMENT OF FUND.—The Secretary of the*  
16 *Treasury shall establish in the Treasury of the United*  
17 *States a special fund (in this title referred to as the “Claims*  
18 *Fund”)* *for the payment of claims submitted by compen-*  
19 *sable Guam victims and survivors of compensable Guam*  
20 *decedents in accordance with sections 7304 and 7305.*

21       (b) *COMPOSITION OF FUND.—The Claims Fund estab-*  
22 *lished under subsection (a) shall be composed of amounts*  
23 *deposited into the Claims Fund under subsection (c) and*  
24 *any other payments made available for the payment of*  
25 *claims under this title.*

1           (c) *PAYMENT OF CERTAIN DUTIES, TAXES, AND FEES*  
2 *COLLECTED FROM GUAM DEPOSITED INTO FUND.—*

3           (1) *IN GENERAL.—Notwithstanding section 30 of*  
4 *the Organic Act of Guam (48 U.S.C. 1421h), the ex-*  
5 *cess of—*

6           (A) *any amount of duties, taxes, and fees*  
7 *collected under such section after fiscal year*  
8 *2014, over*

9           (B) *the amount of duties, taxes, and fees*  
10 *collected under such section during fiscal year*  
11 *2014,*

12 *shall be deposited into the Claims Fund.*

13           (2) *APPLICATION.—Paragraph (1) shall not*  
14 *apply after the date for which the Secretary of the*  
15 *Treasury determines that all payments required to be*  
16 *made under section 7304 have been made.*

17           (d) *LIMITATION ON PAYMENTS MADE FROM FUND.—*

18           (1) *IN GENERAL.—No payment may be made in*  
19 *a fiscal year under section 7304 until funds are de-*  
20 *posited into the Claims Fund in such fiscal year*  
21 *under subsection (c).*

22           (2) *AMOUNTS.—For each fiscal year in which*  
23 *funds are deposited into the Claims Fund under sub-*  
24 *section (c), the total amount of payments made in a*  
25 *fiscal year under section 7304 may not exceed the*

1        *amount of funds available in the Claims Fund for*  
2        *such fiscal year.*

3        *(e) DEDUCTIONS FROM FUND FOR ADMINISTRATIVE*  
4        *EXPENSES.—The Secretary of the Treasury shall deduct*  
5        *from any amounts deposited into the Claims Fund an*  
6        *amount equal to 5 percent of such amounts as reimburse-*  
7        *ment to the Federal Government for expenses incurred by*  
8        *the Foreign Claims Settlement Commission and by the De-*  
9        *partment of the Treasury in the administration of this title.*  
10       *The amounts so deducted shall be covered into the Treasury*  
11       *as miscellaneous receipts.*

12       **SEC. 7304. PAYMENTS FOR GUAM WORLD WAR II CLAIMS.**

13       *(a) PAYMENTS FOR DEATH, PERSONAL INJURY,*  
14       *FORCED LABOR, FORCED MARCH, AND INTERNMENT.—*  
15       *After the Secretary of the Treasury receives the certification*  
16       *from the Chairman of the Foreign Claims Settlement Com-*  
17       *mission as required under section 7305(b)(8), the Secretary*  
18       *of the Treasury shall make payments, subject to the avail-*  
19       *ably of appropriations, to compensable Guam victims and*  
20       *survivors of a compensable Guam decedents as follows:*

21                *(1) COMPENSABLE GUAM VICTIM.—Before mak-*  
22        *ing any payments under paragraph (2), the Secretary*  
23        *shall make payments to compensable Guam victims*  
24        *as follows:*

1           (A) *In the case of a victim who has suffered*  
2           *an injury described in subsection (c)(2)(A),*  
3           *\$15,000.*

4           (B) *In the case of a victim who is not de-*  
5           *scribed in subparagraph (A), but who has suf-*  
6           *fered an injury described in subsection (c)(2)(B),*  
7           *\$12,000.*

8           (C) *In the case of a victim who is not de-*  
9           *scribed in subparagraph (A) or (B), but who has*  
10          *suffered an injury described in subsection*  
11          *(c)(2)(C), \$10,000.*

12          (2) *SURVIVORS OF COMPENSABLE GUAM DECE-*  
13          *DENTS.—In the case of a compensable Guam dece-*  
14          *dent, the Secretary shall pay \$25,000 for distribution*  
15          *to survivors of the decedent in accordance with sub-*  
16          *section (b). The Secretary shall make payments under*  
17          *this paragraph only after all payments are made*  
18          *under paragraph (1).*

19          (b) *DISTRIBUTION OF SURVIVOR PAYMENTS.—A pay-*  
20          *ment made under subsection (a)(2) to the survivors of a*  
21          *compensable Guam decedent shall be distributed as follows:*

22               (1) *In the case of a decedent whose spouse is liv-*  
23               *ing as of the date of the enactment of this Act, but*  
24               *who had no living children as of such date, the pay-*  
25               *ment shall be made to such spouse.*

1           (2) *In the case of a decedent whose spouse is liv-*  
2 *ing as of the date of the enactment of this Act and*  
3 *who had one or more living children as of such date,*  
4 *50 percent of the payment shall be made to the spouse*  
5 *and 50 percent shall be made to such children, to be*  
6 *divided among such children to the greatest extent*  
7 *possible into equal shares.*

8           (3) *In the case of a decedent whose spouse is not*  
9 *living as of the date of the enactment of this Act and*  
10 *who had one or more living children as of such date,*  
11 *the payment shall be made to such children, to be di-*  
12 *vided among such children to the greatest extent pos-*  
13 *sible into equal shares.*

14           (4) *In the case of a decedent whose spouse is not*  
15 *living as of the date of the enactment of this Act and*  
16 *who had no living children as of such date, but who—*

17                   (A) *had a parent who is living as of such*  
18 *date, the payment shall be made to the parent;*  
19 *or*

20                   (B) *had two parents who are living as of*  
21 *such date, the payment shall be divided equally*  
22 *between the parents.*

23           (5) *In the case of a decedent whose spouse is not*  
24 *living as of the date of the enactment of this Act, who*  
25 *had no living children as of such date, and who had*



1     *no parents who are living as of such date, no pay-*  
2     *ment shall be made.*

3     (c) *DEFINITIONS.—For purposes of this title:*

4             (1) *COMPENSABLE GUAM DECEDENT.—The term*  
5             *“compensable Guam decedent” means an individual*  
6             *determined under section 7305 to have been a resident*  
7             *of Guam who died as a result of the attack and occu-*  
8             *pation of Guam by Imperial Japanese military forces*  
9             *during World War II, or incident to the liberation of*  
10            *Guam by United States military forces, and whose*  
11            *death would have been compensable under the Guam*  
12            *Meritorious Claims Act of 1945 (Public Law 79–224)*  
13            *if a timely claim had been filed under the terms of*  
14            *such Act.*

15            (2) *COMPENSABLE GUAM VICTIM.—The term*  
16            *“compensable Guam victim” means an individual*  
17            *who is not deceased as of the date of the enactment*  
18            *of this Act and who is determined under section 7305*  
19            *to have suffered, as a result of the attack and occupa-*  
20            *tion of Guam by Imperial Japanese military forces*  
21            *during World War II, or incident to the liberation of*  
22            *Guam by United States military forces, any of the*  
23            *following:*

24                     (A) *Rape or severe personal injury (such as*  
25                     *loss of a limb, dismemberment, or paralysis).*

1           (B) *Forced labor or a personal injury not*  
2           *under subparagraph (A) (such as disfigurement,*  
3           *scarring, or burns).*

4           (C) *Forced march, internment, or hiding to*  
5           *evade internment.*

6           (3) *DEFINITIONS OF SEVERE PERSONAL INJU-*  
7           *RIES AND PERSONAL INJURIES.—Not later than 180*  
8           *days after the date of the enactment of this Act, the*  
9           *Foreign Claims Settlement Commission shall promul-*  
10          *gate regulations to specify the injuries that constitute*  
11          *a severe personal injury or a personal injury for pur-*  
12          *poses of subparagraphs (A) and (B), respectively, of*  
13          *paragraph (2).*

14 **SEC. 7305. ADJUDICATION.**

15          (a) *AUTHORITY OF FOREIGN CLAIMS SETTLEMENT*  
16          *COMMISSION.—*

17               (1) *IN GENERAL.—The Foreign Claims Settle-*  
18               *ment Commission shall adjudicate claims and deter-*  
19               *mine the eligibility of individuals for payments under*  
20               *section 7304.*

21               (2) *RULES AND REGULATIONS.—Not later than*  
22               *180 days after the date of the enactment of this Act,*  
23               *the Chairman of the Foreign Claims Settlement Com-*  
24               *mission shall publish in the Federal Register such*  
25               *rules and regulations as may be necessary to enable*

1 *the Commission to carry out the functions of the*  
2 *Commission under this title.*

3 *(b) CLAIMS SUBMITTED FOR PAYMENTS.—*

4 *(1) SUBMITTAL OF CLAIM.—For purposes of sub-*  
5 *section (a)(1) and subject to paragraph (2), the For-*  
6 *oreign Claims Settlement Commission may not deter-*  
7 *mine an individual is eligible for a payment under*  
8 *section 7304 unless the individual submits to the*  
9 *Commission a claim in such manner and form and*  
10 *containing such information as the Commission*  
11 *specifies.*

12 *(2) FILING PERIOD FOR CLAIMS AND NOTICE.—*

13 *(A) FILING PERIOD.—An individual filing*  
14 *a claim for a payment under section 7304 shall*  
15 *file such claim not later than one year after the*  
16 *date on which the Foreign Claims Settlement*  
17 *Commission publishes the notice described in*  
18 *subparagraph (B).*

19 *(B) NOTICE OF FILING PERIOD.—Not later*  
20 *than 180 days after the date of the enactment of*  
21 *this Act, the Foreign Claims Settlement Commis-*  
22 *sion shall publish a notice of the deadline for fil-*  
23 *ing a claim described in subparagraph (A)—*

24 *(i) in the Federal Register; and*

1                   (ii) in newspaper, radio, and television  
2                   media in Guam.

3                   (3) *ADJUDICATORY DECISIONS.*—*The decision of*  
4                   *the Foreign Claims Settlement Commission on each*  
5                   *claim filed under this title shall—*

6                             (A) *be by majority vote;*

7                             (B) *be in writing;*

8                             (C) *state the reasons for the approval or de-*  
9                             *negial of the claim; and*

10                            (D) *if approved, state the amount of the*  
11                            *payment awarded and the distribution, if any,*  
12                            *to be made of the payment.*

13                   (4) *DEDUCTIONS IN PAYMENT.*—*The Foreign*  
14                   *Claims Settlement Commission shall deduct, from a*  
15                   *payment made to a compensable Guam victim or sur-*  
16                   *ivors of a compensable Guam decedent under this*  
17                   *section, amounts paid to such victim or survivors*  
18                   *under the Guam Meritorious Claims Act of 1945*  
19                   *(Public Law 79–224) before the date of the enactment*  
20                   *of this Act.*

21                   (5) *INTEREST.*—*No interest shall be paid on*  
22                   *payments made by the Foreign Claims Settlement*  
23                   *Commission under section 7304.*

24                   (6) *LIMITED COMPENSATION FOR PROVISION OF*  
25                   *REPRESENTATIONAL SERVICES.*—

1           (A) *LIMIT ON COMPENSATION.*—Any agree-  
2           ment under which an individual who provided  
3           representational services to an individual who  
4           filed a claim for a payment under this title that  
5           provides for compensation to the individual who  
6           provided such services in an amount that is  
7           more than one percent of the total amount of  
8           such payment shall be unlawful and void.

9           (B) *PENALTIES.*—Whoever demands or re-  
10          ceives any compensation in excess of the amount  
11          allowed under subparagraph (A) shall be fined  
12          not more than \$5,000 or imprisoned not more  
13          than one year, or both.

14          (7) *APPEALS AND FINALITY.*—Objections and ap-  
15          peals of decisions of the Foreign Claims Settlement  
16          Commission shall be to the Commission, and upon re-  
17          hearing, the decision in each claim shall be final, and  
18          not subject to further review by any court or agency.

19          (8) *CERTIFICATIONS FOR PAYMENT.*—After a de-  
20          cision approving a claim becomes final, the Chair-  
21          man of the Foreign Claims Settlement Commission  
22          shall certify such decision to the Secretary of the  
23          Treasury for authorization of a payment under sec-  
24          tion 7304.

1           (9) *TREATMENT OF AFFIDAVITS.*—For purposes  
2 of section 7304 and subject to paragraph (2), the For-  
3 eign Claims Settlement Commission shall treat a  
4 claim that is accompanied by an affidavit of an indi-  
5 vidual that attests to all of the material facts required  
6 for establishing the eligibility of such individual for  
7 payment under such section as establishing a prima  
8 facie case of the eligibility of the individual for such  
9 payment without the need for further documentation,  
10 except as the Commission may otherwise require.  
11 Such material facts shall include, with respect to a  
12 claim for a payment made under section 7304(a), a  
13 detailed description of the injury or other cir-  
14 cumstance supporting the claim involved, including  
15 the level of payment sought.

16           (10) *RELEASE OF RELATED CLAIMS.*—Accept-  
17 ance of a payment under section 7304 by an indi-  
18 vidual for a claim related to a compensable Guam de-  
19 cedent or a compensable Guam victim shall be in full  
20 satisfaction of all claims related to such decedent or  
21 victim, respectively, arising under the Guam Meri-  
22 torious Claims Act of 1945 (Public Law 79–224), the  
23 implementing regulations issued by the United States  
24 Navy pursuant to such Act (Public Law 79–224), or  
25 this title.

1 **SEC. 7306. GRANTS PROGRAM TO MEMORIALIZE THE OCCU-**  
2 **PATION OF GUAM DURING WORLD WAR II.**

3 (a) *ESTABLISHMENT.*—Subject to subsection (b), the  
4 Secretary of the Interior shall establish a grant program  
5 under which the Secretary shall award grants for research,  
6 educational, and media activities for purposes of appro-  
7 priately illuminating and interpreting the causes and cir-  
8 cumstances of the occupation of Guam during World War  
9 II and other similar occupations during the war that—

10 (1) memorialize the events surrounding such oc-  
11 cupation; or

12 (2) honor the loyalty of the people of Guam dur-  
13 ing such occupation.

14 (b) *ELIGIBILITY.*—The Secretary of the Interior may  
15 not award a grant under subsection (a) unless the person  
16 seeking the grant submits an application to the Secretary  
17 for such grant, in such time, manner, and form and con-  
18 taining such information as the Secretary specifies.

19 **SEC. 7307. AUTHORIZATION OF APPROPRIATIONS.**

20 (a) *GUAM WORLD WAR II CLAIMS PAYMENTS AND AD-*  
21 *JUDICATION.*—For the purposes of carrying out sections  
22 7304 and 7305, there is authorized to be appropriated for  
23 any fiscal year beginning after the date of enactment of this  
24 act, an amount equal to the amount deposited into the  
25 Claims Fund in a fiscal year under section 7303. Not more  
26 than 5 percent of funds made available under this sub-

1 *section shall be used for administrative costs. Amounts ap-*  
2 *propriated under this section may remain available until*  
3 *expended.*

4 *(b) GUAM WORLD WAR II GRANTS PROGRAM.—For*  
5 *purposes of carrying out section 7306, there are authorized*  
6 *to be appropriated \$5,000,000 for each fiscal year beginning*  
7 *after the date of the enactment of this Act.*

Attest:

*Clerk.*





114<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

**S. 2943**

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**AMENDMENT**